LITIGATION, DEFAMATION & SOCIAL MEDIA

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REPOSTS, RESHARES, RETWEETS AND VILE COMMENTS ON A DEFAMATORY OR LIFE-THREATENING SOCIAL MEDIA POST:

THE IMPLICATIONS OF THE *HARMAN V. STRYDOM* CASE FOR NIGERIA'S DIGITAL LANDSCAPE[1]

1. Introduction

Talk is cheap but the liberty to create a social media account and surf the internet is not a universal license to contribute to or escalate reputational or physical harm. This is because the right to freedom of expression is not a free-for-all or an uncircumscribed legal bonus. Like all rights, it has circumscriptions. One visible limit of a right is when its exercise impinges on or invades the precincts of another person's right. This limitation reminds all and sundry that actions have consequences, and a person who bears the benefit of a right must equally bear the burden or obligation that comes with the exercise of such a right. In this way, it is the ultimate goal of every civilized society that globalization, technology and the law must intersect purposively and progressively for reputational sanity and sanctity to be maintained.[2] This move will guarantee that freedom of expression is not weaponized and brandished as a blank cheque to digitally defame, endanger or incite harm.

On 18th July 2025, the Supreme Court of Appeal of South Africa ("**SCA**") delivered judgment in the case of **Francois Jurie Nicolaas (COIS) Harman v. Pieter Hendrick Strydom** ("**Strydom's Case**"),[3] striking a balance between digital freedom and digital

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2 See, David Andy Essien, 'Shamed for Debt: Analysis of Available Judicial Redress Against Loan App Harassment and Defamation in the Case of Mr. Peter Odang Enyigwe v. Fastcredit Limited & 2 Ors.' (*SPA Ajibade & Co.*, 11 August 2025) at p. 7 <https://spaajibade.com/wp-content/uploads/2025/08/SHAMED-FOR-DEBT.pdf> accessed 28 October 2025.

3 Unreported Judgment in (285/2024) [2025] ZASCA 108 (18 July 2025) delivered by the Supreme Court of Appeal of South Africa on 18th July 2025 (hereinafter referred to as "*Strydom's Case*"). *Coram:* Mothle, Weiner and Smith JJA and Vally and Norman AJJA. This can be accessed via this link: <https://www.saflii.org/za/cases/ZASCA/2025/108.html> accessed 28 October 2025.

accountability. The SCA upheld the decision of the High Court to grant an interim order against the Appellant compelling him to remove the defamatory and threatening publications he made on Facebook concerning the Respondent. The Court also ordered the Appellant to provide a list of the individuals who had posted the threatening and defamatory comments on his publication. The SCA reasoned that freedom of expression in the social media space is not absolute, especially when it violates the rights of another person, such as dignity, safety, and/or reputation. It affirmed that social media posts that defame individuals, without lawful justification, or incite violence can lead to civil liability and court-ordered takedowns.

Although *Strydom's Case* is a foreign judgment, its legal reasoning and progressive strides could influence Nigerian jurisprudence as the country battles with kindred challenges in its ever-growing and fast-paced social media space. This paper considers the relevant factual and legal basis for the decision in *Strydom's Case*; the practical and doctrinal implications of this decision on Nigeria's digital landscape; the legal remedies available to any person digitally defamed and/or threatened; and the proper approach a Nigerian court should adopt in the exercise of its discretion to grant the interim reliefs of Preservation and Disclosure Orders in cases of online defamation and/or threats.

