



## AFRICA

# Nigeria Tries to 'Sanitize' Itself of Gays

By ADAM NOSSITER FEB. 8, 2014

BAUCHI, Nigeria — The young man cried out as he was being whipped on the courtroom bench. The bailiff's leather whip struck him 20 times, and when it was over, the man's side and back were covered with bruises.

Still, the large crowd outside was disappointed, the judge recalled: The penalty for gay sex under local Islamic law is death by stoning.

“He is supposed to be killed,” the judge, Nuhu Idris Mohammed, said, praising his own leniency on judgment day last month at the Shariah court here. The bailiff demonstrated the technique he used: whip at shoulder level, then forcefully down.

The mood is unforgiving in this north Nigeria metropolis, where nine others accused of being gay by the Islamic police are behind the central prison's high walls. Stones and bottles rained down on them outside the court two weeks ago, residents and officials said; some in the mob even wanted to set the courtroom ablaze, witnesses said.

Since Nigeria's president, Goodluck Jonathan, signed a harsh law criminalizing homosexuality throughout the country last month, arrests of gay people have multiplied, advocates have been forced to go underground, some people fearful of the law have sought asylum overseas and news media demands for a crackdown have flourished.

Gay sex has been illegal in Nigeria since British colonial rule, but convictions were rare in the south and only occasional in the mostly Muslim north. The new law bans same-sex marriage and goes significantly further, prescribing 10 years in prison for those who “directly or indirectly” make a

“public show” of same-sex relationships. It also punishes anyone who participates in gay clubs and organizations, or who simply supports them, leading to broad international criticism of the sweep of the law.

“This draconian new law makes an already-bad situation much worse,” the United Nations high commissioner for human rights, Navi Pillay, said in a statement. “It purports to ban same-sex marriage ceremonies but in reality does much more,” she added. “Rarely have I seen a piece of legislation that in so few paragraphs directly violates so many basic, universal human rights.”

Homosexuality is illegal in 38 of 54 African countries, according to Amnesty International, and carries the death penalty in Mauritania, Sudan and Somalia, as well as Shariah-governed northern Nigeria. Recently Uganda’s president declined to sign a bill that carried a life sentence for gays, though he called them sick. In Senegal, where the press regularly “outs” gays, same-sex relations carry a penalty of five years.

Rights advocates say they have recorded arrests in multiple Nigerian states, but the country’s north has experienced the toughest crackdown. Mr. Jonathan’s national ban has redoubled the zeal against gay people here and elsewhere, according to officials and residents in Bauchi, where Shariah law prevails and green-uniformed Hisbah, or Islamic police officers, search for what is considered immoral under Islam.

“It’s reawakened interest in communities to ‘sanitize,’ more or less, to talk about ‘moral sanitization,’ ” Dorothy Aken’Ova, executive director of Nigeria’s International Center for Reproductive Health and Sexual Rights, said of the law. “Where it was quiet before, it’s gotten people thinking, ‘Who is behaving in a manner that may be gay?’ It’s driven people into the closet.”

Officials here in Bauchi say they want to root out, imprison and punish gays. Local lawyers are reluctant to represent them. Bail was refused to the gay people already jailed because it was “in the best interests of the accused,” said the chief prosecutor, Dawood Mohammed. In the streets, furious citizens say they are ready to take the law into their own hands to combat homosexuality.

Officials are also inflamed. "It is detestable," said Mohammed Tata, a senior official with the Shariah Commission here, which controls the Hisbah. He added: "This thing is an abomination."

Complaining of the difficulty in distinguishing gay people from others, Mr. Tata said: "They don't do it in the open. You get one or two, you see how they speak, you see how they dress, then you might have reasonable grounds to suspect." Mr. Tata, speaking in the whitewashed two-story Shariah Commission headquarters here, said that happily, "we get information from sources interested in seeing the society cleansed."

The prisoners' only local support comes from two gay activists who slip into and out of the area, not daring to stay overnight. "They started crying when they saw us, begging us to take them out of this place," said one of the activists, Tahir, 26, after returning from the prison, where he and his friend Bala, 29, had taken the men food. The two activists feared being prosecuted themselves, so they said they were relatives of the prisoners to try to avoid suspicion.

Most of the prisoners have been abandoned by their families, Tahir said, declining to give his last name for fear of reprisals. They are mostly young men, he said — tailors, students, "just working youths." One is a married school principal with eight children, four of them adopted.

The young man who was whipped has gone into hiding. Inside the prison, the guards mock the gay men, comparing them to "pregnant women," Bala said.

At a downtown restaurant in Bauchi, under suspicious glances from other patrons, Bala said, "Let us leave this place." Hurriedly concluding the interview, the two left for a town farther south and not under Shariah law. "We are not safe here," Bala said.

His words were borne out by the mood on the street. "God has not allowed this thing; we are not animals," said Umar Inuwa Obi, 32, a student who said he was in the mob that hurled stones and bottles at the court and the prison van transporting the gay suspects two weeks ago.

"In Shariah court you are supposed to kill the man," Mr. Obi said,

adding that he favored this judgment. “But the government has refused. That’s why they started throwing stones and bottles.”

Frightened, the judge retreated to his chambers, the van forced its way through the crowd and gunshots were fired to disperse it.

“People are out to kill,” said Abdullahi Yalwa, a sociologist who teaches at a Bauchi college.

“The stones increased,” said Musa Kandi, a lawyer who briefly represented one of the men on his bail application. “They wanted to have those people, so they could kill them.”

Civil authorities here, handed the case by the Hisbah, say the suspects have been charged with a very serious crime. “They had been meeting among themselves, which is quite prohibited – religiously prohibited, socially unacceptable and morally wrong,” said Mr. Mohammed, the chief prosecutor.

In the prison, the men are separated from other prisoners, not for their protection, but “so that they should not indoctrinate the other inmates,” said Mr. Mohammed’s deputy, Dayyabu Ayuba, who is handling the case.

Officials and activists here agree that the new law signed by President Jonathan has given added impetus to the country’s anti-gay sentiment, encouraging prosecutors and citizens alike to take action. The law “completely prohibited anything that is gay,” Mr. Mohammed said.

The Nigerian news media have been largely supportive of the law — “Are Gay People Similar to Animals?” was the headline on a recent op-ed article in a leading newspaper, The Guardian — and government officials have reacted angrily to criticism from the United States and Britain.

The acting foreign affairs minister, Viola Onwuliri, recently praised the law as “democracy in action,” and suggested that Western critics were hypocrites to promote democracy and then complain about a law that the populace supports. In a Pew Research Center survey conducted last March, 98 percent of Nigerians said they do not believe society should accept homosexuality.

“Every culture has what they regard as sacrosanct or important to them,

and I don't believe what our president and lawmakers have done in that respect is contrary to our culture," former President Olusegun Obasanjo said Thursday in an interview. In 2004, while he was president, he told African bishops that "homosexual practice" was "clearly unbiblical, unnatural and definitely un-African."

For gay Nigerians, the risks of coming out could not be higher. "In the north, you will be killed," Tahir said. "You will bring total shame to your family."

***Correction: February 16, 2014***

*A picture caption last Sunday with an article about the effects of a Nigerian law that criminalizes homosexuality described incorrectly the person shown re-enacting the lashing of a man convicted under the law in northern Nigeria. He is a bailiff, not a judge.*

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