

FOLARIN FALANA (FALZ)'S "THIS IS NIGERIA": A JURISPRUDENTIAL REFLECTION ON LAW, MORALITY, AND SOCIAL DECAY

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Abstract

In a country where silence is often a survival tactic, and truth is masked by institutional power, "This is Nigeria" by Folarin Falana, popularly known as Falz, erupts like a courtroom outburst against systemic injustice. With a background in law and a microphone as his gavel, Falz confronts the normalized chaos in Nigeria: religious hypocrisy, political corruption, failed policing, and cultural apathy. This paper emerges from the researcher's profound admiration for Falz's audacity to vocalize what many dare not whisper, the moral disintegration and legal dysfunction cloaked in official robes of governance. As a trained lawyer and social critic, Falz uses his artistry not merely to entertain but to interrogate, educate, and indict. This article draws on the Philosophy of Law to explore "This is Nigeria" as a site of legal reflection and resistance. With philosophical tools from Natural Law, Legal Positivism, Lon Fuller's procedural morality, and Critical Legal Studies, the paper analyzes how Falz's lyrics serve as legal critique and public jurisprudence. Through a close reading of selected verses, it reveals how the song navigates the collapse of law's moral foundation, the erosion of legal legitimacy, and the dangers of silent complicity. In doing so, it argues that music, especially when wielded by a conscious legal mind, can illuminate the failings of the legal order and awaken collective legal consciousness. Ultimately, this study affirms that Falz's artistic intervention blurs the line between lawyer and bard, and his song stands as a resonant verdict against injustice.

Keywords: Falz, Jurisprudence, Social Decay, Legal Philosophy, This is Nigeria

Introduction

Falz's song "This is Nigeria," released in May 2018, sparked a national conversation by articulating anxieties and frustrations about the rule of law in Nigeria. When the music video dropped in May 2018, it went beyond entertainment; it became a national conversation, a moment of collective introspection forced upon us by a lawyer-turned-musician who dared to ask, "This is Nigeria; look how I'm living now/ Everybody is a criminal"¹. The raw, unapologetic nature of his commentary, backed by stark visual metaphors, resonated with a profound truth: the rule of law in Nigeria was not merely bending; in many critical areas, it appeared to be breaking. My admiration for Falz was not just for his artistic genius, but for his courage to confront these harsh realities, weaving them into a narrative so compelling it transcended music and ventured squarely into the realm of jurisprudence.

As a scholar focused on law and society, I saw the song as a visceral reflection of reality and a compelling narrative that ventured into jurisprudence. The song solidified my belief that art, especially music, is a powerful medium for legal critique and social commentary, echoing the concept of "narrative jurisprudence" proposed by scholars like Anthony V. Alfieri. Falz exposed systemic fissures in Nigeria's legal and moral architecture, challenging us to look beyond superficial reforms. Alfieri, who argues for the concept of "narrative jurisprudence," that, where storytelling, whether in legal briefs or popular culture, can illuminate legal principles and reveal societal injustices².

¹ Falz. "This is Nigeria." YouTube video, 3:35. Directed by Kemi Adetiba. May 25, 2018. <https://www.youtube.com/watch?v=k24W3G1yM0M/0:25>

² Alfieri, Anthony V. "Narrative Jurisprudence: The Moral and Political Justification of Storytelling." *Legal Theory* 5, no. 2 (1999): 137

This article therefore, is an homage to Falz's intellectual courage and artistic brilliance. It is a testament to the power of a single song to ignite critical thought, to force a reckoning with inconvenient truths, and to compel a deeper, more philosophical engagement with the pressing legal and moral questions that define contemporary Nigeria. Through this analysis, I hope to not only celebrate Falz's contribution but also to underscore the critical importance of diverse voices in shaping our understanding of law, justice, and the perpetual quest for a more equitable society.

