

Attacked, threatened and criminalised: LGBTI freedom of speech in Nigeria

Jude Dibia explores the criminalisation and violence faced by the LGBTI community after the Same-Sex Marriage Prohibition Act.



In January 2014, the freedom to identify as a member of the LGBTI community became a crime in Nigeria. In February 2016, a young man in a little known Nigerian town, Ondo West, Ondo State, was lynched by a mob of angry youths for being gay. The young man's name was [Akinnifesi Olumide Olubunmi](#) and he died the following day. Yet, in October 2016, Nigeria's ex-President Goodluck Jonathan, in a speech at the Oxford Union, [tweeted this](#): "Since passing the ban on same-sex marriage, I can attest that not a single Nigerian has been discriminated against as a result of the law".

Akinnifesi's death is sadly not the only example of a person who identifies as LGBTI who has been attacked, threatened, or even arrested in Nigeria since [January 2014](#). All this can be linked directly to the Same-Sex Marriage Prohibition Act which Goodluck Jonathan signed into law when he was

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President. A [report](#) gathered by several human rights groups in Nigeria in 2015 shows that two hundred and eighty-two persons had their freedom of expression and human rights violated because of their gender identity in the year after the law was passed. The study was broken down further to show one hundred and seventy-two human rights violations were recorded in eighteen States. Interestingly, State actors carried out thirty-eight of these, a hundred and twenty-four were committed by non-State actors and, ten of these were jointly carried out by both State and non-State actors. This included blackmail, extortion, battery, assault and arbitrary arrests. One is forced to question why there exists a disconnect between these reportings and what the political class, including Goodluck Jonathan, claim to be the real situation and outcome of the homophobic anti Same-Sex Marriage Prohibition Act.



Goodluck Jonathan, Former Nigerian President of Nigeria 2010-2015 at the World Economic Forum in 2013. (Creative Commons Attribution) Image link: <http://bit.ly/2eG4X1m>

Many may argue that the Same-Sex Marriage Prohibition Act (SSMPA) merely tries to protect the sanctity of marriage between persons of opposite sex much like what the [DOMA](#) (Defence of Marriage Act) tried to accomplish in the United States. However, the SSMPA went further by criminalising a number of activities associated with homosexual identity, including gay associations.

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Perhaps one of the most damning aspects of the SSMPA is how it also has been used to cripple and target the work of organisations that assist and aid LGBTI persons. A section of the SSMPA prohibits the operation and sustenance of organisations that aid LGBTI persons. The penalty for violating this is a maximum of ten years in jail.

Sadly, Nigeria is not alone in how it targets and discriminates against LGBTI persons. Of the 55 countries that make up Africa, homosexuality is illegal in 36 of them. Legal rights continue to diminish for LGBTI people across Africa. Apart from the anti sodomy laws that exist in many African countries, new laws such as Nigeria's SSMPA or Uganda's anti-gay law further limit the human right to freedom of speech of LGBTI people in these countries.

Nigeria for a very long time has been quite volatile when it comes to how it handles the LGBTI question. There has always been some form of hostility directed at people considered to be gay or individuals who do not identify with the sex they were born with, significantly reducing their freedom of expression. In recent times, this has only gotten worse. For much of the 1980s and into the 1990s not much attention was paid to the presence of LGBTI persons in Nigeria, a narrative which ironically changed shortly after Nigeria transitioned from a military dictatorship to a supposed democratic government.

The Nigerian Minister of Foreign Affairs in February 2009, Ojo Madueke, stated in an [address](#) made at the United Nations Universal Periodic Review on Human Rights in Geneva that "we have no record of any group of Nigerians who have come together under the umbrella of Lesbian, Gay and Transgender group; let alone to start talking of their rights." In essence, what he was saying was that LGBTI people do not exist in Nigeria. He went further to state, "If they are an amorphous group, then the question of violence against them does not arise let alone negotiating special rights for them." The Nigerian LGBTI community therefore has its right to freedom of speech denied. This has sadly been the belief and approach that Nigerian society at large has adapted. A recent poll shows that over 85% of the Nigerian population favour the SSMPA and don't believe that LGBTI persons deserve any rights.

A day after Akinnifesi Olumide Olubunmi died, pictures of his battered, bleeding body was circulated widely on Facebook and other social media platforms. The amount of hate that was directed at the deceased was shocking, so much so that someone wrote on the dead man's wall: "*End of gay! This will serve as a lesson to all the people that love to engage in bisexual, homosexual (acts)*".

Words matter. The rhetoric behind homophobic legislation only ensures that more victims like Akinnifesi Olumide Olubunmi are targeted and critics continue to be silenced.

Jude Dibia is a novelist from Nigeria. His novels include Walking with Shadows (2005), one of the first Nigerian novels to have a gay man as its central character, Unbridled (2007) and Blackbird (2011).

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