

# Hip-Hop as Human Rights Practice

A Historical Analysis of Dehumanization and Conscious Subculture as Its Critique

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November 22, 2016

## Abstract

This paper will set out to prove that the modern form of the subcultural movement known as “hip-hop” serves as a human rights practice by first examining the history of human rights development and practice, then analyzing a few iconic moments of hip-hop’s impact in the political sphere. During this discussion, it will become important to understand the mechanisms of dehumanization, how they are addressed by human rights practices, and how Consciousness impacts this interaction.<sup>1</sup> By analyzing historical precedents of dehumanization as a precursor to human rights atrocities, and also precedents of art as human rights critique this paper seeks to establish the precarious position of African Americans in the 21st century and the important role of hip-hop in addressing, combatting, and preventing further human rights violations against them. There will also be a brief discussion on the globalization of hip-hop, leading to its use as an international human rights practice. Finally, this paper will provide a domestic perspective in the wake of the 2016 United States presidential election, and will seek to explain how hip-hop will pave the road forward as the country faces a renormalization of derogatory rhetoric.

## Introduction to Human Rights

Human rights denotes the now-international social norms which suggest each human person is entitled to a fundamental set of rights by virtue of being born human.<sup>2</sup> The development, codification, and enforcement of modern international human rights principles can

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<sup>1</sup> In this paper, Consciousness, knowledge, and overstanding are used interchangeably. While there is certainly a nuanced difference between the three, for the purposes of the overall argument these terms will refer to an awareness of injustice in the context of our modern social understanding of human rights.

<sup>2</sup> Legal scholars such as Samuel Moyné may argue that human rights refers to a set of legal instruments and international movements developed since the 1970s. However, that definition of human rights loses much nuance with regards to how social and legal institutions are developed in “bottom-up” fashions. In other words, Moyné's legalistic approach in some ways forgets to account for cultural impacts on how human rights are codified in modern society. There is an argument to be made about the importance he places in the impact of youth movements and non-governmental organizations, but I will leave that to another time.

arguably be traced back to the 15th century European notion of “natural law,” which concerned itself with the privileges afforded to those with a human nature. These notions were developed to be more inclusive during the first wave of European colonialism in the 15th and 16th centuries: colonialist thinkers such as the Spanish cleric Francisco de Vitoria argued that the non-Christian, non-European indigenous peoples of regions in the New World, such as Dominica, should not be enslaved because they displayed human intelligence and thus must have human nature.<sup>3</sup> It is of course not the case that this Western thought necessarily aligned with Western action in the following centuries, but arguments like Vitoria’s formed the philosophical basis for a conception of human rights for all peoples.<sup>4</sup> 17th century Enlightenment thinker John Locke’s social contract theory extended the idea of natural law, suggesting that individuals have an implicit agreement with societies to respect social norms in return for enforcement of their right to “life, liberty and estate.”<sup>5</sup> This language was later used in multiple State constitutions, most famously in the 1776 United States Declaration of Independence, which begins by stating: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.”

<sup>6</sup> Western norms of human rights were universalized through colonisation and subsequent decolonisation, and as a result much of modern global human rights rhetoric has been formed by Western thought and Eurocentrism.<sup>7,8</sup>

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<sup>3</sup> Samera Esmeir, "Imperial Contradictions: Colonial Law" (lecture, History C187, University of California at Berkeley, September 22, 2016).

<sup>4</sup> Referring to the atrocities of 19th century colonization, e.g. Congo Free State, British Raj, as well 20th century genocides like the Holocaust and Armenian genocide

<sup>5</sup> John Locke, *Two Treatises on Government* (London: Awnsham Churchill, 1690).

<sup>6</sup> In Congress, July 4, 1776. A Declaration by the Representatives of the United States of America, in General Congress Assembled, by Ezekiel Russell, Cong. (Salem, Massachusetts-Bay: Printed by E. Russell, by Order of Authority, 1776).

<sup>7</sup> Samera Esmeir, "Imperial Contradictions: Colonial Law" (lecture, History C187, University of California at Berkeley, September 22, 2016).

Modern conceptions of human rights also centralize the dignity of the human person as something which must at all times be protected. Dignity is defined by legal scholar Jonathan Simon as “equal status relative to one’s own society,” and relies heavily on the principle on non-humiliation developed in Avishai Margalit’s political philosophy work “The Decent Society.” Margalit states that societies must work to ensure its institutions do not humiliate its peoples by respecting rights such as privacy, citizenship, labor, and so on.<sup>9, 10</sup> Dignity must be considered in both a State’s treatment of its citizens and a society’s attitude towards all of its participants, meaning dignity is not always something enforceable by the State because it also relies on a moral societal structure. While aspirational documents such as the United Nations’ Universal Declaration of Human Rights attempt to codify a list of specific of human rights, such an exercise is not what is needed to guarantee the dignity of individuals. Modern human rights conceptions aim to ensure all peoples have the ability to pursue their own full potential and happiness without barriers constructed by the State or society, and so they must be concerned primarily with constructing non-humiliating societies in which all individuals’ dignity is protected.

### Dehumanization

Dehumanization is an intricate process by which the “humanness” of individuals and groups are collectively denied, born out of some negative evaluation of those agents. This process is theorized to take place between an ingroup, that is some sort of institutionally or societally supported dehumanizer, and the outgroup, the victim of the ingroup’s dehumanization.

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<sup>8</sup> Stefan-Ludwig Hoffmann, "Human Rights and History\*," Human Rights and History, , accessed November 8, 2016, <http://past.oxfordjournals.org/content/early/2016/07/21/pastj.gtw013.extract>.

<sup>9</sup> Jonathan Simon, "Human Rights and the Future of America's Extreme Punishments" (lecture, History C187, University of California at Berkeley, November 15, 2016).

<sup>10</sup> Avishai Margalit, *The Decent Society* (Cambridge, Mass: Harvard University Press, 1996).

Instruments of human rights are applied in full force only to those ingroups whose “humanness” are recognized, and so observable dehumanization mechanisms indicate an outgroup victimized by the State and society. The presence of dehumanization mechanisms may even be analyzed as a precursor to various human rights atrocities - genocide being the logical extreme of these analyses. In his integrative review of dehumanization, social psychologist Nick Haslam deconstructs the various facets of dehumanization to develop a two-form model which will be discussed further. The study of dehumanization reveals three of its mechanisms: delegitimization, infrahumanization, and moral exclusion and disengagement. These concepts have significant interplay, and require further discussion.