Music as Jurisprudence: A Philosophical Framework

The profound power of music has been recognized since antiquity, reaching beyond mere entertainment to touch the very essence of human experience and societal order. Plato, in his *Republic*, eloquently captured this sentiment, asserting: "Music is a moral law. It gives a soul to the universe, wings to the mind, flight to the imagination, and charm and gaiety to life and to everything."³ This timeless observation highlights music's capacity not just to entertain but to shape character, instill values, and reflect the moral fabric of a society. For Plato, music was intrinsically linked to the soul's formation and the ideal state, suggesting that its influence permeates deeper than superficial enjoyment, engaging with the very principles that govern human conduct and collective life. We will use four legal philosophies as analytical lenses

The natural law theory posits universal moral principles inherent in nature, discoverable by human reason, that form the bedrock of true law. Traced back to Aristotle and the Stoics, and comprehensively articulated by Saint Thomas Aquinas, natural law holds that human law derives its validity from congruence with natural law. Aquinas famously stated that: "Every human law has just so much of the nature of law, as it is derived from the law of nature. But if in any point it deflects from the law of nature, it is no longer a law but a perversion of law"⁴. This foundational idea that an unjust law is no law, becomes particularly relevant when examining Falz's critique of a legal system that often appears to sanction or permit gross injustices, raising questions about its moral authority and fundamental legitimacy in the Nigerian context.

In stark contrast to natural law, stands Legal Positivism. This school of thought emphasizes the separation of law and morality, arguing that the validity of a law depends solely on its source (e.g., whether it was properly enacted by a recognized authority) and not on its moral content. For positivists, law is simply what is laid down or "posited" by the sovereign. H.L.A. Hart, a prominent 20th-century positivist, refined this view, distinguishing between "primary rules" (rules of conduct) and "secondary rules" (rules about rules, such as rules of recognition, change, and adjudication), which together form a legal system. He argued in his *The Concept of Law*, vehemently for the analytical separation of law and morals that:

The German jurist Jhering said, 'a theory of law which is not also a theory of morality is a maimed and imperfect theory.' This is perhaps true; but it is equally true that a theory of morality which is not also a theory of law is a maimed and imperfect theory. The point is not whether law and morality are connected, but what kind of connection they have.⁵

³ Plato. *Republic*. Translated by G.M.A. Grube. Revised by C.D.C. Reeve. (Indianapolis: Hackett Publishing Company, 1991), Book III, 401d-e, 106

⁴ Aquinas, Thomas. *Summa Theologica*. Translated by Fathers of the English Dominican Province. (New York: Benziger Bros., 1947), I-II, Q. 95, Art. 2, 28

⁵ Hart, H.L.A. *The Concept of Law*. 2nd ed. Oxford: Clarendon Press, 1994), 206

This perspective allows analysis of Nigerian law based on its formal validity, even if its practical application, as depicted by Falz, appears morally bankrupt. Critical Legal Studies (CLS) emerged in the 1970s as a radical challenge to conventional legal thought, particularly positivism and liberal legal theory.

CLS scholars argue that law is not neutral or objective but is inherently political, serving to legitimize and perpetuate existing power structures and social inequalities. Roberto Unger, a prominent figure in CLS, in his critique of traditional legal thought, emphasized law's inherent contingency and its role in reflecting and shaping social power: "There is no necessary connection between the abstract structure of legal doctrine and the concrete details of its application. The legal order is a constantly changing creation of social practices and power struggles⁶."

From a CLS perspective, Falz's indictment of corruption and selective justice illustrates how the legal system is manipulated to serve dominant interests, perpetuating injustice.

Lon Fuller's Inner Morality of Law critiqued legal positivism, arguing that a legal system must adhere to procedural or "inner" moral principles to truly exist and command respect. He outlined eight principles of legality: generality, promulgation, prospectivity, clarity, non-contradiction, possibility of obedience, constancy, and congruence between official action and declared rule. Fuller argued that consistent violation of these principles results in something "not properly called a legal system at all". Falz's depiction of Nigerian institutions, particularly the police and judiciary, illustrates how systematic violation of these principles contributes to a breakdown of trust and a pervasive sense of injustice. Fuller argued that a system that consistently violates these principles is not merely a bad legal system, but one that fails to be a legal system at all, degenerating into arbitrary rule. He famously stated:

A total failure in any one of these eight directions does not simply result in a bad system of law; it results in something that is not properly called a legal system at all, except perhaps in the Pickwickian sense in which a void contract can be called a contract⁷.

