

## Implications of Nigeria's Twitter Ban and Use of Virtual Private Networks (VPNs) on Freedom of Speech and Expression

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**ABSTRACT:** The researchers examined the implications of Nigeria's Twitter ban, and the use of Virtual Private Networks on freedom of speech and expression in the country. The researchers found that the infringement of the rights of Nigerian's to freedom of speech and expression was a critical concern of the ban of twitter. Since, participants saw Nigeria's Twitter ban was a step by the government to absolutely regulate social media. It established that VPNs were very useful, helpful and instrumental in ensuring that Nigerian's exercise their right to freedom of speech and expression. The researchers recommended that Twitter and the Nigerian government should ensure that they come to a baseline of understanding in order to redress their stands on the ban of twitter since it affects a large part of the country, and the press most especially.

**KEYWORDS:** Nigeria's Twitter ban, Virtual Private Networks, Freedom of speech, Libertarian theory, Nigerian government

### I. INTRODUCTION

"I am the most abused and insulted president in the world, but when I leave office you will all remember me for **the total freedom** you enjoyed under my government," – Goodluck Jonathan, former president of Nigeria. On the 14th of December, 2014, the then president of Nigeria, GoodluckEbele Jonathan took to his Facebook handle explain to Nigerians that the extent of freedom of speech experienced during his tenure might not be replicated in the subsequent tenures or administrations in the Nigeria. The ex-president acclaimed himself as the most insulted president of the country. However, in the true spirit of democracy, the ex-president still pushed on to carry out his delegated duties as the representative of the people. But, just seven years after, Nigerians are beginning to see the full implementation of measure to deny the citizen of the country the rights and privilege enshrined in the freedom of information act signed into law during his tenure as president. There is a wide believe from public opinion that the Nigeria's twitter ban saga is Buhari led administrations first breakthrough in its quest to monitor and regulate the social media.

Right from the inception of the Buhari led administration in 2019; President MuhammaduBuhari along with his cabinet has attempted various ways of gaining control over the social media by regulating it. According to Asadu (2017), who labelled the administration as military, opined that the decision of the Buhari led administration to monitor comments on social media "had breached our national red lines was because it believed that some content created by Nigerians have crossed what the administration called "national red lines". According to the president cited by Asadu (2017), Nigerians are robust and energetic in discussing their problems, on social media but the president expressed dismayed over some of the comments that had crossed our national red lines by daring to challenge our nation's collective existence. The government followed up with its desire to set in measures to monitor and regulate social media. In addition, there were numerous attempts including the proposing of an anti-social media bill, and sanctioning people who are believed by government to go against what it calls national red lines among other.

The Senate of the Federal Republic of Nigeria introduced the Anti-Social Media Bill on November 5, 2019 to make it illegal to use social media to spread false or malicious information (*Vanguard*, 2019). The bill's

original title was the Internet Falsehood and Manipulation Protection Act of 2019. Senator Mohammed Sani Musa of northern Nigeria, a generally conservative region, sponsored the bill. After the bill passed second reading (*ThisDay*, 2019) on the Nigeria Senate floor and its specifics were made public, information surfaced on social media accusing the bill's sponsor of plagiarising a similar law in Singapore, which ranks last in the world for freedom of speech and the press. Angry reactions trailed the introduction of the bill, and a number of civil society organisations, human rights activists, and Nigerian citizens unanimously opposed the bill (*The Punch*, 2019).

The issues leading to Nigeria's Twitter ban provided the government of Nigeria with the need scenario to experiment its desire of regulating and monitoring the activities of her citizens on social media. An African adage goes, "when two elephants fight, it is the grass that suffers it". The case between Jack Dorsey (founder of twitter) and President MuhammaduBuhari (PMB) of Nigeria is a clear illustration of this adage. The social media tussle between twitter founder and Nigerian president, who can be referred to as the elephants has led to ban of one of the most prominent social media platforms in the country. This leaves a large number of Nigerians, their businesses, network in shambles – the grass that suffered. Thanks to the availability of the virtual private networks(VPNs) that was handy to pull some of the drowning businesses and individuals back to limelight. The point of concern is the persistent desire of a democratic government to monitor social media. What is the implication of all these on the essence of democracy with is freedom of speech and expression? It is as a result of this that this study takes a closer look at the situations surrounding Nigeria's twitter ban and its implications on the right of Nigerians to freedom of speech and expression.

The researchers are bugged with the complexities of this situation and seek to ascertain how Nigeria, first, feel about the fact that Twitter deleted the post of an incumbent presidents. This study is also concern with the implications of Nigeria's Twitter ban and the use of Virtual Private Networks on freedom of speech and expression in country. The aims of this study were to ascertain Nigerian's perception of twitter's deleting of President MuhammaduBuhari's tweet; determine the group of people mostly affected by Nigeria's twitter ban in terms of freedom of speech and expressions; examine Nigerian's perception on using Virtual Private Network to access twitter after its ban; evaluate the implications of Nigeria's twitter ban on freedom of speech and expression in Nigeria, and, find out the implications of using Virtual Private Network to access twitter on freedom of speech and expression in Nigeria.

## II. RESEARCH QUESTIONS

- i. How do Nigerians perceive twitter's deleting of President MuhammaduBuhari's tweet in terms of freedom of speech and expression?
- ii. Which group of people in the Nigerian society are mostly affected by Nigeria's twitter ban in terms of freedom of speech and expression?
- iii. How do Nigerians perceive the use of Virtual Private Network (VPNs) to access twitter after its ban in terms of freedom of speech and expression? And,
- iv. What are the perceived implications of Nigeria's twitter ban as well as using Virtual Private Network to access twitter on freedom of speech and expression in Nigeria?
- v. What are the perceived implications of using Virtual Private Network to access twitter on freedom of speech and expression in Nigeria?

