

## MUSIC CULTURE AND ITS IMPACT ON SOCIAL CHANGE: AN ANALYSIS OF THE END SARS PROTEST

**Okoronkwo Doris Nneka** 

VOLUME 6 NO. I (2023)

## MUSIC CULTURE AND ITS IMPACT ON SOCIAL CHANGE: AN ANALYSIS OF THE END SARS PROTEST

Okoronkwo Doris Nneka\*

## Abstract

Three years ago, Nigerian youths trooped to the streets in one accord. Their voices many, their demands the same- End SARS. For days on end, the streets of Lagos and other metropolitan cities felt the angry march of the youths, with simultaneous protests occurring in and outside the country. Come rain, come sunshine, demanding that their voices be heard. When those voices failed them, parched from the burning sun, they tuned to music to amplify their grievances. This paper highlights the role of music in the growth, continuity, and eventual outcome of the 2020 End Sars Protest. It draws a connection between protest music and the international boom of Afrobeats, on the one hand, and its resultant effect on intellectual rights protection and the awakening of a copyright consciousness among Nigerian artists in an erstwhile lax infringement-enforcement culture on the other hand.

## 1.0 BACKGROUND

The End SARS Protest got its name from a popular hashtag, #EndSARS, launched in 2017 or microblogging platform Twitter, as a way to document real-time evidence of police brutality across the country and demand for a reform of rogue police units, particularly the Special Anti-Robbery Squad (SARS).<sup>1</sup> This rogue unit was the most notorious for profiling and extreme human rights violation against youth they perceived as internet fraudsters or *yahoo-yahoo* boys.<sup>2</sup>

<sup>\*</sup> LLB (Unizik), CopyrightX (Harvard X). Author's email: <u>Inigeriangirl@gmail.com</u>. I appreciate Tope Lawal, Pamela Ojiego and David Uma for their invaluable input and guidance while writing this work.

<sup>&</sup>lt;sup>1</sup> Amnesty International, "#EndSARS Movement: From Twitter to Nigerian Streets" available at <u>https://www.amnesty.org/en/latest/campaigns/2021/02/nigeria-end-impunity-for-</u> <u>police-violence-by-sars-endsars/</u> (accessed 2 April, 2023).

<sup>&</sup>lt;sup>2</sup> Amnesty International, "Nigeria: Horrific reign of impunity by SARS makes mockery of anti-torture law" available at

SARS was established in 1992 as the Nigerian government's response to the increasing spate of armed robbers and other violent crimes in the country. Before then, combatting armed robbers was the role of the Nigerian Police Force until it was deemed expedient to have a breakaway unit to conduct intelligence functions with plain clothes and no visible weapons.<sup>3</sup>

However, over the years, this police unit has gone beyond the scope of its operations, with a new-found penchant for hunting down and conducting summary trials-cum-executions on perceived cyber criminals, mounting illegal roadblocks, and extorting citizens.<sup>4</sup> With time, its officers began carrying weapons in public, lifting the veil on an erstwhile covert police unit. However, with this uncovering went the veil of shame, and the reign of terror and impunity started.

In present-day Nigeria, owning a sophisticated smartphone or laptop is often sufficient evidence of wrongdoing. Upon arrest, the unsuspecting victims may be made to pay thousands of Naira in bail. These victims may also be anyone from a random taxi passenger to a well-dressed young man taking an evening stroll.<sup>5</sup>

In 2017, the then Inspector General of Police, Mohammed Adamu, in response to agitations against extrajudicial killings, prohibited the SARS unit from conducting routine patrols and its Stop-and-search duties.<sup>6</sup> Though intended to douse tensions awakened by the illegal conduct of the rogue police arm, this directive bore no fruits. It only

https://www.amnesty.org/en/latest/news/2020/06/nigeria-horrific-reign-ofimpunity-by-sars-makes-mockery-of-anti-torture-law/ (accessed 3 April, 2023).

<sup>&</sup>lt;sup>3</sup> Aljazeera, "Nigeria's SARS: A brief history of the Special Anti-Robbery Squad". Available at <u>https://www.aljazeera.com/features/2020/10/22/sars-a-brief-history-of-a-rogue-unit</u> (accessed 3 April, 2023).

⁴ Ibid.

⁵ Ibid.

<sup>&</sup>lt;sup>6</sup> Sahara Reporters "Seven Times Within Three Years, Police Announced Measures to Reform SARS Without Result" available at <u>https://saharareporters.com/2020/10/06/seven-times-within-three-years-police-announced-measures-reform-sars-without-result</u> (accessed 3 April, 2023).

forced the executive arm of government to go on a spree of meaningless disbandment over the years, with a flagrant lack of political will to enforce any of its directive.

Thus, following a massive outcry against police brutality and extrajudicial killings over the years, the vice president of Nigeria, Professor Yemi Osinbajo- in his capacity as acting president in 2018disbanded the SARS unit of the Nigeria Police Force.<sup>78</sup> However, this was only of the many disbandment to come, as in 2020, SARS was dissolved (again) and renamed the Special Weapons and Tactics (SWAT)<sup>9</sup> squad- same actors, only with new clothes this time.

The SARS Unit- emboldened by its vast, unchecked powers- is known to violate the fundamental human rights provisions of chapter 4 of the Nigerian Constitution,<sup>10</sup> including the right to life, privacy, free trial and freedom from torture.<sup>11</sup> In response, the Nigerian youths embarked on the mother of all protests that soon became a historical moment, turning the tide on the conduct of social and political revolutions in the Sub-Saharan African country, otherwise dubbed the 'Giant of Africa'.<sup>12</sup>

<sup>&</sup>lt;sup>7</sup> A. Olufemi, "EndSARS: Osinbajo orders immediate review of SARS operation" available at review of SARS operations" available at <u>https://www.premiumtimesng.com/news/headlines/280111-endsars-osinbajo-</u> <u>orders-immediate-review-of-sars-opera</u> <u>tions.html?tztc=1</u> (accessed on 3 April 2023).

<sup>&</sup>lt;sup>8</sup> BBC News "SARS ban: Nigeria abolishes loathed federal special police unit" available at <u>https://www.bbc.com/news/world-africa-54499497</u> (accessed on 3 April, 2023).

<sup>&</sup>lt;sup>9</sup> BBC News, "End SWAT: Nigerians reject police unit replacing hated SARS" available at <u>https://www.bbc.com/news/world-africa-54531449</u> (accessed 3 April, 2023).

<sup>&</sup>lt;sup>10</sup> Constitution of the Federal Republic of Nigeria (CFRN), 1999 (as amended 2011).

<sup>&</sup>lt;sup>11</sup> A. Umozuruike, (2020) "#EndSARS: The Movement Against Police Brutality in Nigeria" *Harvard Human Rights Journal* 

<sup>&</sup>lt;sup>12</sup> Business Day "Nigeria @ 62: Giant of Africa?" available at <u>https://businessday.ng/editorial/article/nigeria62-giant-of-africa/</u> (accessed 3 April, 2023).

# 2.0 RESEARCH METHODOLOGY

This paper used the library research method and the author's firsthand knowledge to analyse the songs that influenced the End SARS protest, run a comparative analysis with other global protests, and draw a connection between protest music and the copyright renaissance among Nigerian artists. The author retrieved relevant library documents like articles, books, journals, media reports, and other online sources and utilized them to write this paper.