Delegitimization refers to a process by which negative characteristics are consistently attributed to outgroups. These notions are reinforced culturally by discriminatory rejection of the outgroup and activation of primal emotions like fear. Social psychologist Daniel Bar-Tal theorizes delegitimization to be predominantly the product of conflict between ethnic groups.<sup>11</sup> Delegitimization of outgroups also serves the function of constructing cultural perceptions of hierarchical superiority.

Infrahumanization delineates the social and psychological connection between ingroups and outgroups, explaining that people attribute uniquely human secondary emotions mostly to ingroups, essentially constructing cultural perceptions of outgroups as more animalistic.<sup>12</sup> This process is much more subtle and does not necessarily rely upon intergroup conflict to propagate

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<sup>11</sup> Daniel Bar-Tal, *Shared Beliefs in a Society: Social Psychological Analysis* (Thousand Oaks, CA: Sage Publications, 2000).

<sup>12</sup> Jacques-Philippe Leyens et al., "Psychological Essentialism and the Differential Attribution of Uniquely Human Emotions to Ingroups and Outgroups," *European Journal of Social Psychology* 31, no. 4 (2001): , doi:10.1002/ejsp.50.

itself. Rather, it is the product of human ego and the strong reliance upon social norms necessary to function within communities.

Moral exclusion and disengagement refers to the argument made by sociologist Herbert Kelman, that ingroups become morally disengaged from the outgroup by initial processes of dehumanization, causing discrimination and violence against those outgroups to be normalized.<sup>13</sup> Sociologist Susan Opatow extends this argument by explaining that initial processes like delegitimization and inhumanization shun outgroups to the boundaries of where moral values and fairness apply, leading to societal oversight of their victimization.<sup>14</sup> These mechanisms have close ties to aggression, as they play a part in the justification of aggression against outgroups, and are also born out of aggression.

Haslam's review examines cognitive determinants of dehumanization in order to reconcile what he describes as "two senses of humanness": (1) comparatively unique human characteristics derived from socialization and culture (e.g. refined emotion, cognition, etc.) which define the border between man and animal, and (2) noncomparative fundamental characteristics forming inherent and universal human nature (e.g. species defining traits).<sup>15</sup> Haslam proposes that dehumanization acts upon both senses of humanness in tandem, reducing human uniqueness to animalism and human nature to mechanicalism, a complicated idea which is presented below in a simplified diagram. The diagram does not focus on any mechanism of dehumanization, and instead seeks to demonstrate what qualities of humanness are targeted and

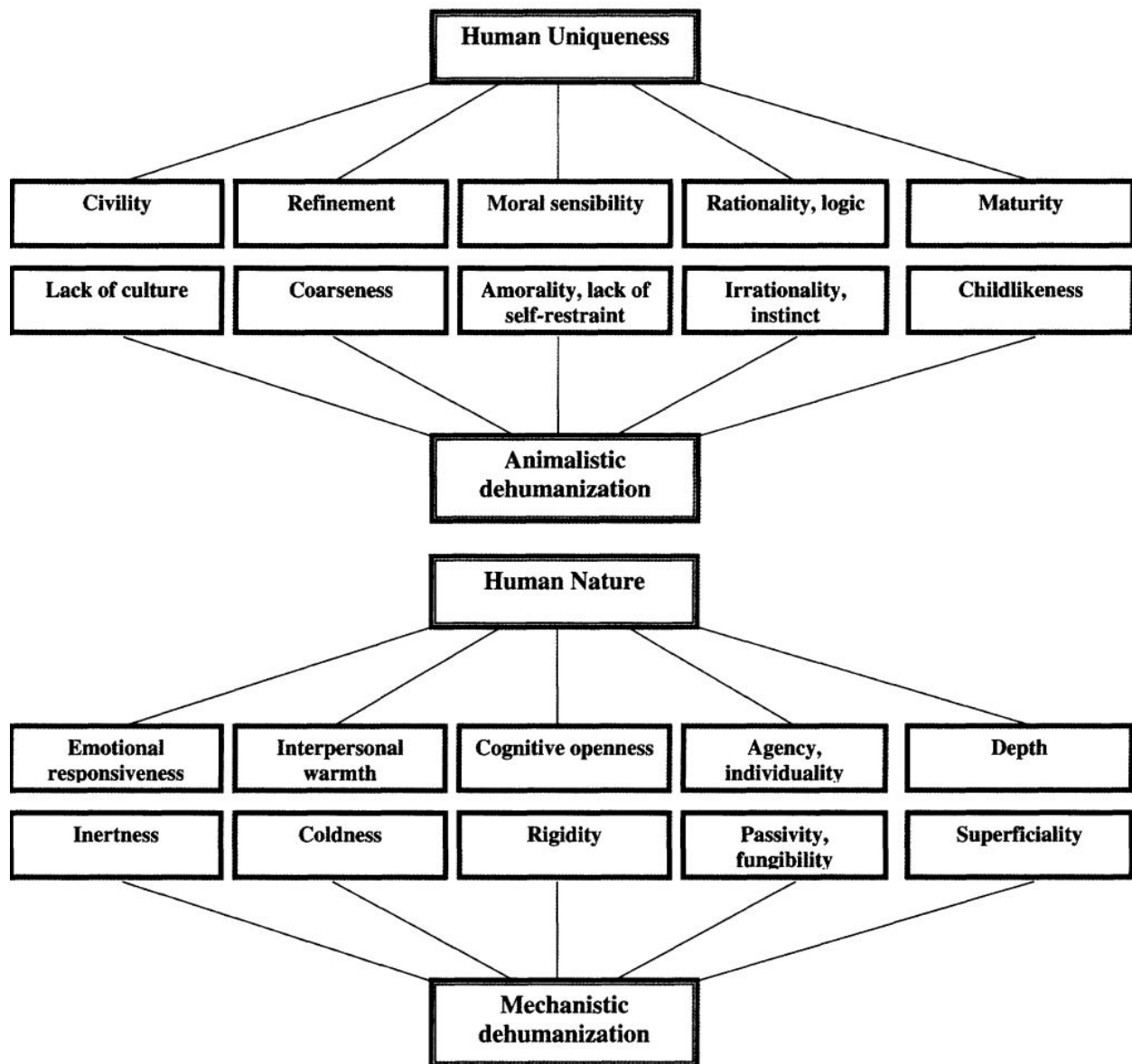
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<sup>13</sup> Herbert G. Kelman, "Violence without Moral Restraint: Reflections on the Dehumanization of Victims and Victimizer," *Journal of Social Issues* 29, no. 4 (1973): , doi:10.1111/j.1540-4560.1973.tb00102.x.

<sup>14</sup> Susan Opatow, "Moral Exclusion and Injustice: An Introduction," *Journal of Social Issues* 46, no. 1 (1990): , doi:10.1111/j.1540-4560.1990.tb00268.x.