## III. LITERATURE REVIEW

### *A. Nigeria's Twitter Ban: Cause, Occurrence and Effect*

There have been public outcries on the concerns and implications of the ban of twitter on the economy, politics, business and even religion. In addition to this, there is a greater concern on the implications of the twitter ban on the right of every Nigerian to freedom of speech and expression. One of the schools of thought on this matter is of the opinion that the ban on twitter is just the first step by the Nigerian government to absolutely regulate the social media. The others are of the opinion that the government intends to use the social media platform for revenue generation. Whatever the case may be, the greater weight rests on the intentions of the government to control and regulate platforms that are meant to be decentralised and devoid of any form of control, especially in a democratic government. The first question to tackles is: why the ban?

According to Akinpelu (2021), the Nigerian government suspended the operations of Twitter in Nigeria indefinitely after the social media platform pulled down a tweet by President MuhammaduBuhari that it deemed to be encouraging violence. Jalloh agrees that "the judgement to suspend twitter came just days after Nigerian President MuhammaduBuhari's message was removed from Twitter" (para. 2). The government stated that Twitter's actions would not be tolerated because they would jeopardise Nigeria's "corporate survival" and

meddling in the country's internal affairs. According to a statement made by Nigeria's ministry of communication, the Twitter ban is a first step toward more social media control. This indicates that the government's long-awaited social media regulatory initiative, which had been widely panned, was finally started.

Inquiring into the issue, Jalloh (2021) highlights that the main of argument of the government in defence off its ban on twitter is that, Twitter allows secessionists to disseminate information that undermines the country's stability while blocking the president's remark. As averred by the minister of information:

We found out that Twitter is the platform of choice for a particular separatist leader who resides outside the country and issues directives to his members to attack symbols of government authorities such as the police, military, electoral commission offices, correctional centres, etc... this is being done wilfully and consistently, without any consequences from Twitter. No country that wants to survive would tolerate that and no company, no matter its self-importance, would force a nation to accept this (Lai Mohammed cited in Jalloh, 2021).

The twitter ban has joined Nigeria to an infamous list of eight countries that have recently banned Twitter. Without delay, telecommunication firms, according to Akinpelu (2021), had cooperated with the order following the government's pronouncement of a Twitter ban. Jalloh (2021) is of the opinion that Nigeria's Twitter shutdown has disconnected millions of Twitter users. While some have applauded the ban, it has sparked a global outcry over freedom of expression and highlighted the country's north-south division. The move came after the Nigerian government banned Twitter, a micro-blogging and social networking service. Nigerian authorities claim that the site was being used to spread falsehoods in order to destabilise the country.

The premise that the government plans to leverage social media for income generating is confirmed by Jalloh (2021). "Social media businesses intending to operate in Nigeria must register as a local entity and obtain a licence from the country's information minister, Lai Mohammed," according to Jalloh. "We are insisting that for you to operate in Nigeria, you must first be a Nigerian company and be licensed by the broadcasting commission... twitter has consistently made its platform available to those who are threatening Nigeria's corporate existence; that is the reason for suspending their operations in Nigeria," according to the minister (para. 3).

In addition to this, there are suspicions that the government plans to use this ban on Twitters as the first successful step towards the regulation of the social media. Alumona (2021) highlights that the ban on Twitter, a platform that helped the ruling party to victory in the 2015 presidential election, is part of the government's plan to regulate social media. In his explanation, Alumona states that:

In 2017, Nigeria's information minister, Lai Mohammed, blamed the siege of disinformation and fake news on social media. A National Council on Information (NCI) was set up soon after and recommended that a council be set up to regulate the use of social media. In 2019, the information minister supported an anti-social-media bill titled: Protections from Internet Falsehood and Manipulations, sponsored by Senator Mohammed Sani Musa of the ruling APC party. The government also ordered internet services including WhatsApp, Zoom, Netflix, Skype, to obtain licenses from the National Broadcasting Commission before operating in the country.

Another aspect of the effect of the twitter ban is explained by MacEbong cited in Alumona (2021). MacEbong said that the suspension of twitter in Nigeria has the tendencies of deterring investors. Tech businesses that operate on a global scene with other country that are less hostile than Nigeria will desist from desirous to establish footholds in Africa are more likely to consider Ghana rather than Nigeria. GbengaSesan, executive director of the Paradigm Initiative, a pan-African social enterprise focused on digital rights and inclusion, agrees. He claims that the suspension of Twitter sends the incorrect message to international investors, and that small businesses in Nigeria that rely on Twitter for income will be impacted. "Digital media is used by Nigerian businesses to reach out to customers, expose their brands, and engage with other stakeholders. This impulsive choice will undoubtedly have an impact on that", Sesan (2021, para. 1) opined.

The statement by Nigeria's Cultural Minister Lai Mohammed that the ban would be lifted if Twitter complies with local licensing, registration, and requirements of the country goes a long way to buttress the fact that the government have made a first stride in its quest to gag the social media. According to him, "it [Twitter] will be licensed by the broadcasting commission, and it must agree not to allow those who are supporting actions that are detrimental to Nigeria's business existence to utilise its platform."

*B. Twitter Deleting President Buhari's Tweet, Nigeria's Twitter ban and the violation of freedom of speech and expression*

First, it is necessary to establish a perimeter for knowing what constitute infringement of one's right to freedom of speech. This can only be done by defining what freedom of speech is, and the conditions within which it is operational. According to Fee (1973), freedom of speech is a principle that supports the freedom of an individual or a community to articulate their opinions and ideas without fear of retaliation, censorship, or legal sanction. The term freedom of expression is usually used synonymously but, in legal sense, includes any activity of seeking, receiving, and imparting information or ideas, regardless of the medium used. The right to freedom of expression is recognized as a human right under article 19 of the Universal Declaration of Human Rights (UDHR) and recognized in international human rights law in the International Covenant on Civil and Political Rights (ICCPR).

Article 19 of the UDHR states that "everyone shall have the right to hold opinions without interference" and "everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice." The version of Article 19 in the ICCPR later amends this by stating that the exercise of these rights carries "special duties and responsibilities" and may "therefore be subject to certain restrictions" when necessary "[f]or respect of the rights or reputation of others" or "[f]or the protection of national security or of public order (order public), or of public health or morals."