3.0 Origins of the End SARS Protest 2020

The historic End SARS protest of 2020 started on the 4th of October 2020, after a video hit the internet showing some members of SARS brutalising two young men outside a hotel in Delta state and shooting one of them.<sup>13</sup> The video sparked angry reactions online and culminated in a protest spanning weeks, nearly driving the country into anarchy.<sup>14</sup> It was brought to an end only after helpless protesters were gunned down by the joint efforts of Nigerian police officers and the Nigerian Army at the Lekki tollgate- the unofficial headquarters of the End SARS protest.<sup>15</sup>

<sup>&</sup>lt;sup>13</sup> D. Okon "Nigerians Insist on Disbandment of SARS as IGP Bans Killer Police Unit for Third Time" available at <u>https://businessday.ng/features/article/nigerians-insist-on-disbandment-of-sars-</u> as-igp-bans-killer-police-unit-for-third-

time/#%3A~%3Atext%3Dfor%20third%20time-

<sup>&</sup>lt;u>%2CNigerians%20insist%20on%20disbandment%20of%20SARS%20as%20IGP%2</u> <u>Cpolice%20unit%20for%20third%20time%26text%3DOn%20Saturday%2C%20a</u> <u>%20video%20appeared%2Cand%20killing%20a%20young%20man</u> (accessed 4 April, 2023).

<sup>&</sup>lt;sup>14</sup> "Black Tuesday: 49 Killed as protests turn bloody" *Punch Newspaper* 21 October 2020 available at <u>https://punchng.com/black-tuesday-49-killed-as-protests-turn-bloody/</u> (accessed 5 April, 2023).

<sup>&</sup>lt;sup>15</sup> T. Omilana, "I pretended I was dead: Chaos and violence grip Lagos as End SARS protesters continue to defy curfew" *Independent Newspaper* 22 October 2020 available at <u>https://www.independent.co.uk/news/world/africa/nigeria-</u> <u>protests-end-sars-lagos-riot-looting-b1228242.html</u> (accessed 5 April, 2023).

What started as online agitations, with Nigerians sharing their experiences of police brutality on social media, soon spilled into the streets. However, what made this protest distinct from anything the Nigerian government had seen before was its spontaneity and decentralized coordination. There were no protest leaders to bribe or blame for turning the youths against the government; the youths were angry as of right and took to the streets in what could arguably become the most organic protest march Nigeria will ever see after the ill-fated June 12 election annulment.<sup>16</sup>

The protest operated in a two-pronged manner- some youth marched physically, calling out the government with their voices, as they camped overnight at the Alausa government house in Lagos, blocked major roads in Oyo State, or requested the closure of the alleged SARS killing field at Awkwu, Anambra State, where youths were taken on trumped up charges, never to be seen again by their families, whether they paid bail or not.<sup>17</sup> The other half of the protests were coordinated online, and this category were dubbed "online protesters" who kept the fire burning and hashtags trending, leveraging digital technology to draw international attention to the happenings in Nigeria and providing real-time protest updates.<sup>18</sup>

<sup>&</sup>lt;sup>16</sup> "June 12 Presidential Election was annulled to prevent coup- Babangida" *The Guardian Newspaper* 6 August 2021 available at <u>https://guardian.ng/news/june-12-presidential-election-was-annulled-to-prevent-coup-babangida/</u> (accessed 5 April, 2023).

<sup>&</sup>lt;sup>17</sup> J Eze, "#EndSARS: Anambra protesters head to SARS office in Awkuzu" available at <u>https://www.premiumtimesng.com/news/top-news/421221endSARS-anambra-protesters-head-to-SARS-office-in-awkuzu.html?tztc=1</u> (accessed 15 April 2023).

<sup>&</sup>lt;sup>18</sup> P. .C, Ekoh, E.O, George, "The Role of Digital Technology in the EndSARS Protest in Nigeria During COVID-19 Pandemic" (2021) 6 Journal of Human Rights and Social Work, 161-162; T.H, Dambo, et al., "Nigeria's #EndSARS movement and its implication on online protests in Africa's most populous country" (2020) 22 Journal of Public Affairs 3. available at https://doi.org/10.1002/pa.2583 (accessed on 5 April 2023); S.E Asemah, E.P., Nwaoboli, "Influence Of Folarin Falana's Twitter Campaigns On The Participation Of Lagos Youth in the 2020 End SARS Protest in Nigeria (20220) 3(1) KIU Interdisciplinary Journal of Humanities and Social Scinces 115-130.

These protests crippled economic activity across the country, and the government had no choice but to negotiate with its protesting youth population. Soon after this negotiation, a presidential spokesperson reported to media outlets that the government had accepted the protesters' demands, popularly known as the 'five for five demands'<sup>19</sup> viz:

- Immediate release of all arrested protesters
- Justice for all deceased victims of police brutality and appropriate compensation for their families.
- Setting up an independent body to oversee the investigation and prosecution of all reported police misconduct within a period of 10 days.
- Carrying out psychological evaluation and retraining all disbanded SARS operatives before they can be deployed (this should be verified by an independent body).
- The government should increase police salaries, and they should be adequately compensated for protecting the lives and property of the citizens.<sup>20</sup>

However, although the government soon publicly claimed to have met these demands, many gaps were identified. For example, the judicial panels of inquiry set up in several states to investigate these instances of police misconduct and human rights violations were either delayed or unsuccessful, thanks to the non-cooperation of security agencies.<sup>21</sup> Many of these judicial panels attended to only a

<sup>&</sup>lt;sup>19</sup> K. Daramola, "FG has fully implemented demands of #EndSARS protesters, says minister" The Cable Newspaper 6 December 2022 available at https://www.thecable.ng/fg-has-fully-implemented-demands-of-endsars-

protesters-says-minister (accessed on 5 April, 2023). <sup>20</sup> "FULL LIST: The demands of #EndSARS protesters" The Cable Newspaper available at https://www.thecable.ng/full-list-the-demands-of-endsars-protesters (accessed on 5 April 2023); C Umegbolu, "End SARS: A Revolution by the people for the people on police brutality in Nigeria" available at https://research.brighton.ac.uk/en/publications/end-sars-a-revolution-by-thepeople-for-the-people-on-police-brut (accessed on 5 April 2023).

<sup>&</sup>lt;sup>21</sup> N. Ayitogo "ANALYSIS: #EndSARS: Five months after, is the Nigerian govt meeting protesters' demands" Premium Times 17 April 2021 available at https://www.google.com/url?sa<u>=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja</u> &uact=8&ved=2ahUKEwjupMmL1KWBAxXuRUEAHbCKCL4QFnoECBoQAQ <u>&url=https%3A%2F%2Fwww.premiumtimesng.com</u>%2Fnews%2Fheadlines%2F45

few cases a day, despite having several reports before them.<sup>22</sup> There was also the issue of lack of trust in the panels by the survivors and victims' families, leading many of them to shun the idea of giving their testimonies publicly.<sup>23</sup>

### 3.0 THE ROLE OF MUSIC IN THE END SARS PROTEST

From Fela<sup>24</sup> to Falz,<sup>25</sup> Nigerian music from different generations are known for speaking truth to power. Hence, when voices failed the protesters during the End SARS protest, they turned to (protest) music. Protest music in this context refers to any song that

5674-analysis-endsars-five-months-after-is-the-nigerian-govt-meetingprotesters-demands.html&usg=AOvVaw3JNXjiijA0JGOrm7efnhr&opi=89978449 (accessed 5 April 2023).

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>&</sup>lt;sup>24</sup> Olufela Olusegun Oludotun Anikulapo Ransome-Kuti popularly known by the monosyllabic "Fela" was a pioneer afrobeats musician and freedom fighter who sang against oppression by the then military government in Nigeria. His politically-charged music whipped anti-government sentiments among the people, and easily made him an enemy of the state, leading to frequent raids on his premises, one of which led to the death of his mother, the renowned feminist, Funmilayo Ransome-Kuti after she was thrown from a two-storey building by Nigerian soldiers. Britannica, the Editors of the Encylcopedia, 'Fela Kuti' available at <u>https://www.britannica.com/biography/Fela-Kuti</u> (accessed 8 April 2023); Britannica, The Editors of Encyclopedia, 'Funmilayo Ransome-Kuti available at <u>https://www.britannica.com/biography/Funmilayo-Ransome-Kuti</u> (accessed 8 April, 2023).