<sup>15</sup> Nick Haslam, "Dehumanization: An Integrative Review," *Personality and Social Psychology Review* 10, no. 3 (2006): , doi:10.1207/s15327957pspr1003\_4.

reduced in the process of dehumanization. This reductionism is crucial to our understanding of dehumanization, as the dehumanized characteristics are those which are culturally perceived and propagated about outgroups. In the context of this paper, these points will emerge thematically in the dehumanization of the African American community.



Source: Haslam, links between conceptions of humanness and corresponding forms of dehumanization

Haslam's cognitive two-form model allows study of how dehumanization (now better defined as the reduction of humanness to culturally constructed animalistic and mechanistic perceptions) is propagated across cultures. Furthermore, it becomes evident that dehumanization itself is a human rights violation, as it does not respect of the dignity of human persons, and in fact is a tool to construct perceptions of those persons as non-human. This occurs through three forms of cognitive dehumanization: discursive, symbolic, and physical (referring to language, imagery and biopolitics respectively). This framework allow a relevant analysis of cultural climates leading up to the Armenian and Jewish genocides of the 20th century.

Discursive dehumanization took place in the Ottoman Empire and German Third Reich through semantic shifts by which already established designatory terms were reconceived as slurs. As historian Stephan Astourian noted in his visiting lecture, the artificial language of the Ottoman Empire designated the State elite as *osmani* or *askeri*, while designating all other citizens as *zimmi* or *reaya*.<sup>16</sup> While *reaya* was not initially a derogatory term, cultural ideas of *hadd*, or natural hierarchical limits within society, led to a semantic shift resulting in *reaya* only being applied to non-Muslims in a very derogatory sense. This semantic shift predated the Armenian genocide by less than a century, and was one of the cultural elements which normalized the brutalization of the Christian Armenian population.<sup>17</sup> A similar semantic shift was seen in Germany, as Hitler's Nazi Regime normalized the usage of *Judenscheisse* and *Verjugudet* (translated roughly to *Jewishshit* and *Jewed*) to assign low value and derogation to something.<sup>18</sup> These shift led to public outcry as expected, but as full citizenship recognizable by

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<sup>16</sup> Stephan Astourian, "The Armenian Genocide" (lecture, History C187, University of California at Berkeley, September 29, 2016).

<sup>17</sup> Ibid.

<sup>18</sup> The Racial Slur Database, accessed November 12, 2016, <http://rsdb.org/race/jews>.



the State is dependent upon participation in its structure, combatting this discursive dehumanization was very difficult. Ultimately this discursive dehumanization likely also led to the normalization of targeting Jews under the Nazi regime.

Symbolic dehumanization is best studied in the pre-Holocaust Nazi regime, where hatred and discrimination of Jews was developed nationally through propaganda. These propaganda began at the State level, but soon entered public rhetoric as non-State agents began to also publish anti-Semitic images. These images caricatured Jews and reinforced stereotypes which had previously existed about them. Slowly, as the whole of Germany became involved in such rhetoric, the echo chamber which formed produced increasingly more cruel and humiliating representations of Jews as displayed below. These images suggested that Jews were all immoral, greedy and eager commit rape Aryan women.<sup>19</sup> These symbolic dehumanization practices reinforced dehumanizing public notions regarding Jews and so played a major part in the legitimization of the Holocaust.



Source: Holocaust Research Project, (1) depicts an idealized Aryan juxtaposed with a caricatured Jew, inscription reads (translated): Trust No Fox in the Green Meadow and No Jew on his Oath (2) cartoon depicting a Jew as a “race defiler”

<sup>19</sup> It is worth noting that the current President-elect of the United States of America has stated (falsely) that the Mexican immigrant population to be composed of liars, rapists, and drug dealers

Physical dehumanization refers to the interaction with and control of physical bodies in some degrading fashion, and is the form of dehumanization most offensive to modern sensibilities. Most likely physical dehumanization was offensive to contemporary sensibilities during the Nazi Regime as well, and it is for this reason that physical dehumanization appears after cultural rhetoric abandons the dignity of an outgroup. Physical dehumanization connects to Michel Foucault's idea of biopolitics, which refers to a State's control over individual bodies, and in the extreme cases control over life.<sup>20</sup> Obvious examples of such phenomena arise from simple analysis of the Holocaust: the herding of Jews into concentration and extermination camps and the subsequent mass murder and mass burials is an incredibly atrocious amount of control exerted over bodies by the State. However, even the precursors to genocide had elements of biopolitics within them, such as the ghettoization of Jews in Nazi Germany and the enforcement of identifiable stars upon the Jewish bodies - these too were examples of the State enforcing unregulated control over the bodies of its citizens.

Similarly, elements of discursive, symbolic, and even physical dehumanization are present today with respect to the African American population, even in a so-called post-slavery America. Slurs such as "nigger" and "mulato" may have fallen out of public favor, but terms such as "thug" and "ghetto" have replaced them. In fact, the subtlety of this discursive dehumanization is in some ways brilliant. While "nigger" and "mulato" were inherently racist terms, the new terms which discursively dehumanize African Americans are often classist in tone but merely designatory in denotation. The literal definitions of thug and ghetto refer directly to violent criminals and a slum-like area occupied by minorities respectively. However, events like

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<sup>20</sup> Michel Foucault, "The Birth of Biopolitics" (lecture, College De France, 1978).

the 1970s War on Drugs reinforced negative evaluations of African American culture. These cultural notions led to a semantic shift, constructing new derogatory senses of certain classist terms. Dehumanization is also still occurring symbolically through racist practices such as blackface and cultural appropriation, which caricature African Americans and delegitimize their artforms while simultaneously adopting elements into the ingroup's popular culture.

Appropriated cultural elements range from art styles, such as the jazz, rock and hip-hop, to language.<sup>21</sup> Modern vernacular has become characterized by African American influence which has been propagated by the popularity of hip-hop, and yet the continued existence of discursive and symbolic dehumanization demonstrates that this is appropriation, not cultural exchange.

The modern biopolitics against the African American population is much more subtle, but ultimately self-evident by modern residential segregation. The control exerted by the State upon African American bodies is more subtle, but the socioeconomic barriers to access for better residential and school districts demonstrates a quieter form of physical dehumanization.<sup>22</sup> This point is often contested with arguments claiming that the government does not actively condemn African Americans to the ghettos, and yet the origins of the ghettos can be traced to State-sanctioned segregatory practices, and the continued inaction on the part of government to address the modern ghettoization of an entire subpopulation itself can be read as a biopolitical action to continue the oppression of African Americans. The most important biopolitical institution which impacts African Americans, however, is the modern US carceral state.<sup>23</sup>

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<sup>21</sup> Dale Henry Geist and Paul Wilner, "'Hound Dog': Did Elvis Get Rich Stealing from Black Artists?," *No Depression*, 2014, , accessed November 22, 2016, <http://nodepression.com/article/hound-dog-did-elvis-get-rich-stealing-black-artists>.