Falz's depiction of Nigerian institutions, particularly the police and judiciary, provides a poignant illustration of how the systematic violation of these inner moral principles, such as arbitrary enforcement, lack of clarity, and a fundamental disconnect between official pronouncements and actual practice; contributes directly to a breakdown of trust in the legal system and fosters a pervasive sense of injustice. His lyrics, therefore, act as a diagnostic tool, identifying the symptoms of a legal system failing its own internal moral compass.

These frameworks offer distinct yet complementary lenses to interpret Falz's social commentary. They elevate "This is Nigeria" to a profound jurisprudential text, rich with insights into the complex relationship between law, morality, and lived experiences in a developing nation. Falz, consciously or instinctively, performs the role of a "musical jurist," dissecting societal ills with a precision that rivals academic analysis.

Folarin Falana: Between the Law and the Mic

Having established how music, as a powerful medium, can serve as a conduit for profound jurisprudential discourse, it is now imperative to turn our gaze to the unique individual at the heart of this analysis: Folarin Falana, better known to the world as Falz. Born Folarin Falana, Falz's early life was steeped in an environment where law and advocacy were not just professions but deeply ingrained principles. He pursued his legal education at

⁶ Unger, Roberto Mangabeira. *Knowledge and Politics*. New York: Free Press, 1975), 122

⁷ Fuller, Lon L. *The Morality of Law*. Rev. ed. (New Haven: Yale University Press, 1969), 39

the University of Reading in the United Kingdom, graduating with an LLB degree. His commitment to the legal path continued with his return to Nigeria, where he subsequently completed the Bar professional training course and was called to the Nigerian Bar in 2012. Initially known for his “Bahd Guy” persona, blending humor and satire, his early hits hinted at the sharp observational skills that would define his later work. These tracks allowed him to hone his craft and prepare his audience for deeper messages, especially with “This is Nigeria”.

Falz’s dual identity as rapper and lawyer is crucial to his artistry. His legal training provides an analytical framework to dissect complex societal problems, targeting systemic issues beyond superficial complaints. He understands legal mechanics and how laws are circumvented, allowing him to craft lyrics that are legally informed and emotionally resonant. This fusion grants him unique authority and credibility when addressing socio-political issues, framing societal decay within legitimate legal discourse. For example, his critiques of judicial corruption or police inefficiency highlight a failure of congruence between official action and declared rules, salient for Fuller’s jurisprudence.

The public reception of Falz’s activism has been extraordinary, with “This is Nigeria” igniting widespread discussion and solidifying his position as a courageous voice. His activism faced legal skirmishes, notably the Nigerian Broadcasting Commission’s (NBC) attempt to ban the song for alleged “vulgar language”. This regulatory pushback, while problematic, amplified the song’s message, transforming Falz into a symbol of artistic defiance and further legitimizing his stance as a public intellectual engaged with justice and liberty.

Lyrical Analysis of “This is Nigeria”

The song’s opening, “This is Nigeria; look how I’m living now / Everybody is a criminal,” sets a disquieting tone, depicting pervasive disillusionment and normalized criminality. This challenges the fundamental concept of legitimacy in social contract theory, where government derives authority from protecting the common good; it suggests Nigeria’s state fails to protect its citizens, compelling individuals to resort to criminal means, thereby questioning the foundation of obedience to its laws, and directly, challenges the fundamental concept of legitimacy within social contract theory. For Jean-Jacques Rousseau had argued that, government derives its legitimate authority from the consent of the governed, premised on its ability to protect the general will and common good. When the state fails to provide basic security, economic stability, and a functional justice system, it breaches this implicit contract, eroding its legitimacy in the eyes of its citizens. Rousseau, in *The Social Contract*, articulated the purpose of such a pact thus:

The problem is to find a form of association which will defend and protect with the whole common force the person and goods of each associate, and in which each, while uniting himself with all, may still obey himself alone, and remain as free as before. This is the fundamental problem to which the social contract provides the solution... Each of us puts his person and all his power in common under the supreme direction of the general will, and, in our corporate capacity, we receive each member as an indivisible part of the whole⁸.