<sup>&</sup>lt;sup>25</sup> Folarin Falana, otherwise known by the stage name, 'Falz' is a Nigerian rapper, lawyer, actor, and political activist, known for criticizing government inadequacies through his music. The son of notable Nigerian lawyer and human rights activist, Femi Falana, Falz learnt freedom fighting from his father, only deviating from the legal medium his father Is known for, to carve a niche for himself in the political music space. It is hardly surprising that he is often described as the modern Fela, as a huge chunk of his discography is dedicated to social advocacy. Sunny Green Itodo, 'Falz: Various Times Rapper Has Stirred Controversies With Confrontational Songs' available at https://dailypost.ng/2023/04/07/falz-various-times-rapper-has-stirred-

controversies-with-confrontational-songs/ (accessed 8 April, 2023); New Telegraph, 'Falz Speaks on New Song, 'Yakubu, Says 'I Don't Fear Death' available at <u>https://www.newtelegraphng.com/falz-speaks-on-new-song-yakubu-says-i-dont-fear-death/</u> (accessed 8 April, 2023).

"expresses disapproval, usually about a political subject<sup>26</sup> lt also describes songs 'associated with a movement for social change<sup>27</sup>.

The term first gained traction in America in the 1960s and was used to refer to music that gave a voice to public sentiments on political or social injustice or any events strong enough to evoke strong emotions.<sup>28</sup> A famous example is 'We Shall Overcome' by Bob Dylan and Joan Baez,<sup>29</sup> otherwise dubbed 'the civil rights anthem' which was a protest song against racial segregation.<sup>30</sup>

The Nigerian situation did not stray too much from this path, as different songs gave life to the End SARS Protest, helping protesters to communicate and fueling their drive to stay on the streets until the government met their demands. One of these songs was Davido's <sup>31</sup> 'FEM' <sup>32</sup> from his 'A Better Time' album, <sup>33</sup> released a

<sup>&</sup>lt;sup>26</sup> Cambridge Dictionary, 'Meaning of protest song in English' available at <u>https://dictionary.cambridge.org/dictionary/english/protest-song</u> (accessed 8 April, 2023).

<sup>&</sup>lt;sup>27</sup> IPL, 'The Definition of Protest Music: What is Protest Music?' available at <u>https://www.ipl.org/essay/The-Definition-Of-Protest-Music-What-Is-</u> <u>P3RNBHH4AJPR</u> (accessed 8 April, 2023).

<sup>&</sup>lt;sup>28</sup> The Concise Oxford Dictionary of Music, "Protest Song" available at <u>https://www.encyclopedia.com/arts/dictionaries-thesauruses-pictures-and-press-releases/protest-song</u> (accessed 8 April 2023).

<sup>&</sup>lt;sup>29</sup> The Freedom Singers, "We Shall Overcome" available at <u>https://www.youtube.com/watch?v=ZrpmwWG2fC4</u> (accessed 8 April 2023); Hilbert College, "Social Justice Activists | Joan Baez" available at <u>https://www.hilbert.edu/social-justice-activists/joan-baez</u> (accessed 8 April 2023).

<sup>30</sup> Smitsonian Music. "We Shall Overcome" (1963)" available at https://music.si.edu/object-day/we-shall-overcome-1963 (accessed 8 April 2023). <sup>31</sup> David Adeleke (Davido) is a Nigerian Afrobeats star whose music was at the forefront of the End SARS protest. He also led a march to the Inspector General of Police, using his privilege as an aristocrat and popular music star, to demand that protesters demands be met; S Adenekan, "#EndSARS: Davido meets IGP, calls for psychological re-evaluation of police officers" available at https://www.premiumtimesng.com/news/top-news/420281-endsars-davidomeets-igp-calls-for-psychological-re-eval uation-of-police-officers.html?tztc=1 (accessed 8 April 2023).

<sup>&</sup>lt;sup>32</sup> A. Rashed, "Davido Releases New Single "Fem" Off Upcoming 'A Better Time' Album," available at <u>https://respect-mag.com/2020/09/davido-releases-new-</u> <u>single-fem-off-upcoming-a-better-time-album/</u> (accessed 8 April 2023).

month before the protests, which eventually became the unexpected and unofficial protest anthem- unexpected because the singer did not in any way intend the song as a critique of the government.<sup>34</sup> Instead, the song was a sucker punch aimed at his critics- a diss track, if you may. It got its origin from the French phrase, 'Fermez la bouche', which loosely translates to 'Shut Up!' or 'Close your mouth!'<sup>35</sup>

Thus, when the singer, in the opening verse, sane 'E be like you don dey talk too much/Small talk you done dey talk who talk/Fem',<sup>36</sup> he took a swipe at his critics, and when the young Nigerian protesters screamed this chant to the Lagos State Governor, Babajide Sanwo-Olu, they intended for him to shut up.<sup>37</sup> Their anger was out of place, as it was absurd for the Commander-in-Chief of a state, who had the burden of keeping the populace safe, to overlook the several complaints of human rights violations levelled against the police. Instead, he chose to beg protesters to get off the streets lest they grind economic activities in the state to a halt- which the protesters had done by converging at the strategic Lekki toll gate and other economic hotspots within Lagos.

<sup>&</sup>lt;sup>33</sup> E. Minisker, "Listen to Davido's New Album A Better Time, Featuring Nicki Minaj, Nas, Young Thug, and More," available at <u>https://pitchfork.com/news/listen-to-davidos-new-album-a-better-time-</u> <u>featuring-nicki-minaj-nas-young-thug-and-m ore/</u> (accessed 8 April 2023).

<sup>&</sup>lt;sup>34</sup> K. Perry, "Davido on his song 'FEM' becoming an #ENDSARS anthem: "It's amazing to see,"" available at <u>https://www.nme.com/features/davido-fem-end-sars-nicki-minaj-nas-a-better-time-2815352</u> (accessed 8 April 2023); F Olowolagba, "Use of 'FEM' during End SARS protest was unintentional – Davido" available at <u>https://dailypost.ng/2020/11/17/use-of-fem-during-end-sars-protest-was-unintentional-davido</u>/ (accessed 8 April 2023).

<sup>&</sup>lt;sup>35</sup> Word Hippo, "What does ferme la bouche mean in French?" available at <u>https://www.wordhippo.com/what-is/the-meaning-of/french-word-</u>

<sup>587</sup>f79f8c0a885fb24ac15f577b011c8f8069bb9.ht ml (accessed 8 April 2023).

<sup>&</sup>lt;sup>36</sup> Genius, "Fem lyrics- Davido" available at <u>https://genius.com/Davido-fem-lyrics</u> (accessed 8 April 2023).

<sup>&</sup>lt;sup>37</sup> Gboah TV, "Watch How EndSARS protesters shut Sanwo-Olu up with Davido's FEM, As They Block The Street" available at <u>https://www.youtube.com/watch?v=HaoS2-17r5M</u> (accessed 8 April 2023).