Secondly, do Nigerians have a constitutional right to freedom of speech and expression? There is an outstanding provision in the constitution of the country establishing the right of its citizens to freedom of speech and expression. Specifically, the section 39 (1) and (2) of the Federal Republic of Nigeria constitution protects freedom of expression in Nigeria provides thus:

[Subsection](1) Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference. [Subsection] (2) Without prejudice to the generality of subsection (1) of this section, every person shall be entitled to own, establish and operate any medium for the dissemination of information, ideas and opinions: Provided that no person, other than the Government of the Federation or of a State or any other person or body authorised by the President on the fulfilment of conditions laid down by an Act of the National Assembly, shall own, establish or operate a television or wireless broadcasting station for, any purpose whatsoever.

Despite this constitutional safeguard, the Nigerian government has maintained influence over the media for much of its history, with some instances continuing to this day. Nigeria, on the other hand, would have over 100 independent publications by 2020. Furthermore, between 1979 and 1983, the government of the Second Nigerian Republic delegated censorship to the military for a brief while. Nigerian censors frequently target certain types of ideas, such as ethnic debates, political opposition, and moral ambiguity.

On this premises, Jalloh (2021) opines that legal experts in Nigeria said the Twitter ban violates the freedom of expression guaranteed by the country's constitution. Baba Dala, a constitutional lawyer, cited by Jalloh is of the view that the new directive by the federal government on ban Twitter was very detrimental to Nigeria and Nigerians. According to Dala, it is a matter of concern that the decision to suspend Twitter was a unilateral decision. Dala states that "Nigeria's Twitter users are assumed to be primarily young southerners who use the platform to hold their government to account". This implies that the ban of the social media platform might have been a deliberate action by the federal government to jettison the efforts and activities of these young Nigerians. This opinion might be from proponents of the school of thought that Nigerian government does not want anything good for its teeming aspiring youths. They hold this ban on twitter as a follow up on the strict regulations against and subsequent ban on crypto-currencies.

In addition to the assertion that the present government is not youth-friendly, infringing on the right to the freedom of speech and expression of Nigeria has drawn global attention.

### *C. Upsurge of the Use of Virtual Private Network in Nigeria*

The ban on twitter led to an upsurge in the use of virtual private networks (VPNs) to circumvent and bypass the restrictions. The ban encouraged Nigerians to use Virtual Private Networks (VPNs) to get around the prohibition (VPN). Attorney-General AbubakarMalami said that after the government became aware of the diversion, it issued an order that offenders may risk being prosecuted, a warning he failed to back up with legal evidence. With this, it is nothing to argue that, Mr Buhari's years as a military ruler who wielded prosecutorial powers without checks is still evident in this style of democratic leadership. As observed by Jalloh (2021), Nigerian Twitter users were outraged by the restriction. According to public opinion documented by Jalloh, Africa's most populous country was drifting towards dictatorship. In order to stay in touch with their online networks and connections, many twitters users got around the suspension by accessing the service through virtual private networks (VPNs).

Alumona (2021) states that twitter users in the country rushed Twitter when it was suspended, using VPNs to voice their outrage and disappointment. Alumona returned to Lagos and used his VPN to join other Nigerians in tweeting with the hashtag #KeepitOn. Alumona is terrified, despite utilising a VPN. "The way things are going, as a Nigerian, I'm terrified because we don't know what's going to happen next," he stated. "Our ability to speak up for the truth and hold the government accountable will be harmed." In his own opinion, Alaribe (2021) believes that many Nigerians have adopted the use of VPNs (Virtual Private Networks) to get past the limitation; with the Federal Government's indefinite ban of Twitter after it erased a message by President MuhammaduBuhari, (Jason, 2021). According to Alaribe, on the internet nowadays, VPN has become known as a solution to a variety of privacy issues. Also, while telcos and other internet service providers (ISPs) have restricted access to Twitter as a result of the government ban, a VPN can provide the security solution that allows you to regain access to the micro-blogging site. It is nothing to argue that the use of VPN to access twitter came with its own disadvantages and benefits. Nigerian twitter did not consider the disadvantages as they were out to do anything to have their rights to freedom of speech and expression.

## **IV. EMPIRICAL REVIEW**

The research concern on Nigeria's Twitter ban is still very new. But, there are abounding materials on the use of social media such as twitter for or/and against the government and the desire for government in Nigeria to regulate the social media. One of the studies on the use of social media against the government in Nigeria is the study conducted Oloyede and Elegu (2020) to explore the impact of social media hashtags, like the #EndSars on awareness creation about police extortion, rape, assault, and extra judicial killings, ultimately leading to the disbandment of the Special Anti-Robbery Squad (SARS). Nigeria has also witnessed significant improvement in political participation over the years due to the advent of the social media. Agbaenyi, Okafor and Nwagbo (2015) attributed the victory of the opposition party (APC) in the 2015 general elections to the use of social media by political actors for transmitting campaign promises and exposing some ills of the incumbent government and its party to the people as opposed to the mainstream media that were mostly in controlled by the incumbent government.

Despite the positives of the social media, there have been several agitations for its regulation not just by individuals, but also by governments around the world. The 2013 Defamation Acts enacted by the UK government was prompted by defamation activities by individuals on social media (Chin, 2013). The "dark side" of social media includes cyber-bullying, manipulation of elections, fear of missing out, social media addiction and the distribution of fake news, therefore an independent, reliable and universal regulatory framework that applies equally to all social media companies must be created (Baccarella, Wagner, Kietzmann& McCarthy, 2019). Also calling for intervention are researchers s O'Keeffe and ClarkePearson(2011) who disclosed in their 2011 report that pre-teens and teens who spend a great deal of time on social media sites, such as Facebook, begin to exhibit classic symptoms of depression triggered by the intensity of the online world, thereby putting them at risk of social isolation which in turn leads them to risky social media sites for "help" that may promote substance abuse, unsafe sexual practices, aggressive or self-destructive behaviours. (O'Keeffe & Clarke-Pearson, 2011).