2. Case Summary of Harman v. Strydom

On 15th May 2020, the Land and Agricultural Development Bank of South Africa ("**Land Bank**") obtained judgment against the Appellant, Mr. Francois Jurie Nicolaas (Cois) Harman ("**Mr. Harman**"), an estate agent and a farm owner held under his company, Redlex 321 (Property) Limited ("**Redlex**"). Land Bank advanced a loan to Redlex and Mr. Harman stood as surety for the said loan. Mr. Harman had personally secured the loan from Land Bank but fell into arrears in the annual instalment payments. Land Bank sued Mr. Harman and Redlex for an amount of R4,336,730.63, being the outstanding balance of the loan. Redlex was unable to pay its debt and was finally liquidated on 11th July 2019. The Respondent, Mr. Pieter Hendrik Strydom ("**Mr. Strydom**") a lawyer and insolvency practitioner, practising as such under the name and style of "Strydom and Bredenkamp Attorneys" was instructed by the Land Bank to institute legal proceedings to recover the debt. Thereafter, Mr. Harman published postings on his Facebook account accusing Mr. Strydom and Land Bank officials of unethical and impartial conduct. These posts triggered a barrage of vitriolic and life-threatening posts by his followers against Mr. Strydom.

On 29th June 2022, Mr. Strydom obtained a protection order from the Magistrates' Court, District of Tshwane Central, Pretoria, pursuant to section 3(2) of the *Protection from Harassment Act* 17 of 2011 ("**the Protection Order**"). The Protection Order was in the form of an interdict against Mr. Harman, prohibiting him from committing verbal abuse against Mr. Strydom through electronic communication; restraining him from contacting Mr. Strydom directly and indirectly; and restraining him from psychologically harassing or abusing Mr. Strydom. The return date for this Order was 1st August 2022.

The following day, a messenger from Mr. Strydom's office, accompanied by two police officers, arrived at Mr. Harman's house to serve him with the Protection Order. Mr. Harman denied them entry into his house and instead photographed them. After they left, he again took to his Facebook account on the same date, with a posting, together with photographs of the police officers and the messenger. An excerpt from Mr. Harman's second long message posted in Afrikaans, translated into English and submitted to the Court, is reproduced below:

> Cois Harman
> 54 minutes ago
> This morning **I was visited by two heavily armed policemen** and **a frightened official from Henk Strydom's office in Pretoria to serve me with a Harassment order**. It seems the truth hurts. After all, **he enjoys chasing the farmers from their farms with his mafia so that they can live like squatters with children or friends**. I will never forget when I made a payment to Unigro in March 2018 and I phoned Ernst Janse van Rensburg of Unigro/Afgri to tell him about my payment. He was on his way to the Cape for the long weekend and he said, talk quickly to Henk. **It was Henk Strydom. He greeted me and said, "*We are en route to the Cape to visit farmers to knock them about*"**. **It was a strange reaction and I must say it did not impress me at all. Little did I know that it was a team to be reckoned with in destroying the lives of farmers in SA**. **I met many farmers in my capacity as property agent that wished to sell farms to get rid of his threats and tactics**…[4] (Emphasis added)

On the same day, Mr. Harman's Facebook post was followed by a slew of other vitriolic postings from different persons (colloquially referred to on social media as "doxxing") and directed at Mr. Strydom. Some of the postings contained expletives and racist comments, insults and threats on Mr. Strydom's life. Mr. Harman occasionally added some comments in between. There were numerous postings, almost all in Afrikaans. Some of these postings with pictures, translated into English for the Court, read as follows:

> Koos *** - Thank you for exposing these criminals

[4] *Ibid*., at pp. 4 – 5, para. 8.

> … Bobbie *** - **Uncle Cois, step on them**
> … Len *** - **The legal system is run and manipulated by a lot of lawyer thieves**... it is only the legal profession that can represent people and then they drag out the case as long as possible at extremely high prices... if you win your case, you just have…
> Leon *** - **Where can I get hold of the little Strydom man?**
> **Cois Harman - Leon, his office is in Pretoria. Strydom and Bredenkamp Attorneys. He was also the Krion lawyer**.
> Stephan *** - Leon ***, agree. Have only found one good lawyer in my life. The rest, well, no comment
> … Mike *** - **These white bastards that lick arse with the black power**. *MAY* **he drop dead as soon as he colludes with them**. That is why this country is in such a mess, because **of this type of white men traitors and the love for a person of another colour... You are being used dirt bag... Give him gas**.
> … Matthys *** - **Eliminate him he is a Honda traitor**
> … Adriaan *** - **Put his photo on Facebook then everybody knows him too**
> … Johan *** - **Place a photo of him so that everyone can see him please, there are thousands that do not like his way of doing**
> Adriaan *** - **Place his photo. My 4 000 friends and followers want to see what he looks like**.
> Gerald *** - **Needs a bullet between the eyes**.[5] (Emphasis added)