To the protesters, this plea showed where their governor's heart lay, and it was not with them. So, in unison, they screamed, "FEM!" every time he tried to speak to them over a public address system when they besieged the Lagos State House of Assembly complex in Alausa.<sup>38</sup> Visibly embarrassed, the governor unceremoniously made his way out of the protest ground. The next time they heard from him was when, in a few days following the event, he announced an impromptu curfew<sup>39</sup> that foreshadowed the shooting and killing of innocent protesters on the 20th of October, 2020, at the Lekki toll gate.<sup>40</sup>

The song, FEM, was a distinctive protest sound, and its lure was because its hook encapsulated the feelings of the youth at the time—Rage. The song spoke for them, drawing parallels with their ongoing debacle with their police.<sup>41</sup> For example, the first line in the chorus: "Why them com dey para, para, para? Para for me," seemed to address the issue of profiling the youths faced at the hand of the police, who conducted random raids and picked people off the streets on a whim. While some were either never charged to court or charged on bogus counts, others were never seen again—rumoured to be victims of an illegal organ harvesting trade.<sup>42</sup>

In verse two, Davido sang, "I dey live my life, man dey turn am to shoot on sight/ When be say na me dey give them life." These lines mirrored

<sup>&</sup>lt;sup>38</sup> G. Olowoyo, "#EndSARS: Protesters boo Sanwo-Olu as he addresses them in Lagos" available at <u>https://www.premiumtimesng.com/news/morenews/420413-endsars-protesters-boo-sanwo-olu-as-he-addresses-the</u><u>m-inlagos.html</u> (accessed 8 April 2023).

<sup>&</sup>lt;sup>39</sup> The Cable, "Sanwo-Olu declares 24-hr curfew in Lagos amid #EndSARS protests" available at <u>https://www.thecable.ng/breaking-sanwo-olu-declares-24-hr-curfew-in-lagos-amid-endsars-protests</u> (accessed 8 April 2023).

<sup>&</sup>lt;sup>40</sup> A. Bamgboye, "Lekki Shooting: Sanwo-Olu Invited Us – Army Insists" available at <u>https://dailytrust.com/lekki-shooting-sanwo-olu-invited-us-army-insists/</u> (accessed 8 April 2023).

<sup>&</sup>lt;sup>41</sup> The Native, "How Davido's Fem Became The Sounds Of The #EndSARS Revolution" available at <u>https://thenativemag.com/davidos-fem-became-official-endsars-protest-anthem</u>/ (accessed 8 April 2023).

<sup>&</sup>lt;sup>42</sup> I. Obianeri, "Anambra: Make organ harvesting findings public, CSO tells IGP" available at

https://punchng.com/anambra-make-organ-harvesting-findings-public-cso-tellsigp/ (accessed 15 April 2023).

the part of the protesters' demands where they clamoured for better pay and improved working conditions for the police, who ironically shoot the same citizens fighting for them on sight. In the first line of verse one, where the singer sang, "*E be like you don dey talk too much*," the protesters alluded same to the government's strategy of all talk and no action; only, this time, the youths had had enough, and their response to all entreaties was one word—FEM!

Another song of significant importance to the End SARS protest is 20.10.20 by Damini Ebunoluwa Ogulu,<sup>43</sup> otherwise known as Burna Boy. The song, 20.10.20<sup>44</sup>, aptly describes the events of the dark October day<sup>45</sup> when Nigerian youths, as a collective, experienced firsthand the violence of a government determined to squash opposition of any form by any means necessary. Their parents had experienced it after the truncated elections of June 12, 1993,<sup>46</sup> but for Gen Z, this was an epiphanic moment, and Burna Boy put pen to paper to describe these feelings on their behalf:

20th of October 2020

You carry army go kill many youth for Lekki Na so water woo water

<sup>43</sup> Today's Profile. "Burna Boy Biography" available at https://todaysprofile.org/biography/burna-boy/ (accessed 10 April 2023). 44 "20 20" Burna Boy, 10 available at https://www.youtube.com/watch?v=48nfwcGRBbQ (accessed 10 April 2023). <sup>45</sup> J. Blistein, "Burna Boy Channels Fury and Sorrow on New Song About Slain Nigerian Protesters. '20:10:20" available at https://www.rollingstone.com/music/music-news/burna-boy-new-song-20-10-20-lekki-massacre-nigeria-protests-10 83894/ (accessed 10 April 2023); C. Krol "Burna Boy condemns police brutality in Nigeria on new song '20 10 20"" available at <a href="https://www.nme.com/news/music/burna-boy-condemns-police-">https://www.nme.com/news/music/burna-boy-condemns-police-</a> brutality-in-nigeria-on-new-song-20-10-20-2805510 (accessed 10 April 2023); I. Bede, "Burna Boy Does Not Want You to Forget '20.10.20" This Day available Newspaper at https://www.thisdaylive.com/index.php/2020/11/06/burna-boy-does-not-wantyou-to-forget-20-10-20/ (accessed 10 April 2023).

<sup>&</sup>lt;sup>46</sup> T. Omotosho & S. Oyeranmi, "The June 12 Struggle As A Phenomenon In Nigerian Political History" available at <u>http://www.onlineresearchjournals.com/aajoss/art/141.pdf</u> (accessed 10 April 2023); ThisDay "Echoes of the June 12 Struggle" available at <u>https://www.thisdaylive.com/index.php/2021/06/12/echoes-of-the-june-12-</u> <u>struggle/</u> (accessed 10 April 2023).

#### Runaway my eyes.47

The above excerpt is the pre-chorus of the 3:33 minute song, and with it, Burna Boy documented the significant date—20/10/20—into the history archives. This is an important move because Nigeria has a poor documentary culture, causing the facts of many events to be lost in history. Thus, Burna Boy documenting the events of the End SARS protest was a unique way to keep the memory fresh in the hearts of Nigeria's Gen-Z population. So, every time they danced the *Zanku* (a popular Nigerian street dance), to the chorus of 20.10.20:

The chief of staff, the commander and the army wey carry order Mr President, Mr Governor Godfather, gbo gbo IJOBA All your atrocities All of your corner corner Make all the dead body disturb you for your dream,<sup>48</sup>

They relived the gory events of the Lekki massacre. Notable also is the fact on October 20 every year since the shooting, the youths commemorate the occasion and mourn the dead-on Twitter, the same social media platform where the protests first took shape.

But Burna Boy's 20.10.20 more than commemorates the events of the protest. It speaks to the common grievances of the people, and the second verse captures this aptly:

The money wey you thief yapa for your azza You don turn our graduates to common beggars All the book them go no matterm Cuz you no go get job if you no know godfather.<sup>49</sup>

It is no news that the Nigerian government is brazenly corrupt, and although Nigerian universities churn out world-class graduates who go on to saner climes and excel, there are no jobs or creative outlets in the country for local talents. As a result, begging is commonplace,

<sup>&</sup>lt;sup>47</sup> Genius "20 10 20 Burna Boy" available at <u>https://genius.com/Burna-boy-20-</u> <u>10-20-lyrics</u> (accessed 10 April 2023).

even among graduates who should —all things being equal— hold sway in the middle-class position in society.

Instead, Nigeria is better described as the place where dreams go to die,<sup>50</sup> as most jobs or opportunities are gotten by people because of who they know, not what they know. This is what Burna Boy condemned, when he sang, "All the book them go no matter/Cuz you no go get job if you no know godfather." Further, in the song's outro, he acknowledged that successive governments have failed to redeem themselves, and whenever the people cry for justice, they are mowed down with brute force by gun-wielding officers:

We give them many chances dem fail my people And when we cry for justice Them kill my people Walahi all of you Their lives are on you We no go ever forget all the youths Wey die for tollgate

In the final seconds of the song, one can hear soundbites from the actual Instagram live recording by DJ Switch, Obianuju Catherine Udeh, a Nigerian DJ, songwriter, and musician, who was present at the Lekki tollgate on the ill-fated day.<sup>51</sup> Her bravery in recording the live video—which had over 150000 viewers<sup>52</sup>—provided irrefutable proof of the government's atrocities and robbed the government of the opportunity to lie, whitewash facts or gaslight the world into believing that nobody was killed at the Lekki tollgate on October 20, 2020.