In the same vein, Goodwina, Lemolaa and Ben-Ezrab (2017) call for interventions that target social media use by citizens of France, particularly amongst those most vulnerable to distress. Findings from their research indicates a significant impact of media use on traumas and sleep disorders following the 2015 Batlancan terror attacks in Paris France. They used this premise to advocate for the regulation of the social media.

## V. THEORETICAL FRAMEWORK

For this study, two perspective of libertarianism were considered; libertarian theory of citizenship and the libertarian theory of the press. These two theoretical perspectives are from the libertarian movement that sprang up in the United Kingdom. The Libertarian theory of citizenship explains that individuals' relationships with the political community have been conceptualised in a variety of ways. The first is the liberal viewpoint, which, naturally, prioritises the individual. A liberal view of citizenship emphasises each citizen's equality of rights and how these rights enable the individual to accomplish their goals and objectives (Lister, 2008). According to Boaz (2020), liberalism seeks to define and justify the legitimate powers of government in terms of certain natural or God-given individual rights. These rights include the rights to life, liberty, private property, freedom of speech and association, freedom of worship, government by consent, equality under the law, and moral autonomy (the ability to pursue one's own conception of happiness, or the "good life").

Lister (2008) and Boaz (2020) share the sentiment that the libertarian theory of citizenship holds the government responsible to protect these and other individual rights, and in general liberals have contended that government power should be limited to that which is necessary to accomplish this task. Libertarians are classical liberals who strongly emphasize the individual right to liberty. They contend that the scope and powers of government should be constrained so as to allow each individual as much freedom of action as is consistent with a like freedom for everyone else. Thus, they believe that individuals should be free to behave and to dispose of their property as they see fit, provided that their actions do not infringe on the equal freedom of others.

From the perspective of the press (mass media), the libertarian theory of the press is one of the "Normative theories of press". The theory is based on libertarian ideas from the sixteenth century in Europe. The libertarian philosophers are against the authoritarian beliefs. International trade and urbanisation undermine the power of a rural aristocracy which leads to the raise of various social movements including the Protestants reformation, which demands individual's freedom and their own lives and free thoughts. Information is knowledge, and knowledge is power, according to liberalism. Libertarianism is devoid of all forms of power, control, or restriction. Libertarianism is an individualistic and limited-government philosophy that is not damaging to others. As a result of this, according to libertarian theory, humans are more capable of identifying and judging good ideas from bad. People are reasonable, according to the theory, and their reasoning thoughts drive them to discover what is good and wrong.

This theory holds the belief that the press should not be restricted in any way, even if the content is unfavourable because it can provide information and help people make better decisions in the worst-case scenario. The libertarian viewpoint is diametrically opposed to the authoritarian idea, which states that "all media of communication work under the supervision of the government or elite, such as the king". Coupled with the perspective on citizenship, the libertarian movement general holds the belief that government should be accountable to the people and the media should be free enough to ensure that people can send their feedbacks to the government presenting then. The Nigeria's Twitter ban tussle between Jack and Buhari presents a very different scenario from what this theory proposed. Both parties, as a result of this theory's propositions need to work in line with the freedom of speech and expression, which is every human's right.

## VI. METHODOLOGY

The researchers used the online survey (or the internet survey) for this study in order to cover a large expanse of the study's population. According to QuestionPro Survey Software (2021), online survey is one of the most popular data-collection sources, where a set of survey questions is sent out to a target sample and the members of the sample and the members of the sample can respond to the questions over the Internet. This method helped the researchers to overcome the challenge of distance barrier and reach to a large number of Nigerians. Accordingly, the population of this study comprised of number of internet users in Nigeria from 2021. As projected by statistic (2021), 108, 37 million Nigerians use the internet. This number is expected to increase by 2022 to 120.42 million. This number represents 51% of the total population of Nigeria, which is projected at 211,400, 708 according to Macro trends (2021).

The researchers derived a sample size of 385 for the study using Raosoft™ sample size calculator. This calculator appeared first on Google for the best online sample size calculator. It was followed by Survey Monkey sample size calculator and Australia Beau of statistic sample size calculator. The researchers used purposive and snowball sampling technique for this study. The researchers purposively distributed the link to the online questionnaire to 185 respondents in Facebook, WhatsApp and Email. The 185 respondents were solicited by the researchers to further share the links to their contacts too. The most important criteria for

selection were first being a citizen of Nigeria; more so, the person must have used twitter before and after the twitter ban in Nigeria.

Google form was used by the researchers to create the online survey questionnaire contained 20 research items of varying structure and scale. The first six items were to extract demographic data; then, nine items addressed twitter ban and freedom of speech and expression. The remaining items were on the use of virtual private numbers and freedom of speech. The researchers established reliability of the online survey questionnaire using test retest reliability method on 10 respondents. The researchers used two social media platforms to reach the respondents: Telegram and WhatsApp; and email. The researchers administered the online questionnaire on the respondents individually. The link was shared directly to 185 respondents by the researchers, who requested the respondents to share it too. Data analysis was done using percentage and the hypothesis was tested using chi-square. The researchers presented the analysed data using frequency distribution tables and charts (pie charts and histograms).

## VII. DATA PRESENTATION AND ANALYSIS

### A. Analysis of Demographic Data

First, demographic data were collected to describe the sample for the study. In addition to describing the sample in terms of age and location (which was necessary in order to establish the area of the study), other demographic details were collected to establish that the respondents were knowledgeable enough to provide informed opinions about the variables under study. Some of the demographic variables such as use of twitter before the ban served as a moderating variable for the inclusion of respondents into the study. The demographic variables for this study were age, location, use of tweet before and after the ban, knowledge of VPNs and general knowledge of the ban of twitter in Nigeria (whether the respondent used twitter or not).