<sup>22</sup> Rajiv Sethi and Rohini Somanathan, "Inequality and Segregation," *Journal of Political Economy* 112, no. 6 (2004): , doi:10.1086/424742.

<sup>23</sup> Legal scholar Jonathan Simon defines the carceral state as the set of institutions concerning crime and punishment

African Americans face higher rates of incarceration than any other ethnic group, and are criminalized more often than their non-black counterparts for the same crimes.<sup>24</sup> Combining the ghettoization, residential segregation, and mass incarceration demonstrates the impactful biopolitics that are leveraged against the African American community.

Perhaps the most important aspect of dehumanization in the modern world is its globalization. Anti-Semitic affect may have percolated through the world in the era leading up to the Holocaust, but it occurred in a non-cohesive fashion. However, the modern world's interconnectivity constructs a unique globally shared social space which allows the propagation of dehumanizing norms on a global scale, especially as American media is now one of the main institutions being globalized.<sup>25, 26</sup> For this reason rhetorical dehumanization is no longer confined by territory, only by the speed at which information can travel. This threat reveals further the truly precarious position of African Americans in the modern world, as they face the threat of dehumanization by the global community at large.

### Development of Hip-hop

Hip-hop is a subcultural movement developed in the 1970s by African-American youth in a post-war ghettoized New York City, specifically in the South Bronx. The roots of the movement can be traced to a series of block parties and house parties during which hosts would utilize multiple amplifiers and turntables to mix together samples from various records and produce rhythmic loops to which guests could dance emphatically.<sup>27</sup> These techniques formed

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<sup>24</sup> Jonathan Simon, "Human Rights and the Future of America's Extreme Punishments" (lecture, History C187, University of California at Berkeley, November 15, 2016).

<sup>25</sup> Thomas L. Friedman, *The Lexus and the Olive Tree* (New York: Farrar, Straus, Giroux, 1999).

<sup>26</sup> Szonja Ivester, "Power in a Global Age" (lecture, Sociology 189G, University of California at Berkeley, November 21, 2016).

<sup>27</sup> William Eric. Perkins, *Droppin' Science: Critical Essays on Rap Music and Hip Hop Culture* (Philadelphia: Temple University Press, 1996).

the aural element of hip-hop: *DJ-ing*. The freedom of this form allowed the first DJs to mix together culturally diverse tracks by drawing from sources ranging from jazz to salsa. DJing naturally led to other forms of expression in tandem with these tracks, and spawned the oral and physical elements of hip-hop: *MC-ing* and *B-Boying*. B-boying refers to breakdance: an energetic street dance form where dancers showcase strength, flexibility, and rhythm alongside tracks developed by DJs, a practice referred to as “postural semantics” by philosopher Cornel West.<sup>28</sup> MCing refers to the now-mainstream artform of “rap” - shorthand for “rhythm and poetry.” The initial function of MCs was to introduce various performing DJs and breakdancers, but within a decade the ancient African traditions of wordplay and verbal jousting quickly found their way into the practice and embedded themselves in hip-hop culture as “rap battles,” where MCs would improvise lyrical content over a rhythmic loop to build up their own image while making jokes at the expense of their opponent. This form slowly developed to stand on its own, and by the 80s had become defined as the now-recognizable musical genre of rap.

The two last relevant elements of hip-hop are *graffiti* and *overstanding*. Graffiti refers predominantly to street art, and the practice of “tagging” various locations with gang imagery, but has also developed into an artform in its own right, and remains the predominant aesthetic of hip-hop to this day. Overstanding refers to knowledge and the shedding of illusion - or what this paper refers to as Consciousness. Consciousness is arguably the most important pillar of hip-hop since the other four elements can be considered vehicles for its dissemination. It is the development of Consciousness which evolved hip-hop into a human rights practice. To

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<sup>28</sup> Cornel West, *Race Matters* (Boston: Beacon Press, 1993).

understand this evolution it is first necessary to examine the primary functions of hip-hop culture in the first decades of its existence.

In his novel on the development of youth gangs in post-war New York, Eric Schneider describes a youth population defined by chaos and the search for identity.<sup>29</sup> During the inter-war period and indeed even during the war, urban adolescents had access to “shop floor culture,” which provided a socialization structure to transition them from school to the workforce.<sup>30</sup> However, the availability of these structures depended on the availability of jobs, because cultures developed in blue-collar environments like factories or docks. By the 1950s, availability of these jobs to African Americans had declined mainly due to social exclusion, causing them to fall back upon “street culture.”<sup>31</sup> Youths, especially urban male adolescents, were attracted to street culture’s central elements of hypermasculinity and camaraderie as they searched for male role models and community. Street culture inevitably led to the development of youth gangs as masculinity became increasingly tied to ability to control territory.<sup>32</sup> As writer Ta-Nehisi Coates explains, simple resources like barren parks were the currency of youth gangs and so to trespass upon a block or a park controlled by a rival gang was considered an act of war.<sup>33, 34</sup> These gangs were soon defined along ethnic lines as well as territorial ones, and the prevalence of violence

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<sup>29</sup> Eric C. Schneider, *Vampires, Dragons, and Egyptian Kings: Youth Gangs in Postwar New York* (Princeton, NJ: Princeton University Press, 1999).

<sup>30</sup> Eric C. Schneider, *Vampires, Dragons, and Egyptian Kings: Youth Gangs in Postwar New York* (Princeton, NJ: Princeton University Press, 1999).

<sup>31</sup> *Ibid.*

<sup>32</sup> Gangs can be defined as any organization containing identifiable leadership structures with the aim of maintaining control over territory. They are predominantly characterized by involvement in illicit and violence activities.

<sup>33</sup> Ta-Nehisi Coates, *The Beautiful Struggle: Father, Two Sons, and an Unlikely Road to Manhood* (New York: Spiegel & Grau, 2008).

<sup>34</sup> Coates also explains that territory was generally defined by the residential block in which a gang originated, with alliances developing in other socialization structures like school. By the time the Crack Epidemic had hit Baltimore in the 1980s the gang system had already developed many of the intricacies which now define it.

that followed caused a feedback loop by which adolescents felt safe walking outside their defined territory only when associated with gangs.<sup>35</sup>

Another development was taking place in the streets by the 1970s, as African American autodidacts began to reclaim their lost culture.<sup>36</sup> Ta-Nehisi Coates describes the process in his first-hand account of watching his father, Paul Coates, reprint hundreds of Black Thought texts in an effort to build Consciousness in his community.<sup>37</sup> These texts retold the histories of their African ancestors, weaving stories of the great Nerubian rulers and intricate African manhood rituals. It was through these grassroots efforts that the African American community developed Consciousness about the culture they had lost and the injustices that had been committed against them. The growth of Consciousness among the African American community allowed a deconstructive understanding that the conditions of the streets - the reality that had been imposed upon them - was the work of an institution which had never respected their dignity.