3. Decision of the High Court in Harman v. Strydom

Mr. Strydom was offended by the threats on his life and the smear campaign against him and he approached the High Court on an *ex parte* application for urgent reliefs. On 1st July 2022, the Presiding Judge, Petersen J., found that Mr. Harman and his friends and followers on Facebook, posted and published offensive and life-threatening defamatory statements about and concerning Mr. Strydom. The High Court ordered the removal of all media.

Paragraph 2 of the said Order reads thus:

> 2. THAT the respondent is ordered, forthwith, and within one hour of service of a Court Order on the respondent by sheriff and/or email and/or personally (sic) messenger of the applicant or his representative, **to remove any and all media ("the media"), in any format whatsoever on any platform, whether electronic, virtual or otherwise**, which has been authored, disseminated and/or made publicly available by the respondent or on the respondent's behalf or on the respondent's instruction, of and **concerning the applicant, his firm, his employees or any other party who engages with, associates with or conducts business with the applicant**, from public domains, irrespective of the nature of the public domain (i.e. in print or virtual)….[6] (Emphasis added)

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5 *Ibid*., at pp. 5 – 6, para. 9. The second names of the Facebook commentators in the quoted statement are asterisked by this author to safeguard their privacy and prevent their full names from being publicly exposed in this publication.

6 *Ibid*., at pp. 6 – 7, para. 10.

On the return date, the High Court, per Deputy Judge President (DJP) Djaje, after hearing argument by the parties, confirmed the interim orders as final. This Order, in part, repeated paragraphs 3 and 4 of the similar Order granted in the urgent application on 1st July 2022. Paragraph 3 of the Order reads as follows:

> (3) The Respondent [Mr. Harman] is ordered, forthwith upon service of this order on him, **to furnish a complete list ("the list") to the Applicant's attorney of record wherein the Respondent discloses the full names, addresses and contact details of each and every person/institution with whom/which he shared, or to whom he sent or made available by any means, any of the media** referred to in paragraph 2 of the Order dated 1 JULY 2022, of and concerning the Applicant [Mr. Strydom], his firm, his employees or any other party who engages with, associates with or conducts business with the Applicant.[7] (Emphasis added)

4. Decision of the Supreme Court of Appeal in Harman v. Strydom

Miffed by the decision of the High Court, the Appellant, Mr. Harman, appealed to the SCA. The issues on appeal were whether the High Court had impermissibly granted final relief in an urgent *ex parte* application, thereby violating the Appellant's right to be heard (the *audi alteram partem* rule) under section 34 of the *Constitution of the Republic of South Africa*, 1996 ("**the Constitution**"). The SCA disagreed with the Appellant on the allegation of breach of right to be heard and held that the Appellant could have protected his right in a variety of manners, some of which include: filing an application for leave to appeal, which he failed to do; applying to the High Court for a reconsideration of the interim relief; and/or applying for rescission of the Order.[8]

Furthermore, the Court had to determine whether the Order had become moot and whether the interim provisions compelling disclosure of third-party details were overbroad. Mr. Harman argued in this regard that he did not possess the details of these other Facebook user profiles, and that he was not entitled to divulge such information due to the *Protection of Personal Information Act* 4 of 2013 ("**POPIA**"), read with section 14 of the *Constitution*. The SCA rejected this contention and observed that Mr. Harman had failed to inform the court of any attempts made to compile this list or adequately explain why he could not comply with this court order. The Court relied on paragraph 33 of Mr. Harman's Answering Affidavit, where he admitted that he has "*certain Facebook friends who see postings made by myself as well as postings shared by third parties on my Facebook page*", and resolved that Mr. Harman did not explain

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7 *Ibid*., at pp. 10 – 11, para. 17.