⁸ Rousseau, Jean-Jacques. *The Social Contract*. Translated by Donald A. Cress. (Indianapolis: Hackett Publishing Company, 1987), Book I, Chapter 6, 153

Falz's opening line therefore, suggests that, this "fundamental problem" remains agonizingly unsolved in Nigeria; the state fails to protect persons and goods, compelling individuals to resort to criminal means, thereby questioning the very foundation of obedience to its laws.

One of the most striking and frequently cited lyrics is "Police station dey close by 6, ah." This seemingly mundane observation carries immense jurisprudential weight, depicting a profound failure of the state's most fundamental duty: the provision of security and enforcement of law. The image of a police station, meant to be a constant beacon of protection and order, closing its doors in the evening, paints a vivid picture of institutional abandonment. This line reveals not just a lack of resources, but a deeper apathy and dysfunction within a critical arm of the justice system. It directly contributes to the pervasive sense of insecurity and vulnerability that characterizes daily life for many Nigerians, eroding trust in the very institutions mandated to serve and protect.

This specific lyrical complaint aligns directly with Lon Fuller's Inner Morality of Law, particularly the principle of "congruence between official action and declared rule." Fuller argued that a legal system cannot function effectively if there is a consistent disconnect between the laws as they are written and the way they are enforced in practice. The existence of police stations implies a commitment to public order and round-the-clock protection. However, a police station that "dey close by 6" represents a stark deviation from this declared rule, signaling a failure of congruence and, ultimately, a failure of the rule of law. Fuller underscored the critical importance of this principle. He states that:

The principle of congruence between official action and declared rule, though it is the eighth and last of the principles to be discussed, is also the most complex. It is also the most demanding, for it requires not simply that rules should be declared, but that they should in fact be applied by judges, administrative tribunals, and other law-applying officials. It means that the rules must be understood and applied by those whose duty it is to apply them and that their application should generally conform to the published law. A failure in this congruence means that the citizens' efforts to conform to the law are frustrated⁹.

Falz's lyric vividly portrays this frustration; citizens are left unprotected, their efforts to live under a functioning legal system undermined by the very institutions meant to uphold it. Beyond Fuller's procedural morality, the closing of police stations also exposes a fundamental moral failure from a Natural Law perspective. Natural law posits that governments have an inherent moral obligation to protect the fundamental rights of their citizens, chief among them the right to life and security. When the state's enforcement agencies are dysfunctional or absent, it is a direct violation of these inherent moral obligations.

Another piercing critique is, "Pastor don dey wear Rolex / We no know if na God call dem". This targets ostentation and perceived moral corruption within Nigeria's religious leadership, contrasting spiritual calling with blatant material wealth. It points to a deeper moral decay where institutions traditionally seen as moral compasses contribute to economic and ethical crises.

Natural Law and the Moral Crisis in Nigeria

⁹ Fuller, *The Morality of Law*, 81

Natural Law theory offers profound insights into the alignment of legal systems with inherent moral principles. Falz's song depicts a profound disconnect between established legal frameworks and a perceived moral order in Nigeria. Natural Law posits a universal moral order, discoverable by reason, superior to human-made law. Aquinas argued that human law derives legitimacy from congruence with natural law, asserting "lex iniusta non est lex" (an unjust law is no law at all). In Nigeria, where corruption is endemic and accountability elusive, this maxim is acutely pertinent. The song compels questioning whether formally enacted laws, if they permit widespread injustice, possess moral authority or obligation for citizens. Falz's depiction of pervasive corruption, where "everybody is a criminal" and police stations "dey close by 6," illustrates a moral decay undermining natural law principles. When law enforcement is corrupt or ineffective, it violates its purpose to uphold justice, representing a profound moral rot. These lines vividly portray a significant moral decay that fundamentally undermines the principles of Natural Law. Aquinas rigorously, however, explored the relationship between human law and natural law, emphasizing that for human laws to be just, they must derive from the natural law. He writes in his *Summa Theologica*, thus:

As Augustine says: 'That which is not just, seems to be no law at all.' Hence the force of a law depends on the extent of its justice. Now in human affairs a thing is said to be just, from being right, according to the rule of reason. But the first rule of reason is the law of nature, as is clear from what has been stated. Consequently, every human law has just so much of the nature of law, as it is derived from the law of nature. But if in any point it deflects from the law of nature, it is no longer a law but a perversion of law¹⁰.