<sup>&</sup>lt;sup>50</sup> A common street phrase, passed down so many times, that the original author is unknown.

<sup>&</sup>lt;sup>51</sup> News Central TV, "DJ Switch Recounts Her #EndSARS Experience At The Oslo Freedom Forum, Says the Buhari Govt Is Afraid" available at <u>https://www.youtube.com/watch?v=7QdfmXmFsPE</u> (accessed 10 April 2023).

<sup>&</sup>lt;sup>52</sup> O. Omoruyi, "Over 150,000 people on DJ Switch's IG Live saw how Nigerian security operatives opened fire on peaceful protesters" available at <u>https://ynaija.com/over-150000-people-on-dj-switchs-ig-live-saw-how-nigerian-security-operatives-opened-fire-on-peaceful-protesters/</u> (accessed 10 April 2023).

However, one must note that happenings in Nigeria tend to betray human imagination, and this was precisely what panned out when the Nigerian government, despite all the video evidence and eyewitness accounts circulating on social media in the wake of the October 20 massacre, denied that protesters were killed, <sup>53</sup> and set the state machinery against anyone claiming otherwise.

Worthy of notable mention are the freezing of protesters' bank accounts<sup>54</sup> and the seizing of Modupe Odele's international passport. Modupe (popularly called "Moe") was one of the lawyers and activists who worked behind the scenes to get protesters out of detention during and after the End SARS protest. She was detained on November I, 2020, and her passport was confiscated while trying to board an international flight.<sup>55</sup> For DJ Switch, the heroic lady who documented the shooting of innocent protesters, the Nigerian government had just as much vim, and at the time of writing, she is still in exile, and her current location is unknown.<sup>56</sup>

The third song this paper analyses in connection to the End SARS protest is "Ozumba Mbadiwe"<sup>57</sup> by Ayoleyi Hanniel Solomon, better described by his stage name, Reekado Banks.<sup>58</sup> Although the song is

<sup>&</sup>lt;sup>53</sup> N. Princewill "Nigerian government rejects report on Lekki toll gate shooting as 'fake news'" available at <u>https://edition.cnn.com/2021/11/24/africa/nigeria-rejects-endsars-report-intl/index.html</u> (accessed 11 April 2023).

<sup>&</sup>lt;sup>54</sup> Reuters, "Nigeria's central bank freezes accounts of police brutality protesters" available at <u>https://www.reuters.com/article/nigeria-protests-banking-idUSL4N2HT06D</u> (accessed 11 April 2023).

<sup>&</sup>lt;sup>55</sup> "Immigration Officials Detained Me, Seized My Passport, Stopped Me From Leaving Nigeria, Lawyer Who Volunteered For #EndSARS Protest Says" *Sahara Reporters*, available at <u>https://saharareporters.com/2020/11/03/immigrationofficials-detained-me-seized-my-passport-stopped-me-leaving-(accessed 11 April 2023).</u>

<sup>&</sup>lt;sup>56</sup> S. Haynes, "She Livestreamed the Shooting of Peaceful Protesters in Lagos. Now in Exile, DJ Switch Is Still Fighting for the Future of Nigeria" available at <u>https://time.com/5922305/dj-switch-nigeria-endsars/</u> (accessed 11 April 2023).

<sup>57</sup> Reekado (Official Video)" Banks, "Ozumba Mbadiwe available athttps://www.youtube.com/watch?v=Bovm6-15Ooo (accessed 11 April 2023). All Music. "Reekado Banks Biography" available at https://www.allmusic.com/artist/reekado-banks-mn0003528357/biography (accessed 11 April 2023).

generally a feel-good afrobeat jam, Reekado lent a few lines to the cause through the song. In the second verse, he sang:

Well, if you think say you be giant, you be giant for your pocket If you only fight for your pocket For your pocket October 20 2020 Something happen with the government They think say we go forget For where mmm For Ozumba Mbadiwe Man I tell ya.<sup>59</sup>

The symbolisms in this verse are not lost on the average Nigerian listener, which is one of the reasons why this song is unarguably one of the many adopted End SARS anthems. In the first line of the second verse above, the singer alluded to Nigeria's once revered position as the Giant of Africa, but which, through decades of brazen corruption and insecurity, it has now lost, which is why the singer sang, "You be giant for your pocket",

The phrase "for your pocket,"<sup>60</sup>as used in this line, is of Nigerian vernacular origin, used to refer to something that is not necessarily true, but the person against whom the statement is made may as well be left to live in the halls of their grand delusion. This line in the song is intended as a jab at the government in power, and in the follow-up lines, Reekado Banks acknowledged that the people have not forgotten the murders of October 20, 2020: "October 20, 2020,/Something happen with the government/They think say we go forget/ For Where."<sup>61</sup>

One symbolism often unnoticed in the song is the title—Ozumba Mbadiwe. Ozumba Mbadiwe refers to an expressway in Lagos named after one of Nigeria's foremost nationalists and elder statesmen,

<sup>&</sup>lt;sup>59</sup> Genius, "Ozumba Mbadiwe lyrics" available at <u>https://genius.com/Reekado-banks-ozumba-mbadiwe-lyrics</u> (accessed 11 April 2023).

<sup>&</sup>lt;sup>60</sup> "For your pocket" can also be said to mean "that's your business," showing that the speaker has no interest in the said belief or opinion.

<sup>&</sup>lt;sup>61</sup> The phrase "for where" as used in this song is of Nigerian pidgin origin and loosely translates as "impossible.

Kingsley Ozumba Mbadiwe.<sup>62</sup> This expressway leads onto the Lekki tollgate,<sup>63</sup> the scene of the infamous October 20, 2020 massacre, making it only fitting as the song's title.

# 4.0 COMPARATIVE ANALYSIS WITH OTHER PROTESTS

From Nigeria to Hiroshima, music has been used as an effective tool to protest human rights violations, war, and unpleasant government policies. It has, for many generations, been used to speak truth to power and spur protesters to fight on. However, the role of music in protests has been largely under-researched in academia. Moreover, even where research is done, it focuses mainly on the Euro-American experience, which is limiting. Sumangala Damodaran <sup>64</sup> expounds this argument thus:

In societies where most music is not written down or notated formally, the discussions on the distinct role that music can play as an art form, as a vehicle through which questions of artistic representation can be addressed, and the specific questions that are addressed and responded to when music is used for political purposes, have been reflected in the music itself, and not always in formal debates. It is only in using the music itself as text and a whole range of information around its creation—often, largely anecdotal and highly context-dependent—that such music can be understood. Doing so across a whole range of non-Western

<sup>&</sup>lt;sup>62</sup> E. Aniche, "Dr. Kingsley Ozumba Mbadiwe (1915–1990) was a nationalist, politician, statesman" available at <u>https://www.arochukwu.info/post/dr-kingsley-ozumba-mbadiwe-1915-1990-was-a-nigerian-nationalist-politician-statesman</u> (accessed 11 April 2023).

<sup>&</sup>lt;sup>63</sup> Z. Ngema, "Reekado Banks Recalls The Carnage of The #EndSARS Protests In Single 'Ozumba Mbadiwe'' available at <u>https://www.okayafrica.com/reekado-banks-nigerian-music-endsars/</u> (accessed 11 April 2023).