The demographic data when collected and analysed showed that the respondents were mainly between ages 26 and 30 (with 34.8%) of the overall respondents for this study. This is in line with the assertion by Statista (2021) that 93% of internet users in Nigeria are youths between this age brackets. (See chart 1 below). In order to determine the extent of circulation and reach of the online survey and define an area for this study, the researchers included location as one of the demographic detail. From the study's data, the survey was filled in by respondents across 9 states and 23 cities in the country. This represents 22% of the 36 states in Nigeria. The states reached included: Imo (the researchers's state of residence) (47%), AkwaIbom (the researchers's state of origin)(18.1), Benin (1.5%), Delta (4.5%), Jos (6.8%), Bayelsa (1.5%), Rivers (5.5%), Ibadan (1.5%) and Lagos (13.6%). Some of the key cities covered include Ikeja, Port Harcourt, Ikorodu, Owerri and Uyo among others (See chart 2 below).

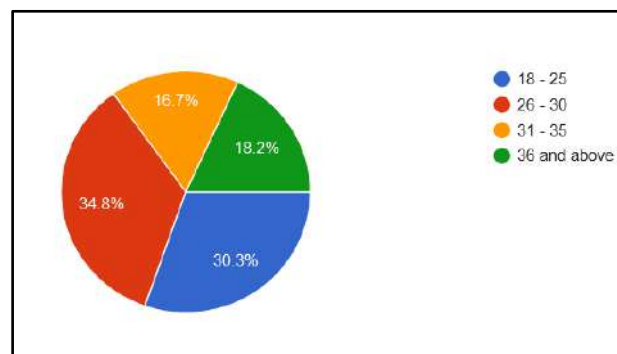


Chart 1: Age Distribution of Respondents

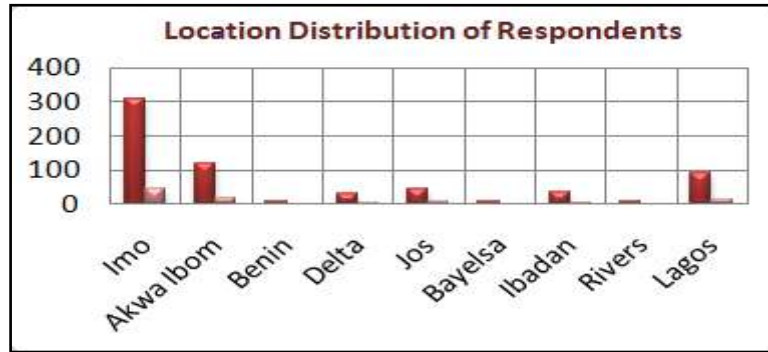


Chart 2: Location Distribution of Respondent

Before Nigeria’s Twitter ban, a majority of Nigerians used Twitter (66.7%), however, there was a 34.9% decrease in the users of Twitter among the participants of this study. The 31.8% of respondents who claimed to continue the use of Twitter had to use other ways to bypass the restrictions. A majority of them accessed Twitter using VPN and other measures such as manually adjusting proxy address in the phone setting; also, using a kind of advanced setting available on Samsung phones users. (Compare charts 3 and 4 below).

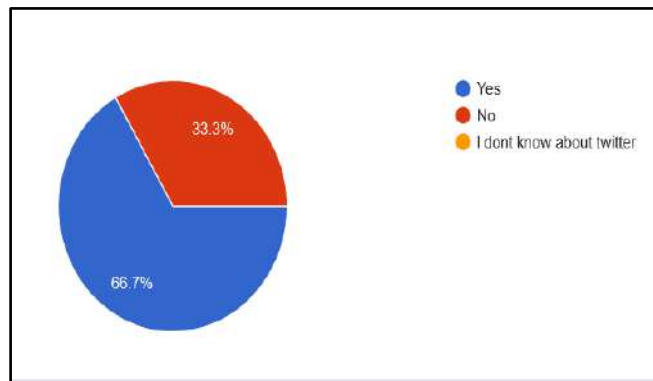


Chart 3: Twitter users before the ban

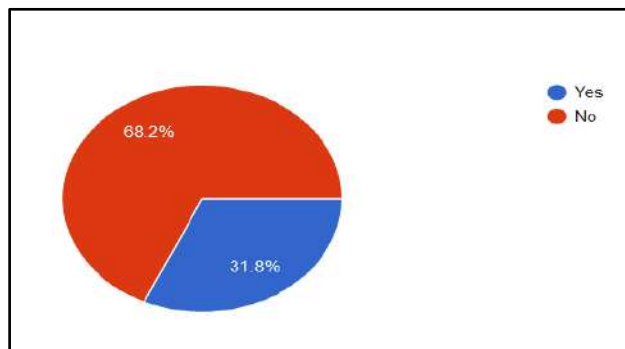


Chart 4: Twitter users after the ban

Although some of the respondents did not use twitter, they were aware of Nigeria’s twitter ban (see chart 5), so, they were added as respondents for the study. Be that as it may be, respondents who neither used twitter nor had an idea of Nigeria’s twitter ban were excluded from the study. One hundred and six (106) participants were affected. This implies that, out of 661 copies of the online questionnaire filed in by respondents, 106 were invalid; thus, 555 entries were valid and considered useful for further analysis.



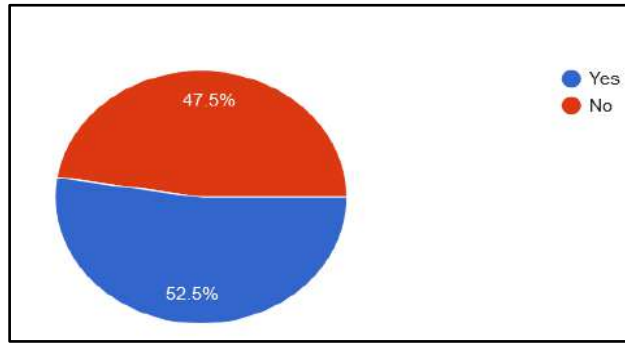


Chart 5: Respondents who did not use twitterbut they were aware of Nigeria’s twitter ban