This passage from Aquinas directly underpins Falz's critique. The pervasive injustice and moral failures Falz highlights: the police's dereliction of duty, the corruption of religious leaders, the impunity of the powerful; these are not merely minor flaws in the legal system. From an Aquinian perspective, they are fundamental "deflections from the law of nature," rendering the positive laws that permit or perpetuate them as mere "perversions of law," lacking true moral force or binding authority.

Implicit themes of police brutality and extrajudicial killings further demonstrate this moral crisis. From a Natural Law perspective, the right to life and dignity are inherent human rights. When State agents become perpetrators of violence, it constitutes a grievous violation of natural justice, demonstrating a complete disregard for fundamental moral principles. Falz's critique of "Pastor don dey wear Rolex" extends the moral crisis to the spiritual realm. Natural Law, emphasizing charity and the common good, would view such exploitation by spiritual figures as a severe moral transgression, undermining societal foundations for a just legal order.

Lon Fuller's Inner Morality of Law and Institutional Breakdown

Fuller shifted focus to the procedural aspects of law, arguing that a true legal system must adhere to "inner" moral principles to be valid and command respect. Failure to uphold these principles results in a failure to make law at all, degenerating into arbitrary rule and lack of respect. This framework provides a piercing analytical tool for the legal realities depicted in Falz's narrative. Fuller's first two principles are generality and promulgation: laws must be general, applying equally to all, and made public. Falz's lyric, "everybody is a

¹⁰ Aquinas, *Summa Theologica*, I-II, Q. 95, Art. 2, 28

criminal,” suggests vague legal boundaries and inconsistent application, indicating a deficit in generality and promulgation. This fosters legal ambiguity, empowering arbitrary authority. Fuller emphasized their foundational importance:

The first requirement of a system of rules that is to be subjected to human control is that rules should exist. More simply, there must be rules, which means that there must be the possibility of knowing what they are. This first desideratum may be called the requirement of generality. The second desideratum is that the rules must be promulgated, that is, made known to the affected party... A system of laws that fails to be general, or fails to be promulgated, cannot truly guide human conduct, and thus falls short of the ideal of subjecting human actions to the governance of rules¹¹.

Falz's song exposes a Nigerian landscape where these fundamental requirements are frequently unmet, leading to a pervasive sense of legal ambiguity and uncertainty that empowers arbitrary authority. Principles three and four are prospectivity and clarity: laws should govern future actions and be understandable. Falz's depiction of a chaotic system, where justice is unpredictable, resonates with a violation of these principles. This creates fertile ground for corruption, as officials exploit ambiguity for personal gain.

The fifth and sixth principles are non-contradiction and possibility of obedience: laws should not contradict each other or demand the impossible. Falz's portrayal of police stations closing by 6 PM, despite their implied 24/7 duty, hints at a profound internal contradiction in the state's functional commitment. The expectation for citizens to live lawfully amidst systemic corruption and insecurity might be considered an impossible demand. Falz's narratives implicitly highlight the disjuncture between legal expectation and practical possibility.

A rule that contradicts another rule in the same system is a source of confusion and frustration, making it impossible for citizens to know what is required of them. Likewise, a law that demands the impossible places an unconscionable burden on those subject to it, making compliance a mockery and undermining the very purpose of legal governance. Such contradictions or impossible demands transform the legal system into a trap rather than a guide¹².

Falz's song powerfully conveys this frustration, where the implicit demands of the law clash with the explicit failures of its enforcement, making the idea of "obedience" feel almost absurd for many citizens. However, the final two, and most crucial, principles are constancy and congruence between official action and declared rule. Falz's "This is Nigeria" most starkly illuminates the systematic violation of the eighth principle. The iconic lyric, "Police station dey close by 6," perfectly illustrates the failure of congruence. This signifies a systemic breakdown where law institutions fail their fundamental mandate. As Fuller stated, "A failure in this congruence means that the citizens' efforts to conform to the law are frustrated, since the 'law' they are attempting to obey is not the 'law' that is actually being enforced"¹³. Falz's powerful imagery captures this frustration.