8 *Ibid*., at pp. 8 – 9, para. 15. These adequate remedies are respectively provided for in section 17 of the *Superior Courts Act* 10 of 2013; rule 6(12)(c) of the *Uniform Rules of Court*; and rule 42 of the *Uniform Rules of Court*.

how it would be possible to have friends whose names, at the very least, he does not know. Finally on this point, the SCA held that the last-ditch effort made by Mr. Harman to vaguely rely on *POPIA* and section 14 of the *Constitution* as sources of authority that he is not entitled to divulge such personal information, without pointing to the specific provisions on which he relies, knocks the bottom off his argument.[9]

In resolving the issue concerning the interim Disclosure Orders, the SCA found that the interim Disclosure Orders were neither overbroad nor unlawful, as no provision of *POPIA* or the *Constitution* protected the dissemination of life-threatening and defamatory material concerning another person on a social media platform. The SCA held that the postings on Facebook concerning Mr. Strydom threatened his right to personal safety from harm and loss of life and his rights to dignity as a person and to his reputation as a professional. The Court unmistakably found that Mr. Strydom was entitled to the list of persons responsible for such unlawful acts, to enable him to ventilate his rights. For the sake of completeness, the relevant portion of this decision is set out below:

> **Neither s 14 of the Constitution nor any provision of POPIA, protects a person who posts defamatory material of and concerning another, on a social media platform**. **To post a message on Facebook that someone '*needs a bullet between the eyes*', is impermissible exercise of freedom of expression**. The right to freedom of expression, like all rights, has limits. The one obvious limit of a right is when its exercise encroaches or intrudes into the domain of another person's right.
> **Having regard to the content of the Facebook postings of and concerning Mr Strydom, his right to personal safety from harm and loss of life were threatened**. **His rights to dignity as a person, and to his reputation as a professional, were assailed**. **He is entitled to the list of persons responsible for these unlawful acts**, in order to vindicate his rights, if he deems it fit to do so. Therefore, the appeal must fail and the costs should, in this instance, follow the result.[10] (Emphasis added)

5. Practical and Doctrinal Implications of Strydom's Case on Nigeria's Digital Landscape

Being the decision of a foreign court, *Strydom's Case* is not binding on Nigerian courts. However, it carries an alluring persuasive flavour due to its profound resolution of

[9] *Ibid*., at p. 12, para. 20.
[10] *Ibid*., at pp. 12 – 13, paras. 22 – 23.

contemporary cyber-related issues.[11] The decision has the following practical and doctrinal implications on Nigeria's digital milieu:

i. **Balancing Freedom of Expression and Protection of Online Dignity:**

Strydom's Case wades into the continuing global legal debate between minimalists and maximalists on the equilibrium between permissible free speech and unlawful hate speech, harassment and defamation.[12] The decision elevates safety, dignity of the human person and reputational sanctity over and above unlawful hate speech, cyber-harassment and disparaging social media comments. In consimilar cases, Nigerian courts can be positively influenced by the reasoning in this case to strike a balance between the Right to freedom of expression and the press,[13] on the one hand, and the Right to dignity of the human person[14] and safety in the digital space, on the other hand.

ii. **Liability of an Original Publisher/Poster for the Vile Comments of his/her Online Friends and Followers:**

Strydom's Case affirms the legal principle that the original publisher/poster of content on a social media platform is responsible and accountable for not just his own words, but also for the resulting disparaging, abusive, and life-threatening comments, retweets and/or reposts from his online friends and followers, which he encouraged or failed to address. This legal reality could influence Nigerian courts to adopt a more stringent judicial approach to online defamation, possibly resulting in a spike or upsurge in online defamation cases against platform administrators and individuals for content posted on their pages.