Hip-hop began with no agenda and consisted of youth expressing themselves the only way they knew how - through art and physicality. As Consciousness grew alongside the development of hip-hop, it crept into the rhetoric of the movement and soon the self-expression of MCs evolved into *gangsta rap*, which showcased lyricism illuminating the conditions of the ghettos where African Americans and other disenfranchised minority groups were forced to live. The artists of this genre used harsh language, embraced gang culture, and glorified topics like sex, drugs and violence. This deviation from the mainstream led to American

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<sup>35</sup> Non-affiliated youths were still put at risk by which residential complex or school they attended.

<sup>36</sup> The African American community was defined heavily by cataclysm of loss. Slavery stole their ancestors away from their homeland, segregation dehumanized their communities through legal institutions, and the wars and socioeconomic barriers placed against them robbed the community of the ability to challenge institutions to reclaim lost heritage.

<sup>37</sup> Ta-Nehisi Coates, *The Beautiful Struggle: Father, Two Sons, and an Unlikely Road to Manhood* (New York: Spiegel & Grau, 2008).

ingroups delegitimizing rap as an art form, but these works resonated strongly with African American youth who began to develop a cohesive Consciousness amongst them regarding the conditions of their lives. Because of this development, exercises in self-expression by MCs were inherently political statements accusing the State of dehumanizing the African American community through institutions like the carceral state.

The iconic song “Fuck tha Police” is an excellent example of the impact of rap on Consciousness. Released by N.W.A. in 1988, the song protests brutality and discrimination of African American youth by the police, and brings to light the second-class citizen status perceived by many individuals in the African American community.<sup>38</sup> The first lines have since become an iconic rallying point amongst activists protesting police brutality, mass incarceration, and discrimination: “Fuck the police! Comin' straight from the underground/A young nigga got it bad ‘cause I'm brown/And not the other color, so police think/They have the authority to kill a minority.”<sup>39</sup> N.W.A.’s lyrics demonstrate a Conscious understanding that the African American community is the victim of a State-approved crusade against them simply because of the color of their skin, an idea which has since evolved into the modern activist movement Black Lives Matter, which will be discussed further.

#### Art as Critique of Human Rights Violations

There is established precedent for art acting as a critique of human rights violations, especially in the work of historian Thomas Laqueur. His exploration of humanitarian narratives since the 18th century found that humanitarian action was motivated by dissemination of literature and art focusing on violence against human bodies which evoked powerful empathetic

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<sup>38</sup> N.W.A. is shorthand for Niggaz with Attitudes

<sup>39</sup> Snoop Dogg et al., writers, Straight Outta Compton, Priority Records, 2015, CD.



reactions from the audience.<sup>40</sup> Specifically, Laqueur cites Thomas Clarkson's slave ship diagrams distributed by the The Society for the Abolition of the Slave Trade as an influential work which inspired public denunciation of the slave trade in the 1800s. These diagrams depicted the deplorable conditions in which slaves were transported to Europe and the New World, and inspired empathetic sentiment due to the lack of basic dignity afforded to them.<sup>41</sup> Historian Lynn Hunt also agree with this analysis, and expands upon it by citing the American literary movement of the 1850s, during which time Harriet Beecher Stowe's novel "Uncle Tom's Cabin" was published. Hunt credited this literary movement with the denunciation of slavery in America, and the eventual Civil War and abolition of slavery in America.<sup>42</sup>

Contemporary examples of art as a critique of human rights violations also exist, most notably in artist Fernando Botero's "Abu Ghraib" series of paintings.<sup>43</sup> Abu Ghraib was a US prison during the Iraq War where dissidents were detained and tortured repeatedly with the aim of obtaining information and confessions. Botero's hyperrealistic paintings depict blindfolded prisoners in various undignified positions after being tortured. The development of international information networks allowed these pictures to be distributed faster than ever before possible, and led to an international condemnation of American interrogation practices. Similar to Clarkson's diagrams or Stowe's novel, Botero's art was able to elicit empathetic reactions and inspire humanitarian action by doing nothing more than revealing the truth of what was happening. Thus, art can most certainly be used as a human rights practice to inspire action.

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<sup>40</sup> Thomas Laqueur, "History of Humanitarian Narratives" (lecture, History C187, University of California at Berkeley, September 13, 2016).

<sup>41</sup> Ibid.

<sup>42</sup> Lynn Hunt, *Inventing Human Rights: A History* (NY, NY: W.W. Norton & Company, 2008).

<sup>43</sup> Samera Esmeir, "Imperial Contradictions: Colonial Law" (lecture, History C187, University of California at Berkeley, September 22, 2016).

## Human Rights Practice and Hip-Hop

Human rights practices can be defined as a set of actions taken by individuals or organizations with the express purpose of drawing attention to human rights violations, as well as denouncing, combatting and preventing them. The most well-known and well-studied human rights practices in recent history are the Truth and Reconciliation Commissions in response to the totalitarian regimes of Latin America and Apartheid in South Africa. The purpose of these commissions is to establish an objective narrative of atrocious events committed against a population by State actors, with the goal of reconciling with the victims of the atrocities as well as denouncing those acts committed against them. These commissions rely upon “witnessing,” a human rights exercise first developed on the international scale at the Nuremberg and Eichmann trials following the 20th century Nazi regime in Germany. Witnessing is an incredibly personal exercise in which individual victims share their experiences of being dehumanized and brutalized. Individual acts of witnessing have later been published as novels and have had similar effects to what and Thomas Laqueur described in his exploration of literature’s impact on human rights narrative.<sup>44</sup> One of the most impactful modern published acts of witnessing comes in Alicia Partnoy “La Escuelita,” where she describes the experience of being “disappeared” under the junta regime of Argentina in the 1970s.<sup>45</sup>

In her gripping testimonial work, Partnoy describes in visceral detail her experience of being “disappeared,” which she defines as “the kidnapping of an individual followed by torture and secret detention, which meant that the military denied the fact that the prisoner was in their

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<sup>44</sup> Thomas Laqueur, "History of Humanitarian Narratives" (lecture, History C187, University of California at Berkeley, September 13, 2016).