¹¹ Fuller, *The Morality of Law*, 49

¹² Fuller, *The Morality of Law*, 65-66

¹³ Fuller, *The Morality of Law*, 70

The iconic lyric, “Police station dey close by 6”¹⁴, is a perfect illustration of the failure of congruence. The very existence of a police force, enshrined in law, implies a constant commitment to public safety and order. Fuller profoundly articulates this principle:

The principle of congruence between official action and declared rule, though it is the eighth and last of the principles to be discussed, is also the most complex. It is also the most demanding, for it requires not simply that rules should be declared, but that they should in fact be applied by judges, administrative tribunals, and other law-applying officials. It means that the rules must be understood and applied by those whose duty it is to apply them and that their application should generally conform to the published law. A failure in this congruence means that the citizens' efforts to conform to the law are frustrated, since the ‘law’ they are attempting to obey is not the ‘law’ that is actually being enforced¹⁵.

Falz’s powerful imagery directly captures this frustration, revealing a legal system that appears to be actively betraying the very expectations it creates. Beyond the police, Falz’s broader critique of corruption and the impunity of the powerful (e.g., “pastor don dey wear Rolex” implying a system that tolerates exploitative practices) points to a more widespread failure of congruence within Nigerian institutions. When judges accept bribes, when public officials siphon funds with no accountability, or when electoral processes are rigged, these actions directly contradict the declared rules of justice, fairness, and democratic governance. The law, in these instances, becomes a mere façade, a set of empty promises that bear no relation to the actual practices of those in authority. This arbitrary enforcement transforms the rule of law into the rule of discretion, where power, not principle, dictates outcomes.

Critical Legal Studies and the Politics of Law in Nigeria

CLS central argument is that law serves as a tool of domination, a mechanism through which economic and political elites maintain privilege. Duncan Kennedy argued that

The discourse of rights, in its very structure, is inherently contradictory and indeterminate, allowing for multiple, often conflicting, interpretations that ultimately serve to legitimate existing power relations. When we speak of rights, we are not speaking of universal, self-evident truths, but of historically contingent arrangements that reflect and perpetuate specific distributions of wealth and power. Legal institutions, therefore, are not neutral arbiters but participants in the ongoing struggle over social organization, often masking their political choices under the guise of technical expertise and objective interpretation. The legal system, far from being a bastion of freedom, can be understood as a powerful mechanism for reproducing hierarchies and suppressing challenges to the established order¹⁶.

Falz’s depiction of Nigerian society, where justice seems to favor the powerful and accountability is a rare commodity, provides a vivid illustration of this CLS argument in action.

¹⁴ Falz, “This is Nigeria,” 1:35

¹⁵ Fuller, *The Morality of Law*, 81

¹⁶ Duncan Kennedy. *Legal Education and the Reproduction of Hierarchy: A Polemic Against the System; A Problem*. (New York: New York University Press, 1983), 34-36

Falz's critique of political elites in "This is Nigeria" like "Every man for himself and God for us all / You pray for the government, but nothing at all"¹⁷ highlight a profound disillusionment with political leadership that has seemingly abandoned its duty to the populace. Equally compelling is Falz's scathing critique of religious elites, particularly encapsulated in the lyric, "Pastor don dey wear Rolex / We no know if na God call dem"¹⁸. From a CLS perspective, this exposes how religious institutions can become complicit in domination. When spiritual leaders amass wealth amidst poverty, their authority maintains social hierarchies rather than challenging them. This reveals ideological hegemony, where religious doctrine pacifies the populace, diverting attention from systemic injustices. The theme of indeterminacy and arbitrary application, a cornerstone of CLS critique, runs throughout Falz's depiction "police station dey close by 6"¹⁹, highlighting the unpredictable law application subject to arbitrary discretion. This indeterminacy allows those with power to bend the law, escaping accountability while the vulnerable suffer.

It is scholarly imperative to state here that, Falz's "This is Nigeria" profoundly exemplifies a critical legal consciousness: an awareness that law is a political construct, and the legal system often maintains existing power structures. He implicitly critiques the nature of law as practiced in Nigeria, questioning the legitimacy of institutions that claim to uphold justice while subverting it. His art encourages listeners to see beyond formal rules and recognize power struggles. Through satire and direct confrontation, Falz "trashes" the illusion of a fair and objective legal system, deconstructing official narratives and revealing the political choices underpinning the Nigerian legal order.