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11 In the case of *Egbue v. Araka* (1996) 2 NWLR (Pt. 433) 688 (CA) at p. 708, paras. D – E, the Nigerian Court of Appeal, per Honourable Justice Pats-Acholonu, JCA (as he then was), had this to say on the attitude of Nigerian courts to foreign decisions: "*I must state most candidly that it behoves of our court which shares the same heritage with some countries that owe their legal system from England* ***to now and again make references to the decisions of some Judges in these countries at least with a view to understanding how they interpreted some similar questions of law posed to them. It is no relegation of our sovereign power to forage beyond our shores to explore and examine the reason for a decision and where possible appropriate some decisions in order to help in unravelling problem in our court***." (Emphasis added)

12 Minimalism and Maximalism are theories of freedom of expression which aid the healthy critique of the rights contained in the Constitution. Primarily, they differ in the scope and extent to which they accommodate limitations. Minimalism lends its weight to a narrow, limited interpretation of protected speech, while Maximalism canvasses for a broad, expansive protection that is more resistant to abridgements. See, E. Smaranda Olarinde, Clement C. Chigbo and Nnamdi G. Ikpeze, *The Modern Law of Torts: A Kaleidoscopic Perspective* (Afe Babalola University, 2018) at pp. 261 – 262.

13 See, section 39 of the *Constitution of the Federal Republic of Nigeria*, 1999 (as amended) ["*CFRN*"].

14 See, section 34 of the *CFRN*.

iii. **Balancing Data Protection, Privacy and Digital Accountability:**

The attempt by Mr. Harman, in *Strydom's Case*, to hide under the canopy of privacy laws (*POPIA*) and shield his unruly online friends and followers was deprecated and jettisoned by the court. On this point, the SCA held that any resort to online defamation, threats and/or incitements forfeits constitutional and statutory protections. Nigerian courts must draw judicial vigour from this decision and ensure that privacy rights are not misused or invoked as a justification to validate unlawful conduct. However, the resort to Orders for Disclosure of User Data raises the need to carefully balance such orders against privacy rights to ensure that privacy safeguards of lawful and legitimate basis, fairness, transparency, minimisation, accountability, and oversight are observed. Nigerian courts, law enforcement agencies, and data protection and privacy regulators must visibly draw a line between an individual's right to privacy and a victim's right to unmask and identify his/her aggressor(s) for the overall achievement of justice. This is because unchecked Disclosure Orders that ignore the privacy safeguards laid down in the *Nigerian Data Protection Act*, 2023 ("**NDPA**") would occasion a negative-sum game for the victim, the justice delivery system, and even the online trolls.

iv. **Landmark Decision on the Duty to Disclose and Online Anonymity:**

The order made in *Strydom's Case* compelling Mr. Harman to disclose the identities of his unruly minions or foot soldiers who made denigrating and life-threatening comments against Mr. Strydom is a remarkable development in digital accountability and ethical use of technology. This laudable progress could ignite discussions in Nigeria around the full-scale enforcement and application of sections 38(2)(b), (3), (4) and (5); 39(a) and (b); and 40(1) – (4) of the *Cybercrimes (Prohibition, Prevention, etc.) Act*, 2015 (as amended, 2024) ["**CPPA**"] by mandating Internet Service Providers and platforms to "unmask" anonymous social media bullies and trolls in clear-cut cases and identify and/or disclose user data for online defamation investigation or court proceedings, in accordance with the provisions of the *NDPA*. This pragmatic approach would go a long way in easing the evidence-gathering burden of victims who intend to resort to litigation.

v. **Influencing and Fine-tuning the Phraseology of Interim Reliefs in Online Defamation and/or Harassment Cases:**

The decision in *Strydom's Case*, and the interim reliefs sought in it, will potentially have a hands-on effect on Nigerian lawyers by influencing and fine-tuning how they draft interim reliefs for Preservation Order and Disclosure of User Details in online defamation and/or harassment cases. This will invariably improve the quality of legal advocacy, pave way for expeditious justice, and serve as a veritable channel to rejig Nigeria's digital accountability.