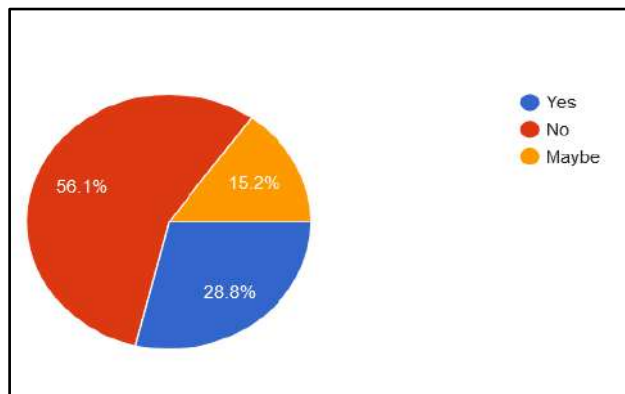


Chart 6: Did twitter infringe on PMB's right to freedom of speech

**B. Nigeria’s Twitter ban and freedom of speech and expression**

Data were collected and analysed in line with the relationship between the first independent variable (Nigeria’s Twitter ban) and the dependent variable (freedom of speech and expression). Participants of this study opine that twitter did not infringe on the right of President MuhammanduBuhari by deleting a post that went against their term of use. (See chart 6 above). In the open-end section of the online survey, most of the participants provided reason they feel the right of the presidents was not infringed. They share similar thoughts that established that the president as well as every Nigerian has his or her right to freedom of speech and expression guaranteed and provided for by the constitution. However, freedom of speech and expression when it comes to social media are not guaranteed expect they work in line with the terms of use of the social media platform. Therefore, since the tweet by the president is said to have violated some of Twitter’s terms of use; deleting the tweet within this context did not constitute an infringement of right. In addition, a majority of the respondents disagreed with the reaction of the president. 86.4% of respondents do not think that President MuhammanduBuhari reacted appropriately by banning twitter for deleting his tweet that went against its terms of use. (Check chart 7 below).

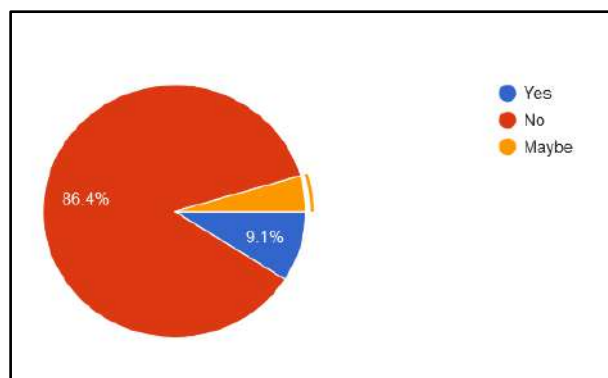


Chart 7: PMB’s reaction

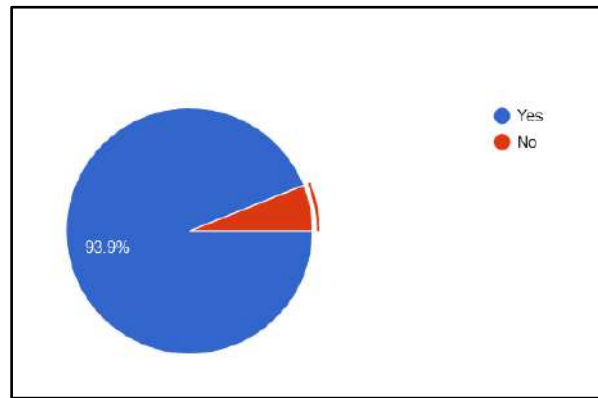


Chart 8: Nigeria's Twitter ban infringes Nigerian's right to freedom of speech and expression

A serious implication of Nigeria's Twitter ban is, according to a majority of the participants in the study (93.9%) (See chart 8 above), is the infringement of the rights of Nigerian's to freedom of speech and expression. One of the respondents in the open-ended survey section opined that "*banning twitter is an abuse of the right of every Nigerian citizen to freedom of expression as stated by the Nigeria constitution*". Another participant who commented on the extent to which the ban infringed on the right of Nigerian's freedom of speech and expression observed that:

Twitter has previously acted as a medium to gang up against the [Nigerian] government and asking them to do better, as can be seen in the event of the #EndSARS protest that held [in October, 2020], Twitter was the major source of communication and considering the efficacy of that movement, banning Twitter is like taking away the voice of the people [Nigerians].

Participants' opinion presented during the study goes further to show that they believed that Nigeria's Twitter ban was a step by the government to absolutely regulate social media (see chart 9 below). The Nigeria government is fighting tooth and nail to see that social media in the country is regulated and monitored. A couple of attempted have been made and Nigeria's Twitter ban as reported by the respondents of this study has been perceived as the first step in the line of this endeavours. The ban, from the study is uncalled for, especially in a country that acclaims the practice of democracy. In trying to establish at least one positive side to Nigeria's twitter ban the research asked whether the ban in twitter served as a caution to those who spread and disseminate hate speech on social as well as possibility reduce the rate of internet fraud in the country (since it is believed that twitter is one of the platforms where these frauds happen). Chart 10 and 11 showed that respondents countered the two assumptions of a positive side to Nigeria's twitter ban; while 65.2% hold the believe that Nigeria twitter ban did not caution people sharing hate speeches and violent content on social media. Also, 56.1% disagree that Nigeria's twitter ban was positively related to decrease in internet fraud. Consequently, it was believed that the mass media (also known as the press) is the aspect of society that has been mostly affected by Nigeria's Twitter ban (39.4%). The media is directly followed by digital marketer (24.2%) who are believed to leverage greatly on social media especially twitter to connect with their target audience and business network. See chart 12 below.