<sup>45</sup> “La escuelita” can be loosely translated to “the little school”

hands.”<sup>46</sup> In her case, Partnoy and her husband were detained by paramilitary personnel after being linked to youth activism with socialist ideologies under the oppressive rightist dictatorship of Argentina in the 1970s. Partnoy’s work demonstrates how the practice of witnessing is one of the ways to resist and recuperate from trespasses against one’s human rights. The narrative includes many examples of immeasurable strength and mental fortitude, as she suffers through humiliation, brutalization, and psychological torture. She describes how thoughts of her daughter, her husband, her activist comrades and her fellow prisoners keeps her strong and defiant even as her body weakens and she loses her own sense of self - “[she] had been heavily tortured. But she did not speak.”<sup>47</sup> The atrocities committed against Partnoy and her comrades seem beyond anything from which a person could recover, and yet they persisted. Partnoy’s act of witnessing delivers a strong message - one of self-validation and proclamation. It is through the act of making these injustices known, and the pursuit of justice for the crimes committed against them which have helped the victims of “disappearance” recover. Soviet dissident and later Czech Republic President Václav Havel characterizes regimes like the Argentine junta as “post-totalitarian,” reflecting upon the way these regimes moved beyond totalitarianism to exert a fundamentally more complete biopolitical control over its citizens.<sup>48</sup> Havel’s dissidence is predominantly concerned with asserting his inherent human rights to free thought and expression. Interestingly this stubborn way of expressing one’s rights is reminiscent of Sojourner Truth’s photograph distribution channel which supported her abolitionism while asserting her

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<sup>46</sup> Alicia Partnoy, *The Little School: Tales of Disappearance & Survival in Argentina* (Pittsburgh, PA: Cleis Press, 1986).

<sup>47</sup> *Ibid.*

<sup>48</sup> Václav Havel and John Keane, *The Power of the Powerless: Citizens against the State in Central-eastern Europe* (Armonk, NY: M.E. Sharpe, 1985).

status as a being with human rights and dignity.<sup>49, 50</sup> It is the assertive nature of witnessing, then, which makes it such a powerful human rights practice.

Similarly, hip-hop has developed an assertive personality and by its very nature is a form of witnessing, as evidenced by the previous discussion on “gangsta rap.” Through the various facets of hip-hop culture African American youth have built community, identity and heritage and are able to assert their right to live as they choose to in a dignified manner.<sup>51</sup> However, hip-hop has moved beyond simple witnessing and is now an active entity working to reclaim language from derogatory semantic shifts which propagate institutional dehumanization rhetoric. An obvious example of this is the reclamation of the term “nigger,” which has been reclaimed by the African American community to be used as a term of camaraderie amongst only them. This process not only helps build the African American community further, but undoes the national semantic shift which made the usage of the term “nigger” socially acceptable. Furthermore, hip-hop has become an incubator for activism, which will become apparent in further discussion.<sup>52, 53</sup> As a human rights practice, hip-hop has established itself as an invaluable tool to the African American community by building a cohesiveness and raising Consciousness within it.

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<sup>49</sup> Darcy Grimaldo Grigsby, "Sojourner Truth, Photography and the Fight Against Slavery" (lecture, History C187, University of California at Berkeley, September 20, 2016).

<sup>50</sup> Sojourner Truth was notable for her utilization of photography, a tool which previously had only been used to honor ingroup participants (white plantation owners) with honorific portraits, and derogate outgroups (black slaves) through the study of phrenology. By acting as the subject, designer, and distributor of her own photographs to support her abolitionism she asserted her humanness in a powerful and stubborn way.

<sup>51</sup> Raphael Travis and Anne Deepak, "Empowerment in Context: Lessons from Hip-Hop Culture for Social Work Practice," *Journal of Ethnic And Cultural Diversity in Social Work* 20, no. 3 (2011): , doi:10.1080/15313204.2011.594993.

<sup>52</sup> Ernest Morrell and Jeffrey M. R. Duncan-Andrade, "Promoting Academic Literacy with Urban Youth through Engaging Hip-Hop Culture," *The English Journal* 91, no. 6 (2002): , doi:10.2307/821822.

<sup>53</sup> Greg Thomas, *Hip-hop Revolution in the Flesh: Power, Knowledge, and Pleasure in Lil' Kim's Lyricism* (New York, NY: Palgrave Macmillan, 2009).

Lastly, the unique placement of the development of hip-hop in time has allowed for it to spread globally through the same shared global social space discussed earlier. Because of this, hip-hop has evolved beyond the African American community and has been utilized by other populations around the globe as a platform to protest institutional wrongdoing. Notably, hip-hop played a major role in the Arab Spring - a series of anti-government protests and rebellions in response to corrupt elections and brutality by State agents.<sup>54</sup> Dissatisfaction with the government and awareness of the dehumanization of citizens was strengthened in the public Consciousness by artists such as Tunisian rapper El General, who stated: “Mr President... people have become like animals... We are living like dogs.”<sup>55</sup> The song from which this quote was taken, “Rais Le Bled,” quickly went viral and is credited with sparking more protests with those lines as a rallying point for protesters.<sup>56</sup> Similar phenomena was later seen in Syria and Libya. These incidents demonstrated that hip-hop is not just a platform for African Americans to demand their basic human rights and dignity, but also that the globalized hip-hop culture carried with it the idea of promoting Consciousness, and so the subculture itself has inherently become tied to human rights practice.

### Modern Hip-Hop and Activism

This section will provide three brief analyses of events in modern hip-hop culture which are highly political in nature and provide commentary on the modern human rights violations against the African American community. These events all occurred within the year of this paper’s writing, and are tied to the activist movement known as Black Lives Matter (BLM), a

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<sup>54</sup> Cordelia Hebblethwaite, "Is Hip Hop Driving the Arab Spring?," BBC News, , accessed November 12, 2016, <http://www.bbc.com/news/world-middle-east-14146243>.

<sup>55</sup> Ibid.

<sup>56</sup> “Went viral” refers to the rapid collection of an audience as a result of dispersal of a media through social network

campaign aimed at addressing systemic racism towards the African American community. The first event being examined is a video published by a group of African American law students, many of whom are depicted wearing sweatshirts with the words “Black Lawyers Matter,” reflecting both the language of the BLM movement and also representing the Houstonian school of lawyers that has emerged in the recent decades to address systemic racism within the United States legal system. The second event is the publication of a music video for Beyoncé’s “Formation,” a Black Power anthem which has become iconic within the BLM and 3rd wave feminist movements. The video was considered politically and racially charged upon its publication and continues to be influential within the discourses on race and politics in America. Lastly, this section will examine a performance by Common at the White House in which he gives a highly political statement by discussing the dehumanization of African Americans in front of the highest seat of federal power in the United States. These three videos showcase the depth of discourse and politicization within modern hip-hop, and also solidify BLM as a movement developed out of and supported by the hip-hop community. It becomes clear through analysis that modern hip-hop is an incubator for activism and provides a platform by which artists and scholars can connect with the broader African American audience to raise Consciousness about the injustices against their community.