vi. **Urgent and Pre-emptive Remedies for Online Harassment and Reputational Damage:**

The bold move by the SCA in *Strydom's Case* to authenticate the use of an *ex parte* order for social media content removal and identity disclosure could persuade Nigerian courts to continue embracing similar procedures in deserving cases involving online threats to life or property and to prevent further reputational damage. This validation reenacts the views expressed by a learned Nigerian author almost two decades ago that a Nigerian court will grant an *ex parte* order of injunction in cases of atrocious libel "*once the plaintiff has made out a very clear case for it*" and that at this stage, "*the plaintiff is not and cannot be inhibited from getting the order by any reliance or proposed reliance on justification, privilege or fair comment*."[15] True to form, Nigerian courts have recently entertained *ex parte* applications and issued interim injunctions to order the takedown of online defamatory content. A ready example is the case where the High Court of Lagos State ordered Martins Otse, also known as "*VeryDarkMan*", to take down the defamatory video and comments against Femi Falana and Folarin Falana (Falz), and to remove them from all his online social media handles/pages.[16] On 11th December 2024, the High Court of the Federal Capital Territory, Abuja granted an *ex parte* application and ordered the seizure of physical copies of the book, "*Nigeria and Its Criminal Justice System*", authored by Dele Farotimi, barring further online or physical distribution. A similar interim order was granted by the High Court of Oyo State restraining Dele Farotimi or any person acting through him from further printing the said book.[17]

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15 Afe Babalola, *Injunctions and Enforcement of Orders*, 2nd ed. (Afe Babalola, 2007) at p. 233.

16 Shola Soyele, 'Court Orders VeryDarkMan to Bring Down Defamatory Video Against Falana, Falz' (*Channels TV.*, 15 October 2024) <https://www.channelstv.com/2024/10/15/court-orders-verydarkman-to-bring-down-defamatory-video-against-falana-falz/#:~:text=%E2%80%9CBased%20on%20all%20the%20preceding,today%2C%E2%80%9D%20the%20judge%20held.> accessed 29 October 2025.

17 Deborah Musa, 'Defamation: Abuja, Oyo Courts Bar Further Sale of Farotimi's Book' (*Punch NG*, 12 December 2024) <https://punchng.com/defamation-abuja-oyo-courts-bar-further-sale-of-

vii. **Protection of Professional Business Reputation:**

All Mr. Strydom did was render his professional services to the best of his ability as a lawyer and an insolvency practitioner. Regrettably, such lawful conduct did not exempt him from online harassment and abuse. The decision in *Strydom's Case* commendably silenced the cyber-trolling voices that directed vile and demeaning words at the profession of Mr. Strydom. This legal position refreshes the minds of social media users in Nigeria that imputation of unfitness, dishonesty or incompetence in respect of a profession, trade or business of another person, via a social media post or comment, attracts legal repercussions.

viii. **Broader Policy Implication:**

This decision highlights the need for Nigeria to ratify and domesticate the *African Union Convention on Cyber Security and Personal Data Protection,* 2014 ("**Malabo Convention**"). This would, amongst other benefits, advance Nigeria's global digital competitiveness; provide an extra layer of protection for vulnerable groups like children, women and minorities from cyber abuse; and engender mutual legal assistance and international co-operation in cybercrime enforcement between Nigeria and other State Parties to the *Malabo Convention* on a bilateral or multilateral basis.[18]

6. Legal Remedies Available to any Person Digitally Defamed and/or Threatened

The following options are open to a person who is digitally defamed and/or threatened:

i. **Briefing a lawyer to issue a Take-down and Cease and Desist Letter:**

As a pre-action demand letter, this letter will seek redress concerning the disparaging content published online and will demand a take-down of the defamatory content; a public apology; and/or a cease-and-desist request from further defamatory publication.

ii. **Taking out a civil action in Defamation (Libel):**

farotimis-book/#:~:text=In%20granting%20Ogunwumiju's%20prayers%2C%20the,further%20printing%20the%20controversial%20book.> accessed 29 October 2025.