<sup>&</sup>lt;sup>64</sup> Sumangala Damodaran is a musician and teacher of music studies at Ambedkar University Delhi, with several works dedicated to Indian music traditions and social resistance. Find her at: https://www.researchgate.net/profile/Sumangala-Damodaran

experiences brings out the role of music in societal change quite distinctly from the Euro-American cases.<sup>65</sup>

Music as a political genre across the world has roots in the civil rights movement in America, anti-colonial struggles in Africa, and social and political revolutions in Asia.<sup>66</sup> Some notable instances of political upheavals that spurred the creation of protest music in the 20th century are the Anti-Apartheid Movement in South Africa and the Nueva Cancion Movement in Latin America.<sup>67</sup>

As an art form, music in protests expresses common discontent and plays many roles, from rousing protesters to telling stories of injustice; and through singing these anthems, the "various functions of protest music are fulfilled".<sup>68</sup>

# 4.1 Music from the Japanese Anti-nuclear Protest of 2011

In Japan, music was an outlet for the expression of pain and grievances associated with the anti-nuclear campaign following the incident of March 11, 2011.<sup>69</sup> Over 200,000 people demonstrated in Tokyo against the security treaty agreement between the United States and Japan. Through music, their grievances reached a wider audience and remained documented in history.<sup>70</sup>

Worthy of notable mention is Kiyoshiro Imawano, a rock singer who was instrumental in creating anti-nuclear protest music.<sup>71</sup> His fourth studio album with his band, RC Succession, included covers of 'Love

<sup>&</sup>lt;sup>65</sup> S. Damodaran, "Protest and Music" available at <u>https://doi.org/10.1093/acrefore/9780190228637.013.81</u> (accessed 12 April 2023).

<sup>66</sup> Ibid.

<sup>&</sup>lt;sup>67</sup> Ibid.

<sup>68</sup> Ibid.

<sup>&</sup>lt;sup>69</sup> A Slodkowski, "Japan anti-nuclear protesters rally after quake" available at <u>https://www.reuters.com/article/columns-us-japan-nuclear-protest-idUSTRE75A0QH20110615</u> (accessed 12 April 2023).

<sup>&</sup>lt;sup>70</sup> D. Akagi, "Protesting with Songs in the Japanese and American Social Movements" available at <u>http://www2.dent.nihon-u.ac.jp/bulletin/kiyou45/04AKAGI.pdf</u> (accessed 12 April 2023). <sup>71</sup> Ibid.

Me Tender' by Elvis Presley and 'Summertime Blues' with Eddie Cochran, only infused with original Japanese lyrics, highlighting the anti-nuclear protest situation.<sup>72</sup>

Whereas 'Love Me Tender,' as the name implies, was a gentle love song, Imawano's rendition was rather rock-inspired to pass on the collective anger and the message that establishing a nuclear plant was unnecessary. <sup>73</sup> The lyrics to his 'Summertime Blues' cover, as translated from Japanese, read thus:

> They're increasing more and more, More nuclear power plants are being built, I don't get it all-who are they for? Summertime blues in a cramped Japan.<sup>74</sup>

This song is only one of many instances of how, in Japan, American music is recreated to aid the Japanese protest movement and how music, as an art form, has been used over the years to lend a voice to general discontent with the country's political moves, alliances, and agreements.<sup>75</sup> This is similar to what Nigerian artists like Davido, Burna Boy and Reekadp Banks have done for the End SARS movement through their music.

## 4.2 Music from the Black Lives Matter Protest of 2020

African Americans have, from the time of slavery, used music to fight systemic oppression and injustice. <sup>76</sup> For example, the Grammy Award-winning rapper, Kendrick Lamar, has had his song "Alright" featured in several Black Lives Matter protests.<sup>77</sup>

<sup>&</sup>lt;sup>72</sup> Ibid, p. 30.

<sup>73</sup> Ibid.

<sup>74</sup> Ibid.

<sup>75</sup> Ibid.

<sup>&</sup>lt;sup>76</sup> M. Dale, "Black Protest Music: Sonic Representation of the Black American Experience" available at <u>https://conservancy.umn.edu/bitstream/handle/11299/198104/Black%20Protes</u> t%20Music%20Sonic%20Representat

ion%20of%20the%20Black%20American%20Experience%20DC%20Version.pd f?sequence=1 (accessed 12 April 2023).

<sup>&</sup>lt;sup>77</sup> G. Varga, "Protest songs capture the times, from Black Lives Matter to civil rights and anti-war movements" available at <u>https://www.sandiegouniontribune.com/entertainment/music/story/2020-08-</u>

Like Davido's 'FEM,' the song, 'Alright,' was not intended to be a protest song but one that laments the long history of black suffering. Its lyrics were inspired by Lamar's visit to Robben Island, where Nelson Mandela<sup>78</sup> was incarcerated during the apartheid regime in South Africa.<sup>79</sup> However, the song's recurring refrain: "We gon' be alright," has, in recent years, served as a marching chant for protesters, an expression of hope in adversity.<sup>80</sup>

2020 was a turbulent year the world over, but in America; African Americans fought two battles— COVID and police brutality. While one was new to the scene, the other was recurrent, and these conditions created the perfect environment for protest music to thrive.

Following the killing of George Floyd in May 2020 by police officers, artists across several genres took to the mic to pour out their rage and mourning and to push back against perceived state-sanctioned violence against black people.<sup>81</sup> In 'Perfect Way to Die,' Alicia Keys described a typical day in America where a "simple walk to the corner store"<sup>82</sup> may result in a mother receiving a call from the coroner that her son has been gunned down.<sup>82</sup>

In the pre-chorus, Keys lamented the *laissez-faire* attitude of the state towards police brutality against African-Americans: "And then came silence in the city that day, they say/ Just another one gone/And they tell

movements#:~:text=But%20there%20are%20new%20protest.a

<sup>&</sup>lt;u>02/new-protest-songs-capture-the-times-</u> <u>from-black-lives-matter-to-civil-</u> <u>rights-and-anti-war-</u>

nd%20Terrace%20Martin's%20%E2%80%9CSweeter.%E2%80%9D (accessed 12 April 2023).

 <sup>&</sup>lt;sup>78</sup> A South African Anti-apartheid freedom fighter who spent 27 years in prison before returning to become South Africa's first democratic and black president.
 <sup>79</sup> Op. Cit. Varga.

<sup>&</sup>lt;sup>80</sup> Op. Cit. Varga.

 <sup>&</sup>lt;sup>81</sup> NPR "2020 Was The Year Of Protest Music" available at. https://www.npr.org/2020/12/07/943264940/2020-was-the-year-of-protestmusic (accessed 12 April 2023).
 <sup>82</sup> Ibid.

*her move on.*<sup>83.</sup>" With these lines, Keys alluded to how black people are murdered, and become statistics that trend on the news or on social media platforms for days before fading away, with no justice for the victims.

The second verse holds a mirror to how Black people are overpoliced, and what for others would be a random stop-and-search by the police often results in detention and eventual death if the victim is black.

Keys sang: "Flashing lights in the mirror, pull over, pull over/ A couple nights in detention and it's over, a whole life's over." <sup>84</sup> The heart wrenching pre-chorus that followed this verse aptly described the 2020 Black Lives Matter protest:

> They came marching in the city that day, they say Carryin' signs in the streets Cryin' eyes in the streets But they heard nothing from the city that day, they say Just another one gone And the city moved. <sup>85</sup>

In the wake of the Black Lives Matter protests, the city representatives did everything but what the protesters demanded an end to the killings. So, while the protesters marched across the boulevard, the City of New York and Washington DC painted murals,<sup>86</sup> and Nancy Pelosi, the House Speaker, led the Democrats on a performative and worthless gesture by kneeling in Kente<sup>87</sup>clothes, in apparent homage to black history.<sup>88</sup> Everything but

<sup>&</sup>lt;sup>83</sup> Ibid.

<sup>&</sup>lt;sup>84</sup> Ibid.

<sup>&</sup>lt;sup>85</sup> Ibid.