On November 17, 2016, a group of law students at the Howard University School of Law released a video through their Facebook page capitalizing on a contemporary “meme” developed in late October 2016 known as the “mannequin challenge.”<sup>57, 58, 59, 60</sup> In the video, the students are

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<sup>57</sup> Howard University is a historically African American and politically active campus, and is known for producing many “Houstonian Lawyers” - a school of African American lawyers developed in the post-Thurgood Marshall era

<sup>58</sup> The mannequin challenge format is generalizable to a group being filmed while posing as though frozen in time. The various permutations upon this formula led to famous groups such as sports teams and political campaigns releasing their own versions in which notable public figures are shown in iconic or humorous poses.

depicted in the acts of studying and discussing law, reading politically charged books such as *Race Matters* by Cornel West, and protesting - as illustrated by the screenshot below. The imagery suggests a new group of Conscious lawyers emerging to combat their community's systemic oppression, and can be read as a warning shot to the American ingroups which continue to dehumanize them. The underlying audio track mixes together the instrumental section of Kendrick Lamar's *Alright* with portions of speeches by notable politically active African American figures such as Jesse Williams, President Barack Obama, and activist Angela Davis.<sup>61</sup>

The major ideas of the video are driven home by a section of Williams' speech:

We've been floating this country on credit for centuries, yo, and we're done watching and waiting while this invention called whiteness uses and abuses us, burying black people out of sight and out of mind while extracting our culture, our dollars, our entertainment like oil – black gold, ghettoizing and demeaning our creations then stealing them, gentrifying our genius and then trying us on like costumes before discarding our bodies like rinds of strange fruit.<sup>62</sup>

Williams describes symbolic and physical dehumanization of the African American community, and rallies his audience to fight against the institution of “whiteness.” This characterization of the institution also emphasizes the characteristically racial differences between the ingroups and outgroups, and demonstrates Consciousness of the societal injustices being committed.

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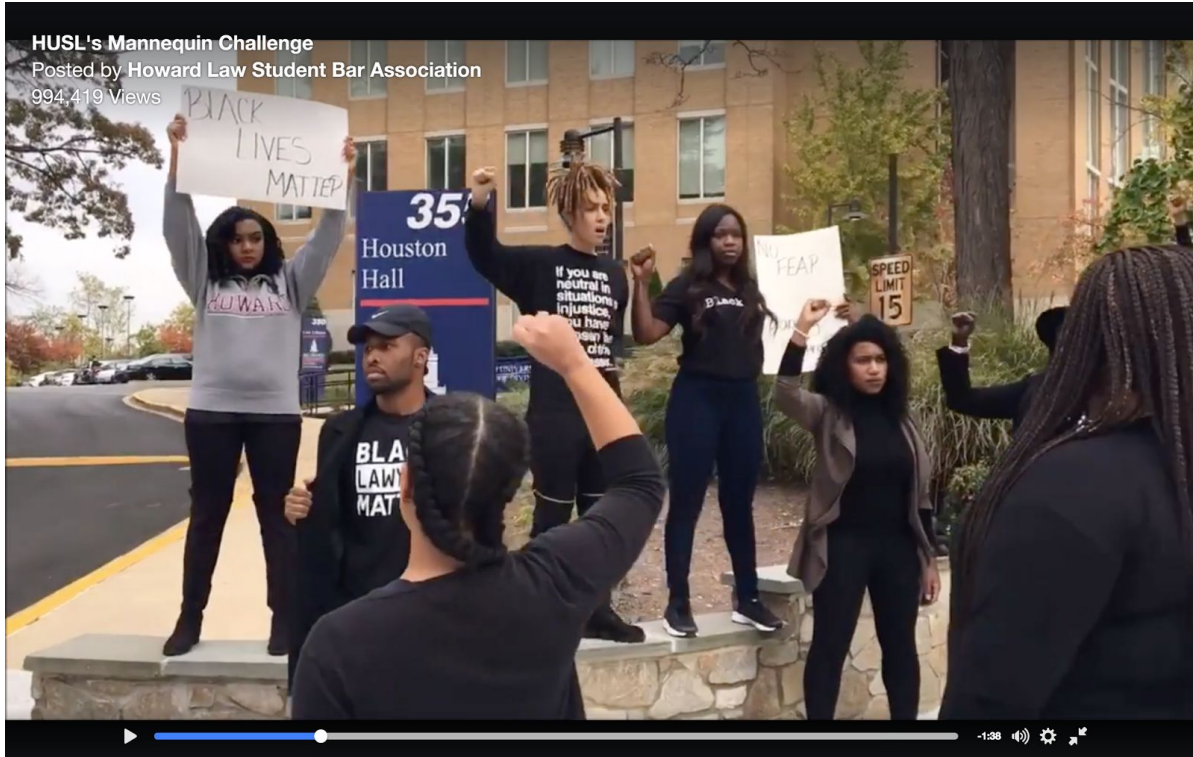
<sup>59</sup> Wynne Davis, "Can Someone Please Explain the Mannequin Challenge?," Technology : NPR, , accessed November 18, 2016, <https://www.rsssearchhub.com/feed/0343f010f778c32dd51ace1dc2e914c2/technology-npr>.

<sup>60</sup> "Howard University School of Law's Mannequin Challenge," Facebook, November 17, 2016, , accessed November 17, 2016, <https://www.facebook.com/HUSLSBA/videos/1690444377863671/>.

<sup>61</sup> Kendrick Lamar, Kendrick Duckworth, and Kendrick Lamar, writers, *To Pimp a Butterfly*, Universal Music Entertainment, 2015, CD.

This song has become anthemic within the BLM movement due to its aspirational refrain “We gon’ be alright,” which encourages the African American community to push on since their cause is just

<sup>62</sup> Jesse Williams, "Acceptance Speech: Jesse Williams Spits Knowledge Like a Seasoned MC," BET.com, , accessed November 21, 2016, <http://www.bet.com/video/betawards/2016/acceptance-speeches/jesse-williams-receives-humanitarian-award.html>.