[18] See, for example, articles 24, 26, 27 and 28 of the *Malabo Convention*. The *Malabo Convention* can be accessed via this link: <https://au.int/sites/default/files/treaties/29560-treaty-0048_-_african_union_convention_on_cyber_security_and_personal_data_protection_e.pdf> accessed 29 October 2025.

Once there is an online publication of a false statement that injures the reputation of the victim in the eyes of right-thinking members of society, a suit in defamation becomes a viable option. The victim, in such a suit, can seek reliefs such as damages, public apology, and an injunction to arrest further defamatory publications.

iii. **Enforcement of the Fundamental Human Rights to Dignity of the Human Person:**

A victim can file an application in court for the enforcement of his/her Fundamental Human Rights to dignity of the human person which has been breached, is being breached, or is likely to be infringed by an aggressor and his/her cyberbullies.[19] The need for this option arises where the aggressor and his/her cyberbullies publish or threaten to publish humiliating, disparaging or derogatory messages concerning the victim on social media platforms.

iv. **Lodging a Criminal Complaint for Cyberbullying, Harassment, Cyberstalking, Intimidation and/or Threats:**

Where the circumstances warrant, a victim can lodge a criminal complaint with the appropriate law enforcement agency against the aggressor and his/her online trolls. The offence of Cyberstalking becomes feasible where the message is sent through a computer network or digital means with the knowledge that it is false for the purpose of causing annoyance, inconvenience and/or danger.[20] Additionally, the vile, disparaging and/or threatening content of the social media post, which has been reposted, shared, retweeted or commented on, can amount to all or any of the following offences: cyberbullying;[21] causing emotional, verbal and psychological abuse;[22] and compelling action by intimidation or threat.[23]

7. Conclusion and Recommendation

Online defamation, cyberbullying, cyberstalking, doxxing, and misinformation are regular features in the Nigerian social media space, and these are most times

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19 See, sections 34(1), 37 and 46(1) of the *CFRN*; and Order II Rule 1 of the *Fundamental Rights (Enforcement Procedure) Rules*, 2009.

20 See, section 24(1)(b) of the *CPPA*.

21 See, section 24(2)(a) and (c) of the *CPPA*.

22 See, section 14(1) of the *Violence Against Persons (Prohibition) Act*, 2015 ("*VAPPA*").

23 See, section 18 of the *VAPPA*; section 366(a) of the *Criminal Code Act*; and sections 396, 397 and 398 of the *Penal Code,* which is applicable in Northern Nigeria.

escalated by political differences, religious leanings, commercial disputes, sporting fanaticism, quest for quick monetisation by a social media platform, to mention but a few. *Strydom's Case* is a wake-up call to internet trolls, cyberbullies, burner account operators, social media influencers, public relations officers, public commentators, lawyers, business owners, customers, and anyone with a "repost", "share", "retweet" or "comment" button, that digital rights come with digital responsibilities and any resort to online defamation, threats and/or incitements forfeits constitutional and statutory protections from consequential recompense.

While remarkable progress was made in *Strydom's Case* with the use of urgent *ex parte* Preservation and Disclosure Orders to achieve digital accountability, it is the view of this author that a Nigerian court must exercise considerable caution and adopt a temperate approach in the exercise of its discretion to grant these interim reliefs in cases of online defamation and/or threat. This is to ensure that respondents are afforded a prompt opportunity to challenge such order(s) and that the interim reliefs are not abused by applicants; deployed to asphyxiate lawful speech; and/or used to prejudge the substantive suit. Consequently, it is recommended that Nigerian courts should enjoin an applicant seeking these interim reliefs to establish the following conjunctive conditions: (i) evidence of publication; (ii) real or impending harm; (iii) necessity and proportionality of disclosure; and (iv) narrow scope of data sought.

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