Legal Positivism and the Limits of Obedience

Legal Positivism insists on the separation of law and morality, asserting that law's validity depends solely on its source and enactment and not contingent on morality. Falz's "This is Nigeria" confronts this, forcing a public reckoning: Does Nigerian law deserve obedience if it consistently fails to deliver justice despite formal validity? Hart's outline of primary and secondary rules defines a legal system. The validity of a law stems from its origin in accepted social practices and conformity to the "rule of recognition". Hart's central argument is the analytical separation of law and morality, meaning a law can be morally repugnant but still valid. This is a crucial distinction, as it allows for the possibility of a "bad" law that is nonetheless legally binding. In his *The Concept of Law*, Hart eloquently articulated this separation:

The German jurist Jhering said, 'a theory of law which is not also a theory of morality is a maimed and imperfect theory.' This is perhaps true; but it is equally true that a theory of morality which is not also a theory of law is a maimed and imperfect theory. The point is not whether law and morality are connected, but what kind of connection they have. The most prominent symptom of the positivist's outlook is the contention that there is no necessary connection between law and morals or law as it is and law as it ought to be. This is a contention that has often been misunderstood: it does not mean that the law is not to be subjected to moral criticism, but that the moral criticism of law is distinct from the question of its validity,²⁰

¹⁷ Falz, "This is Nigeria," 0:45

¹⁸ Falz, "This is Nigeria," 2:10

¹⁹ Falz, "This is Nigeria," 1:35

²⁰ Hart, *The Concept of Law*, 206

From a positivist standpoint, many Nigerian laws would be considered valid, having been properly enacted. The problem, as Falz illustrates, is not the absence of laws, but their failure in practical application. However, Falz's song immediately highlights the profound dilemma that arises when formally valid law consistently fails to achieve its purported goals of justice, order, and protection. If, as Falz raps, "police station dey close by 6"²¹ and "everybody is a criminal"²² due to systemic corruption, the question shifts from "is it law?" to "what are the limits of obedience?" A positivist might maintain still that, these are still laws, but the lived experience depicted by Falz compels the public to ask whether such laws deserve their allegiance when they offer no tangible benefit, or worse, actively facilitate injustice. This tension between formal validity and practical moral failure forms the crucible of Falz's artistic intervention.

The question of whether Nigerian law deserves obedience when it consistently fails justice is profound. While positivism concerns itself with what law is, the question of obedience often falls to morality or political philosophy. When the social contract is broken, institutions lack inner morality, and law serves as a tool of domination, the moral obligation to obey formally valid laws becomes tenuous. Even Hart acknowledged that in extreme cases, moral imperative might override legal obligation. As legal scholar Ronald Dworkin, a critic of Hart, might argue that: law is not just a system of rules but also of principles, and a legal system that systematically violates fundamental principles of justice loses its claim to legitimate authority over its citizens²³. Martin Luther King Jr. articulated a moral distinction between just and unjust laws, stating:

One has not only a legal but a moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws. I would agree with St. Augustine that 'an unjust law is no law at all.' Now, what is the difference between the two? How does one determine whether a law is just or unjust? A just law is a man-made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust²⁴.

Falz's artistic answer is a vibrant, public act of satire and protest, not a call for overthrow, but for reformation by exposing failures. By using humor and direct commentary, he undermines the prestige of the legal system. When he raps "Police station dey close by 6," he highlights a dereliction of duty so absurd it becomes comical, delegitimizing the police's authority. His protest is a powerful form of non-violent resistance, creating public space for critique and forcing collective conversation about accountability. His music functions as a public referendum on the moral legitimacy of the Nigerian legal system, prompting citizens to question allegiance when the law consistently fails them.