<sup>&</sup>lt;sup>86</sup> The New York Times, "N.Y.C. Paints 'Black Lives Matter' in Front of Trump Tower'' available at <u>https://www.nytimes.com/2020/07/09/nyregion/blm-trump-tower.html</u> (accessed 12 April 2023); B Fox, "DC paints huge Black Lives Matter mural near White House'' available at <u>https://apnews.com/article/muriel-bowserpolice-donald-trump-ap-top-news-politics-80d971be4f01869553a247b8d6</u> <u>2ccb7b</u> (accessed 12 April 2023).

<sup>&</sup>lt;sup>87</sup> Kente is a handwoven fabric, native to Ghana, a country in West Africa.

proving that Black Lives Matter through better legislation and defunding the police.

Like their End SARS counterparts, Black Lives Matter protesters got nothing for their efforts. The performative acts of the American government mirrored that of Nigeria, where the government in power merely renamed the rogue police unit from SARS to SWAT instead of disbanding it and prosecuting the erring officers like the protesters demanded.

# 4.3 The Awakening of a Copyright Renaissance Post End-SARS

One can argue that the popularism of Nigerian music in the international scene started with the success of Burna Boy's hit single, "Ye," off his 'Outside<sup>90</sup>' album in 2018. But, before that time, there had been "successful" crossover attempts, and worthy of notable mention is Dbanj featuring Kanye West on the 'Oliver Twist<sup>91</sup>' remix in 2012 and Wizkid's small verse on Drake's 'One Dance'<sup>89</sup> in 2016.

However, what made Burna Boy's success stand out, was that the song became an instant hit without needing a feature from a recognised global artiste. Its unprecedented success led Billboard to describe the Nigerian hitmaker as "Nigeria's Surprise Success Story."<sup>90</sup> So, when the singer released '20.10.20' in honour of the End SARS protest, the world stopped to listen, and since then, they have paid rapt attention to Nigerian music.

The catch, however, is that the success of "Ye" was because the global audience had mistaken the title for Kanye West's album, titled:

<sup>&</sup>lt;sup>88</sup> S. Keating, "Symbolic Gestures Are Not Enough" available at <u>https://www.buzzfeednews.com/article/shannonkeating/democrats-kente-</u><u>cloth-pelosi-cuomo-bowser-black-lives-matter</u> (accessed 12 April 2023).

 <sup>&</sup>lt;sup>89</sup> Youtube, "D'banj - Oliver Twist (Official Video)" available at <u>https://www.youtube.com/watch?v=CQP-etYUIps</u> (accessed 13 April 2023).
 <sup>90</sup> N. Duerden, "How Burna Boy Became Nigeria's Surprise Success Story" available at <u>https://www.billboard.com/music/rb-hip-hop/burna-boy-african-giant-interview-8520544/</u> (accessed 13 April 2023).

"Ye," <sup>91</sup> a name trademarked with the United States Patent and Trademark Office in October 2021.<sup>92</sup> One can argue that Burna Boy piggybacked off the semblance of the multiple Grammy awardwinning rapper and business mogul— an innocent case of trademark infringement or passing off (if you may), considering the rapper only filed for his trademark three years after the fact.

However, since that accidental discovery, a searchlight beamed on Nigerian artists, especially on the Afrobeats scene, only made intense by the popularity of the End SARS protest. While this recognition was good for musicians in the third-world country, it made one thing clear: the music business would no longer be business as usual.

Nigeria is known for many things, but not its robust copyright laws,<sup>93</sup> and where legislation provides for consequences for infringements, the practicability of the enforcement of such laws leaves much to be desired. The result is an entertainment industry rife with copyright infringement and blatant intellectual property theft. In fact, it is a running joke that anyone without access to streaming platforms can get copyrighted content from various third-party sites that upload pirated versions of copyrighted content, and law enforcement will look the other way.

To make matters worse, there is rampant copyright ignorance among the populace. Most people are unaware that downloading media from these third-party sites is illegal and amounts to copyright infringement, tantamount to stealing food from the mouth of artists and othercreatives. As Business Day puts it, "Nigerians love or are at

<sup>&</sup>lt;sup>91</sup> W. Hussein, "Kanye's album title is accidentally leading fans to Burna Boy's "Ye" available at <u>https://www.thefader.com/2018/06/04/kanye-west-album-burna-boy-ye</u> (accessed 13 April 2023).

<sup>&</sup>lt;sup>92</sup> N. Fenley, "Kanye West Reportedly Files 10 Trademarks For 'YE', Products Include Dating Site, Face Masks, Legal Aid Charity & More" available at <u>https://thejasminebrand.com/2021/10/08/kanye-west-reportedly-files-10-</u> <u>trademarks-for-ye-products-include-dating-site-face-masks-legal-aid-charity-</u> <u>more/</u> (accessed 13 April 2023).

<sup>&</sup>lt;sup>93</sup> It goes without saying that a new copyright Act was passed on March 17, 2023, with salient amendments, but before then, the Copyright Act of 2004 was what applied across the country.

least used to getting their music free and downloaded to their devices, even though it is technically a crime. But who cares?"94

While infringement of this nature cuts across the entertainment industry, the music scene is the worst hit. For decades, there have been serious allegations even against mainstream artists regarding stolen verses, uncleared samples, and the likes.<sup>95</sup> Business Day posits that: "labels are in charge of enforcing the rights, but brands and individuals use songs without the consent of the artists or label which they are signed to, unafraid of consequences because there are never any.<sup>96</sup>

In the past, it was normal to sample any existing tune on a new track with no consequences. But, with the searchlight beamed on music emerging from Nigeria, things are no longer as they were. For example, the renowned Nigerian singer and producer Augustine Miles Kelechi, who goes by the stage name "Tekno," sampled the American rapper Curtis Jackson or 50 Cent's hit track, 'In Da Club,'<sup>97</sup> in his 2017 track, "Go"<sup>98</sup>without permission and 50 Cent only found out years later, as he revealed in an interview.<sup>99</sup>

<sup>95</sup> PM News, "Blackface: I deserve credit for my stolen songs" available at <u>https://pmnewsnigeria.com/2023/01/29/blackface-i-deserve-credit-for-my-stolen-songs/</u> (accessed 13 April 2023); D. Ogbeche, "Alleged song theft: Faze says 'controversy' between 2face, Blackface will be sorted out soon" available at <u>https://dailypost.ng/2016/03/21/alleged-song-theft-faze-says-controversy-between-2face-blackface-will-be-sorted-ou t-soon/</u> (accessed 13 April 2023).
<sup>96</sup> Ob. Cit. Onvemelukwe.

<sup>&</sup>lt;sup>94</sup> S. Onyemelukwe, "Coronavirus and the Nigerian music industry" available at <u>https://businessday.ng/bd-weekender/article/coronavirus-and-the-nigerian-</u><u>music-industry</u>/ (accessed 13 April 2023).

<sup>&</sup>lt;sup>97</sup> 50 Cent "50 Cent - In Da Club (Official Music Video)" available at <u>https://www.youtube.com/watch?v=5qm8PH4xAss</u> (accessed 19 July 2023).

<sup>98</sup> "Tekno Tekno \_ GO (Official Video)" available at https://www.youtube.com/watch?y=ZPe57sFzihw (accessed 13 April 2023). <sup>99</sup> NotJustOk, "It Feels Good" - 50 Cent Reacts To Tekno Sampling His Song" available at https://notjustok.com/news/it-feels-good-50-cent-reacts-to-teknosampling-his-song/ (accessed 13 April 2023); P. Osadebe, "American rapper, 50 Cent reacts to Tekno sampling his song" available https://www.vanguardngr.com/2023/02/american-rapper-50-cent-reacts-totekno-sampling-his-song/ (accessed 14 April 2023).

Although there are no known lawsuits over that particular unlicensed sampling —probably because 50 Cent himself does not own the copyrights to the track<sup>100</sup> — the future is bright, especially given the global success of Nigerian music.