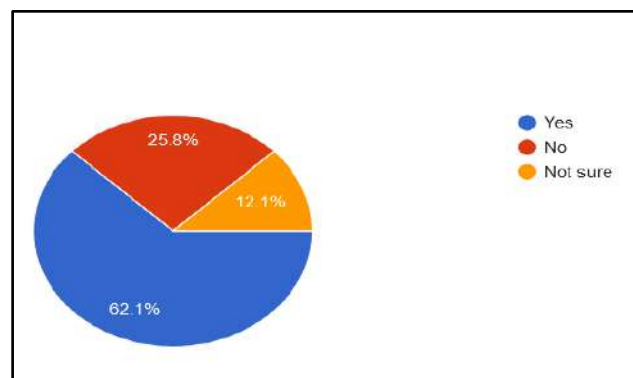


Chart 9: Twitter ban and government regulation of social media

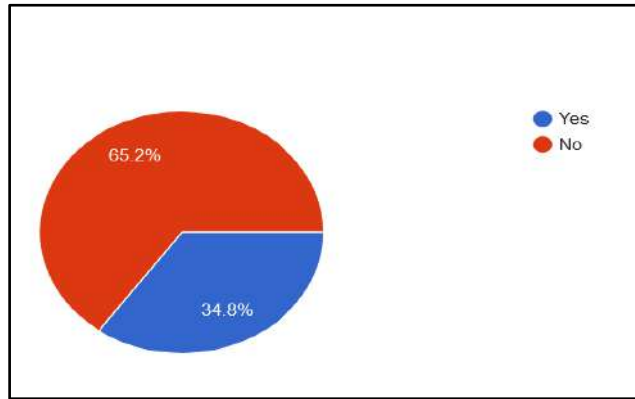


Chart 10: Twitter ban and hate speech

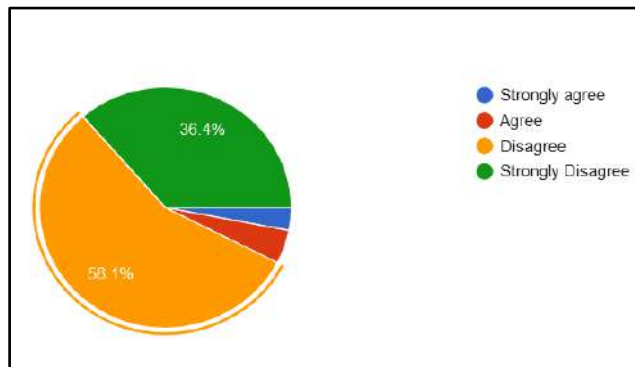


Chart 11: Twitter ban and internet fraud

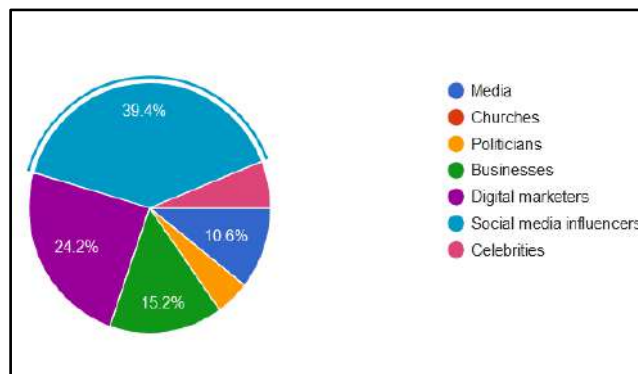


Chart 12: Twitter ban most affected group of people

**C. Use of Virtual Private Networks (VPNs) and Freedom of Speech and Expression**

There are great tendencies that the acronym, VPN, comes with some level of negative connotation in Nigeria because of its abusive use by internet fraudsters. In order to establish the perception of respondents on the use of VPNs, the researchers asked the respondents whether they assumed that the general use of VPNs was illegal in the country. Amidst the abuse of VPNs, participants in the study still maintained a positive attitude towards the use of VPN. A very striking comment is made by one of the respondents in the open-ended question section, thus: “VPN is legal as well as illegal depending on the user. If the user uses it for legal stuffs then it is legal, but, where a person uses VPN for illegal things, the VPN becomes. Standing alone, there is nothing that is illegal about the use of VPNs.” See chart 13 below.

As a matter of fact, with the current matters arising sequel to Nigeria’s twitter ban, VPNs are believed to be very useful, helpful and instrumental in ensuring that Nigerian’s exercise their right to freedom of speech and expression (48.5% in chart 14 below) to a very large extent (42.4% see chart 15 below) as enshrined in section 39 (1) and (2) of the Nigerian constitution of 1999 as amended. No wonder why 63.6% of the

respondents are of the opinion that even using VPNs to access twitter is not illegal after the federal government has placed a ban on the use of the platform. Nevertheless, a handful of the respondents expressed fear over using VPN to access Twitter since the platform has been banned (see chart 16 below). Respondents of the study showed a strong general support for Nigerians to keep on using VPNs to exercise their freedom of speech and expression regardless of government's orders (50% in chart 17). Another sentiment of the respondents closer to the above state is that neither the president's ban on twitter nor Nigeria's use of VPN to access the platform should be supported as both are on different extremes (37.9% in chart 18). Anything that should be support should stand in the middle – "*virtus in medio stat*".

### VIII. SUMMARY OF FINDINGS

The following are the key findings discussed in the study: twitter did not infringe on the right of President MuhammanduBuhari by deleting a post that went against their term of use; President MuhammanduBuhari reacted appropriately by banning twitter for deleting his tweet that went against its terms of use; the infringement of the rights of Nigerian's to freedom of speech and expression is a critical concern of the ban; Nigeria's Twitter ban was a step by the government to absolutely regulate social media; Nigeria's twitter ban was not positively related to decrease in internet fraud; Mass media (also known as the press) is the aspect of society that has been mostly affected by Nigeria's Twitter ban.

Also, Nigerians still maintained a positive attitude towards the use of VPN; VPNs are believed to be very useful, helpful and instrumental in ensuring that Nigerian's exercise their right to freedom of speech and expression; Using VPNs to access twitter is not illegal even after the federal government has placed a ban on the use of the platform; there was a strong general support for Nigerians to keep on using VPNs to exercise their freedom of speech and expression regardless of government's orders; Neither the president's ban on twitter nor Nigeria's use of VPN to access the platform should be supported as both are on different extremes (37.9% in chart 18).