Freedom of Expression vs. Social Censorship

Falz's release of "This is Nigeria" was an exercise in freedom of expression, and its truths inevitably collided with social censorship from state institutions. This clash amplified the song's message, transforming it into a direct battle for democratic voice. My respect for Falz grew as he navigated this, demonstrating courage beyond lyrical prowess. The most

²¹ Falz, "This is Nigeria," 1:35

²² Falz, "This is Nigeria," 0:25

²³ Dworkin, *Law's Empire*, 95-96

²⁴ King Jr., Martin Luther. "Letter from Birmingham Jail." In *Why We Can't Wait*, (1963): 87

prominent institutional reaction came from the Nigerian Broadcasting Commission (NBC), the government agency responsible for regulating broadcast content. In August 2018, just months after its release, the NBC reportedly fined radio stations for playing "This is Nigeria," citing its alleged "vulgar" and "blasphemous" content²⁵. Specifically, the line "There is a Muslim in the building, we are living in peace and harmony"²⁶, which was preceded by a scene in the music video depicting girls in hijabs dancing "shaku shaku," was deemed "blasphemous." This move by the NBC stresses a pervasive tension in Nigeria: the state's impulse to control information and narratives, often under the guise of public morality or religious sensitivity, directly confronting the constitutional guarantee of freedom of expression.

This incident immediately brought to the fore the persistent legal tensions between freedom of expression, defamation, and blasphemy within Nigerian jurisprudence. While Section 39 of the 1999 Constitution of the Federal Republic of Nigeria guarantees the right to freedom of expression, this right is not absolute and is often curtailed by laws related to libel, defamation, and particularly, blasphemy, which carries severe penalties under both secular and Sharia legal systems in various parts of the country. The NBC's reaction, fining radio stations for playing the song and citing "vulgar" and "blasphemous" content, specifically a line about Muslims living in peace and harmony, highlighted tension between state control and constitutional guarantees of freedom of expression. Critics argue that laws related to defamation and blasphemy are weaponized to silence dissent and stifle artistic creativity. The accusation of "blasphemy" against Falz's song exemplifies how legal provisions can shut down uncomfortable conversations. Robust democracy requires broad expression, even if critical or uncomfortable. Falz's song, far from promoting religious intolerance, aimed to highlight the hypocrisy and corruption that can fester within religious institutions, which is a legitimate subject for public discourse in a pluralistic society. The NBC's actions were a chilling effect, threatening free speech in a nascent democracy²⁷.

Despite censorship attempts, Falz's "This is Nigeria" stands as a powerful testament to music's indispensable role as a democratic voice. In contexts where traditional media is controlled, music offers an accessible and potent platform for collective expression, transcending barriers and disseminating critical messages. Falz leveraged this medium to voice the frustrations of ordinary Nigerians. The attempted censorship backfired, ironically reinforcing the message of institutional overreach. The public outcry and the continued popularity of the song, despite the ban, demonstrated the power of artistic expression to circumvent official controls and ignite essential public discourse. Falz's courage in not retracting his work, and indeed continuing his socio-political commentary, cemented his status not just as an artist, but as a crucial figure in Nigeria's democratic space, a legal advocate who chose the microphone as his primary courtroom. His defiance underscored that true democratic voice cannot be stifled by administrative fiat when it genuinely reflects the lived realities and collective consciousness of the people.

Conclusion

"This is Nigeria" powerfully demonstrates how popular music can function as profound legal scholarship. Falz's lyrics, interpreted through the lenses of Natural Law, Lon Fuller's Inner Morality, Critical Legal Studies, and Legal Positivism, brilliantly dissect Nigeria's legal and moral failures. He compellingly highlights the chasm between law on paper and law in lived experience, making him a musical jurist who courageously confronts national challenges with artistic flair and intellectual rigor. It ("This is Nigeria") is an urgent

²⁵ BBC News, "Nigeria: Falz's 'This is Nigeria' song not banned by NBC," 2018

²⁶ Falz, "This is Nigeria," 2:19

²⁷ European Court of Human Rights, *Handyside v. United Kingdom*, 1976, para. 49

call for a legal system that genuinely embodies justice, not just command. It forces a crucial conversation about the moral legitimacy of laws that fail to protect citizens, ensure fairness, or hold power accountable.

The song's enduring legacy lies in bridging the gap between academic legal theory and the lived realities of ordinary Nigerians. It implies that legal scholars and policymakers must engage with cultural expressions, recognizing music's vital role in shaping legal consciousness and demanding a jurisprudence that truly serves the common good. Falz's work is a powerful reminder that the pursuit of a just society requires voices from every corner, including the microphone.

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