It is the author's opinion that artists that were otherwise uninterested in pursuing copyright claims from Africa may now have good reason to do so since African music has become the

rave of the moment and is pulling a lot more revenue, having grown from \$26 million to \$34 million between 2014 to 2018,<sup>101</sup> and is expected to reach \$101.80 million by 2023, with an annual growth rate of 7.69%.<sup>102</sup>

In 2021, a Nigerian singer, Goya Menor, released an "Ameno Amanpiano Remix (You Want to Bam Bam)."<sup>103</sup>Although the song was an instant success, propelling the singer to his first Headies Award<sup>104</sup> and recognition within the country, it was not well received in some quarters. One of these aggrieved persons was Era, the original singer of "Ameno," whose music was sampled on the Amanpiano remix, seemingly without permission.

<sup>&</sup>lt;sup>100</sup> C Cooke, "50 Cent can't sue over uncleared sample on publicity right grounds" available at <u>https://completemusicupdate.com/article/50-cent-cant-sue-over-uncleared-sample-on-publicity-right-grounds/</u> (accessed 14 April 2023).

<sup>&</sup>lt;sup>101</sup> M. Götting, "Music industry revenue in Nigeria 2014-2023" available at <u>https://www.statista.com/statistics/939157/nigeria-music-industry-revenue/</u> (accessed 14 April 2023).

<sup>&</sup>lt;sup>102</sup> Statista, "Digital Music - Nigeria" available at

https://www.statista.com/outlook/dmo/digital-media/digital-music/nigeria (accessed 14 April 2023).

<sup>&</sup>lt;sup>103</sup> G. Menor, "Ameno Amapiano Remix (You Wanna Bamba) [Official Video]" available at <u>https://www.youtube.com/watch?v=InZTVUUwgpY</u> (accessed 14 April 2023).

<sup>&</sup>lt;sup>104</sup> Orodare, "#HeadiesAward2022: Goya Menor Wins First-Ever Headies For Best Street Pop Artiste" available at <u>https://thenet.ng/theheadies2022-goya-</u> <u>menor-wins-first-ever-headies-for-best-street-pop-artiste</u>/ (accessed 14 April 2023).

As a result, the song was pulled from streaming platforms<sup>105</sup> for a while before making a comeback. It is noteworthy that this event occurred nearly a year after the End SARS protest, showing that due to the success of protest music, there were now eyes on Nigerian music, leading to a stricter demand for regulatory compliance. In the author's opinion, this, and the rise of streaming services in Nigeria, is why a global artiste like Era could spot Goya Menor's copyright infringement from miles away.

This seemingly innocent copyright infringement would have passed unchecked in the past two decades when Nigerian music had less global appeal. But now, Nigerian music seems to be a huge pudding, with everyone wanting a slice. Thus, Nigerian artists will only be doing themselves and their reputations a huge disservice if they refuse to comply with existing copyright laws and do the right thing regarding sampling and giving due credit to original creators.

In 2022, Billboard launched the U.S. Afrobeats Chart in conjunction with Afronation, the music festival brand— a first-of-its-kind innovation intended to harness the growing potential of Nigerian music.<sup>106</sup>

While this is good for artists, as it gives legitimacy to Nigerian music in the international market, it suggests that artists must pay more attention to licensing and regulatory compliance, and herein lies the problem. Unfortunately, Nigerian artists are not known to follow entertainment laws and often are oblivious to their existence. But, in the words of Praise Anyaoha, a Nigerian entertainment lawyer and consultant, this is the time for stakeholders to sit up:

<sup>105</sup> R. Nsereko, "Licensing Issue: Spotify won't chill with 'big boys', removes Ameno Amapiano" available at <u>https://www.pulse.ug/entertainment/music/originally-owned-by-nigerianhypeman-goya-menor-and-ghanaian-record-producer-nektunez/9rjz0lx</u> (accessed 14 April 2023).

<sup>&</sup>lt;sup>106</sup> R. Aniftos, "Billboard Teams Up With Afro Nation to Launch New U.S. Afrobeats Songs Chart" available at <u>https://www.billboard.com/music/chart-beat/billboard-us-afrobeats-songs-chart-1235046800/</u> (accessed 14 April 2023).

This Billboard Afrobeats Charts is such great news for Nigerian entertainment lawyers, with the amount of sampling of Western music Nigerian artists do without getting permission, dem go cast us now, everybody has to come correct now, or they pull down your song. Artists not giving credits to everyone involved in a song, including the instrumentalists, that one will end too lol, what a great time.<sup>107</sup>

The author notes that the growth of Nigerian music and the ensuing copyright renaissance is not all bad news, as it has immense benefits for Nigerian singers. For example, in April 2023, Davido made history with his fourth studio album, 'Timeless' which stands as the first African album to hit Number I on the US iTunes Albums Chart.<sup>108</sup> Back when the industry was rife with unlicensed sampling, marketing Nigerian songs to an international audience was challenging because of the numerous copyright laws being broken.

This contributed to the limited global reach of Nigerian music, but there has been remarkable growth since this awakening, and the numbers are there as proof. The ripple effect of this new-found popularity is that Nigerian artists can now spend less on creating and promoting their music, as there is an organic demand for their sounds, which remains the best form of advertising. To buttress this point, Davido revealed in an interview with Hot 97 FM,<sup>109</sup> that he spent only about \$300,000 on his 'Timeless' album, as opposed to the almost \$2 million he spent on "A Better Time" in 2019. He credited this feat to the far reach of Afrobeats and Nigerian music generally.

<sup>&</sup>lt;sup>107</sup> Anyaoha posted the opinion as a Twitter thread available at <u>https://twitter.com/anyaohapraise/status/1506558840069935104?s=46&t=ZVpY</u> <u>E3SEnonn2ecjK7TqUA</u> (accessed 14 April 2023).

<sup>&</sup>lt;sup>108</sup> "Davido's 'Timeless' makes history as first African album to top US iTunes chart' Vanguard Newspaper 6 April 2023 available at <u>https://www.vanguardngr.com/2023/04/davidos-timeless-makes-history-as-first-african-album-to-top-us-itunes-chart</u>

<sup>/#:~:</sup>text=Afrobeats%20superstar%2C%20David%20Adeleke%2C%20also,the%2 0world's%20biggest%20music%2 0market. (accessed 14 April 2023).

<sup>&</sup>lt;sup>109</sup> Hot 97 "Davido On Unity In Afrobeat, Wizkid, Why No US Features On Album, + Dad Getting Him Arrested" available at <u>https://www.youtube.com/watch?v=\_zK5N1iowXY</u> (accessed 14 April 2023).

## 6.0 CONCLUSION

Although protest music may not directly change the world in the way that legislations do, it can unify people and inspire them in their quest for a better life by serving as a backdrop for their actions—usually protests— geared at inspiring change. These songs soothe protesters, offer an avenue for reflection, provide an outlet for grievances and challenge the status quo.

Protest music can, most times, be a rallying cry against injustice or provide comfort in times of distress, in the way that the music from the End SARS protests comforted the youths, even after their attempt to change the status quo seemingly failed. Moreover, since music enures for generations to come, they help document history, locking up memorable or even painful moments in lyrics, sounds, and the beat of drums.

This research has shown that music is just as important to protests as speeches. In more ways than one, it brings together people with shared goals and invigorates their spirit as they clamour for political or social change. While the effects of the End SARS protest may seem to have waned, the impact of the protest music remains evergreen. In an age where streaming services and smartphone usage is the new norm, Nigerian protest music has crossed borders, and this further exposure has changed how things are done in the music industry. With this success comes great responsibility, and Nigerian artists have a moral burden to do the right thing by abiding by relevant copyright legislation and educating their fans about the harms associated with intellectual property theft.