Source: Howard University School of Law's Mannequin Challenge, students demonstrating the “Black Power” pose

On February 6th, 2016, hip-hop icon Beyoncé released a music video on YouTube for her Black Power and feminist anthem “Formation.”<sup>63</sup> The lyrics of the song construct a highly assertive image of the artist and can be read as a direct challenge to her oppressor - the State and societal institutions which undermine both her race and gender. However, the relevant analysis comes from her exploration of race politics both in lyricism and imagery. Firstly, she references the complexed slavery-era race politics in the line: “My daddy Alabama, momma Louisiana/You mix that negro with that Creole, make a Texas bama.” The term “bama” is black slang referring to working class blacks who were never taught how to act in white culture, and is both a classist

<sup>63</sup> Beyoncé, "Formation," YouTube, February 6, 2016, , accessed November 2, 2016, <https://www.youtube.com/watch?v=LrCHz1gwzTo>.



and racist term.<sup>64</sup> With this in mind, the whole lyric becomes understandable as a reclamation racial slurs in a powerful demonstration of assertion.

The imagery of the video is difficult to parse through, but two powerful images can be analyzed in the context of this paper. The first image, referenced below, depicts Beyoncé standing on a sinking police car while a voice shouts “What happened at the New Wil’ins?” - a reference to the devastation in New Orleans by Hurricane Katrina in 2005, and the lawlessness that followed as the police became ineffective in keeping order. This image directly addresses the United States government for their failure to implement effective infrastructure and protect the predominantly black residents of the city, and can be seen as a leading question to raise Consciousness among the broader audience.<sup>65</sup> The second image, referenced below, depicts a young black boy breakdancing in front of a line of police in an act of self-assertion. The scene is tense as it plays off the audience’s expectation that the child may be brutalized by the police for being so blatant, but as he finishes dancing the police put their hands up in an act of surrender.<sup>66</sup> This image is meant to be encouraging to the audience, and is a statement that the community must embrace their power and culture even in the face of an oppressive regime.

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<sup>64</sup> Beyoncé, "FORMATION," Genius, 2016, , accessed November 17, 2016, <http://genius.com/Beyonce-formation-lyrics>.

<sup>65</sup> The US government's failure to protect the predominantly black population of New Orleans is seen by many as one of the catalysts for the modern BLM movement, since it brought to light what had been a subtle systemic racism until then

<sup>66</sup> The death of young African American children (e.g. Tamir Rice, Cameron Tillman, Laquan McDonald, etc.) at the hands of the police has become normalized in the modern United States. This too is an element of dehumanization as discussed previously



Source: Beyoncé's "Formation," (1) Beyoncé depicted standing on a sinking police car (2) young black boy depicted breakdancing in front of line of policemen

On October 4th, 2016, rapper Common performed a new original piece entitled "Letter to the Free" at the White House.<sup>67</sup> This piece addresses the dehumanization of African Americans in the United States and challenges the existence of Amendment 13 to the United States Constitution which legitimizes slavery in the context of incarceration. A selection from the piece is provided for analysis:

Pride of the pilgrims affect lives of millions  
 Since slave days separating, fathers from children  
 Institution ain't just a building  
 But a method, of having black and brown bodies fill them  
 We ain't seen as human beings with feelings  
 Will the U.S. ever be us? Lord willing!  
 For now we know, the new Jim Crow  
 They stop, search and arrest our souls  
 Police and policies patrol philosophies of control  
 A cruel hand taking hold

...  
 Slavery's still alive, check Amendment 13  
 Not whips and chains, eye subliminal  
 Instead of 'nigga' they use the word 'criminal'  
 Sweet land of liberty, incarcerated country

...  
 No consolation prize for the dehumanized  
 For America to rise it's a matter of Black Lives<sup>68</sup>

<sup>67</sup> Common, "Common At The White House," YouTube, October 11, 2016, , accessed November 4, 2016, <https://www.youtube.com/watch?v=2AChGszRGwI>.

<sup>68</sup> Lonnie Rashid Lynn, perf., Letter to the Free, Common, 2016, MP3.

This selection begins by accusing the United States of being founded on racism, and references Malcom X's famous "Ballot or the Bullet" speech that states "we [African Americans] didn't land on Plymouth Rock, Plymouth Rock landed on us!"<sup>69</sup> Common goes on to outline the biopolitics of the modern US carceral state, stating that dehumanization people of color through incarceration and programs like "Stop and Frisk" is an institutional practice.<sup>70, 71</sup> Common then claims that slavery is still alive in the United States due to the existence of Amendment 13 to the United States Constitution: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."<sup>72</sup> This amendment is of great concern to the African American community who are victims of disproportionate mass incarceration, with almost 33% of black men being projected as at risk for incarceration in 2013 by Amnesty International.<sup>73</sup> Common's discussion comes to a climax as he directly states that the African American outgroup population is the victim of discursive and physical dehumanization by State and society, and he concludes by demonstrating his support for the BLM movement, stating that for true progress to take place black lives must be restored to full dignity.

### Conclusion and A Domestic Perspective

Hip-hop provides an accessible platform for self expression on a global scale, a reality which has benefited millions of individuals. While hip-hop did not begin as a human rights

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<sup>69</sup> Malcolm X, "The Ballot or the Bullet" (speech, Washington Heights, New York, March 29, 1964).

<sup>70</sup> Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2010).

<sup>71</sup> "Stop and Frisk" is a practice adopted by US police, especially the New York City police, since the 1960s allowing them to stop and search any civilian upon suspicion. This practice was shown to disproportionately target African American men and is still ongoing albeit less frequently since a number of court cases in 2013.

<sup>72</sup> U.S. Constitution, amend. 13

<sup>73</sup> "Mass Incarceration in the USA," Amnesty International USA, , accessed November 22, 2016, <http://www.amnestyusa.org/our-work/issues/military-police-and-arms/police-and-human-rights/mass-incarceration-in-the-usa>.

practice, the context in which it was formed - the ghettos to which a historically oppressed population was exiled - allowed it to evolve into a form which carries with it elements of liberation, assertion, and Consciousness. The subculture of hip-hop has proven to be a valuable tool for multiple oppressed communities around the world, but none more so than the African Americans. This paper has demonstrated that based on historical analysis it is not unthinkable for another cataclysmic event to impact the African American population in the near future. However, the nature of hip-hop is such that it binds the community together and allows them to rally around their developing Consciousness.

The results of the 2016 United States election shocked the nation's liberal population with a sudden reminder that racism, misogyny, and xenophobia were not yet disqualifying elements of modern political rhetoric. The rise of Donald J. Trump to power brought with it a sudden upsurge of hate-related incidents as the white nationalist and economic protectionist rhetoric of Trump was validated. However, this surge of regressive norms will now have to contend with a subculture which has dealt with it before. Hip-hop has provided the African American community with the tools it needs to combat US alternative right movements and reconcile with the rest of the country. By utilizing the international platform constructed by hip-hop, artists will be able to rally their communities and increase Consciousness, and that is something to be hopeful for.

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