### IX. CONCLUSION

The researchers conclude that the right to freedom of speech and expression is a very essential aspect of human existence. In a democratic society, particularly, the ability for government to tolerant the criticism and confrontations of its citizen in demand for accountability is the true show of the practice. As far as democracy remains the government of the people, for the people and by the people; there is still some level of power of that the people should control over the government. The libertarian movement of the 18th century strongly supports that information and access to it should be free. The first amendment of the US state constitution as well as the 1999 constitution of Nigeria provides for freedom of speech and expression to back up its democracy. Going contrary to this provision of the law is robbing democracy of its real essence.

The reaction of President MuhammanduBuhari to the action of twitter towards his tweet goes a long way to display to the international community the extent of democracy in Nigeria. In as much as, it will be too sentimental to total dismiss the right of the president to freedom of speech and expression too, it is also necessary to consider the terms of use of the platform on which this freedom is exercise. Also, there could have been many other ways to addressing the situation rather than tampering on the very essence of democracy in a bid to take revenge. This has resulted in serious negative effects on both parties – twitter and Nigeria. The most problematic is that the media, which is the fourth estate of the realm, seems to be the most affected. The economy, political and religious sphere of the country has been affected too. This calls for a redress of the presidential stand on the ban of twitter in line with the suggestions of European Union.

### X. RECOMMENDATIONS

In line with the findings of this work, the researchers recommend that:

- i. Freedom of speech is an essence element of democracy; thus, people who have access to the power to grant or restrict should be very cautious when taking action that might infringe, by commission or omission, the right to one's freedom.
- ii. Twitter and the Nigerian government should ensure that they come to a baseline of understanding in order to redress their stands on the ban of twitter since it affects a large part of the country, and the press most especially.
- iii. The use of twitter should be left open and legal, as far as, the citizens are using it legally and legitimately to exercise their right to freedom of speech and expression.

## REFERENCES

- [1]. "Again, Senate introduces bill to regulate social media use". *Vanguard News*. 2019-11-06. Retrieved 2019-11-25.
- [2]. "Anti-social Media Bill Passes Second Reading in Senate". *THISDAYLIVE*. 2019-11-20. Retrieved 2019-11-25.
- [3]. "Anti-social media bill: Senator defends alleged plagiarism of Singapore statute". *Punch Newspapers*. Retrieved 2019-11-25.
- [4]. Akinpelu, Y. (2021). #TwitterBan: All you need to know about Nigerian govt's Twitter ban. Retrieved from <https://www.premiumtimesng.com/news/top-news/465943-twitterban-all-you-need-to-know-about-nigerian-govts-twitter-ban.html>
- [5]. Akintayo, A. (2021). *Nigeria's decision to ban Twitter has no legal basis. Here's why*. *The Conversation*. Retrieved from <https://theconversation.com/nigerias-decision-to-ban-twitter-has-no-legal-basis-heres-why-163023>
- [6]. Alaribe, K. (2021). *Twitter ban: 9 pitfalls of using a VPN*. Retrieved from <https://1stnews.com/twitter-ban-9-disadvantages-of-using-a-vpn/>
- [7]. Alumona, E. (2021). *How Nigeria's Twitter ban stands to impact people, businesses*. Retrieved from <https://www.aljazeera.com/economy/2021/6/7/nigerian-twitter-ban-how-government-restriction-affects-people>
- [8]. Asadu, C. (2017). *Jonathan reminds Nigerians of 'total freedom enjoyed' during his tenure*. Retrieved from <https://www.thecable.ng/jonathan-reminds-nigerians-of-total-freedom-enjoyed-during-his-tenure>
- [9]. Boaz, D. (2020). *libertarianism*. Encyclopedia Britannica. Retrieved from <https://www.britannica.com/topic/libertarianism-politics>
- [10]. Fee, J. V. (1973). "Book reviews". *Today's Speech*. 21 (1): 45–48. doi:10.1080/01463377309369084. ISSN 0040-8573
- [11]. Iroanusi, Q. (2019). *"UPDATED: Bill to regulate Social Media passes second reading at Senate"*. Retrieved 2019-11-25.
- [12]. Jalloh, A. (2021). *Nigeria's Twitter ban exposes deep rift*. Retrieved from <https://amp.dw.com/en/nigerias-twitter-ban-exposes-deep-rift/a-57854660>
- [13]. Lister (2008). *Theories of citizenship*. Retrieved from <https://edinburgh.universitypressscholarship.com/view/10.3366/edinburgh/9780748633418.001.0001/upo-9780748633418-chapter-2>
- [14]. Macrotrends (2021). *Nigeria Population Growth Rate 1950-2021*. Retrieved from <https://www.macrotrends.net/countries/NGA/nigeria/population-growth-rate>
- [15]. Oduma-Jato, D. (2021). 10 reasons you should use a VPN. Retrieved from <https://1stnews.com/10-reasons-you-should-use-a-vpn/>
- [16]. Prestige, I. (2021). Twitter Ban could be of advantage to Nigeria, See Seven benefits of banning Twitter. Retrieved from <https://ng.opera.news/ng/en/digital-technology/amp/da4cfe16f2866832eda871929bbfc4e>
- [17]. Progiant Media (2021). Twitter Ban in Nigeria: Ways It Would Affect Small Business. Retrieved from <https://progiantmedia.com/twitter-ban-in-nigeria-ways-it-would-affect-small-business/>
- [18]. Statista (2021). Number of internet users in Nigeria from 2015 to 2025 (in millions). Retrieved from <https://www.statista.com/statistics/183849/internet-users-nigeria/>
- [19]. Vareba, Anthony Leva<sup>1</sup>, Nwinaene, Vivian-Peace<sup>1</sup>, Theophilus, Singto Barigborme<sup>1</sup>, Ken Saro-Wiwa Polytechnic, Bori<sup>1</sup>. (2017). Internet Censorship and Freedom of Expression in Nigeria. *International Journal of Media, Journalism and Mass Communications (IJMJC)*, 3 (2) 25 – 30.