



A guilty pleasure: The legal, social scientific and feminist verdict against rap

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journals.sagepub.com/home/tcr**Ummni Khan** 

Carleton University, Canada

Abstract

This article draws on governance theory, critical theory and cultural criminology to interrogate how legal, social scientific and feminist discourses converge to construct rap music as a pressing social problem. While each discourse has its own preoccupations, ideologies and internal contestation, the overarching message is that rap music is a potential source of danger that conveys anti-social attitudes. Suspicion is sometimes also cast on musicians themselves. While I compare three overlapping fields, the ultimate purpose is to problematize the supposedly progressive approach to interpreting and mobilizing against songs deemed harmful. Significantly, I argue that much of the social science scholarship and feminist activism that addresses hip hop music perpetuates anti-Black stereotypes and dovetails with repressive state apparatuses. Among other things, social science and feminist criticism of rap hermeneutically support the use of rap lyrics as evidence of criminality—a distinctly non-progressive, racialized legal practice.

Keywords

Criminalization, feminist theory, governance theory, law, moral panic, racialization, rape culture, rap music, social sciences

Introduction

While hip hop currently dominates the music industry (Leight, 2019), it is also highly problematized. Rap in particular has been heavily scrutinized. Since its inception, moral entrepreneurs have warned of its deleterious influence on listeners and on society as a

Corresponding author:

Ummni Khan, Carleton University, 1125 Colonel By Drive, Ottawa, ON K1S 5B6, Canada.

Email: ummni_khan@carleton.ca

whole. Rap's critics span the political spectrum, from arch conservatives to ardent progressives. Politicians rail against its references to murder, guns and anti-police sentiments, while feminists decry its perceived sexism and misogyny. Social scientists seek to understand its fans and creators, parse its lyrical content or determine its attitudinal effects. Most troubling, legal actors criminalize rap songs directly, or use them as evidence of a musician's culpability.

This article interrogates the relationship between these different social forces, with a focus on how legal, social scientific and feminist discourses converge in a moral panic to construct rap music as a pressing social problem. While each discourse has its own ideologies and internal contestation, the overarching message is that rap music is a source of danger that conveys anti-social attitudes. While I compare three distinct fields, the article's ultimate purpose is to critique what others might consider to be a 'progressive' approach to mobilizing against songs deemed harmful. In that regard, I argue that much of the social science scholarship and feminist activism that seeks to challenge misogyny in music dovetails with repressive state apparatuses. Among other things, it hermeneutically supports the use of rap as evidence of criminality—a distinctly non-progressive, racialized legal practice.

In my analysis, I draw on a blend of theoretical concepts and approaches. Governance theory contextualizes the ways non-state actors interact with the criminal justice system to define and govern 'dangerous' populations (Chhotray and Stoker, 2009; Foucault, 1991), which for the purposes of this article include both creators and fans of rap. Theorization of governance and carceral feminism elucidates how certain renditions of gender justice seize power through a 'politics of injury and of traumatized sensibility' (Halley, 2008: 210) to manifest social control strategies and punitive logics (Bernstein, 2010). Cultural criminology situates the criminal justice system within a broader cultural context (in this case, in relation to social science and feminism) to produce 'public epistemologies of crime' (Dearey, 2018: 190). Moral panic theory will be referenced throughout (Cohen, 2015), signifying a socio-legal overreaction to rap as a seemingly new threat to society, grounded within the race-crime nexus (Hall et al., 2013). Building on Hall's work, critical race theory is the foundation to all of the theories mentioned, as the ultimate goal is to challenge the deviantization of racialized men, and of music associated with Black culture.

My methodology is rooted in a cultural studies framework and is based on a comparative discourse analysis of social science, feminist and legal constructions of rap. Given the qualitative nature of this more humanities-style methodology, the artefacts studied constitute a 'corpus' of representative and exemplary texts rather than an empirical 'sample' (Barker, 2008). Much of the analysis deconstructs the truth-claims used to pass judgement on rap, analysing their semiotic significance and racialized subtext. I also compare the treatment of hip hop with non-hip hop genres, along with the treatment of racialized and white musicians. In this way, I am aligned with empirical critical race theory (eCRT), leveraging social scientific data and methodologies to substantiate my theoretical claims (Paul-Emile, 2014).

Part one of this article (Moral entrepreneurs) is divided into three subsections that review social science, feminist and criminal justice problematization of rap music and/or musicians. As I will note, both social science and feminist discourses scrutinize and

critique other musical genres. Nonetheless, hip hop music attracts disproportionate attention as an object of critical inquiry, and a source of potential harm.

Part two (Overlapping interpretive approaches and effects) begins by exploring three interpretive overlaps between social scientific, feminist and legal discourse. First, all three realms are marked by racialized selectivity, which can be demonstrated by identifying which songs, genres and artists are more likely to get singled out for cultural criticism, petitions, protest or criminalization. Second, each field assumes that lyrics have an obvious textual meaning, and are thus to be read literally as reflective of the actions or attitudes of the performer. Third, social scientific, feminist and legal responses often unite in constructing rap as a threat to society. I then broaden this analysis by including other sectors, analysing statements made by celebrities, media pundits and politicians who bemoan the supposedly harmful influence of hip hop. This examination demonstrates that the social scientific and feminist preoccupation with hip hop music as anti-social coincides with hegemonic mainstream ideology.

I conclude by encouraging progressive scholars, public commentators and activists to be mindful of the unintended effects of their campaigns and truth-claims, given the larger context of a racialized legal system that refuses the art in Black music, and targets racialized men as presumptively deviant.

Moral entrepreneurs

Social science

Scholarly focus on rap's potential harm connects to a longer history of moral panics related to entertainment media, including pornography, violent television shows, video-games and other musical genres. In such studies, researchers seek to analyse the narrative for problematic themes or study the media's negative effects on audience belief-systems or behaviour. Of particular note is the way the construction of rap as a social problem builds on earlier racist panics related to Black musical expression, such as jazz, which has historically been criticized as 'jungle' music associated with crime, pathology and moral decline (Anderson, 2004).

Recent social science concerned with the impact of media seems preoccupied with rap music as an exceptionally problematic genre (Weitzer and Kubrin, 2009). Rap scholarship covers a wide variety of topics. From a critical race perspective with which I align, scholars have situated rap's perceived misogyny within broader historical contexts of white hetero-patriarchy, racial capitalism, the fetishization of Blackness and the anti-Black racism encoded in the demonization of rap, which can be tellingly juxtaposed with the tolerance of misogynist and violent white-dominated media (Kajikawa, 2015). In the realm of social science and empirical research, much of the scholarship can be classified into two broad categories: content analysis of the lyrics; and attitudinal effect on the listeners. While the dominant conclusion is that rap lyrics have a misogyny problem (Adams and Fuller, 2006; Armstrong, 2001; Barongan and Hall, 1995; Hoston, 2014; Ling and Dipolog-Ubanan, 2017; West, 2009), the literature is contested. Some authors found that misogynistic messages in rap songs are not as frequent as people generally

believe (Weitzer and Kubrin, 2009), or that other genres are just as bad, if more subtle in their sexism (Frisby and Behm-Morawitz, 2019).

The main impetus in investigating misogynist content is the hypothesis that the music may have harmful effects, which leads to the second major relevant area of study: impact on listeners. However, as Charis Kubrin and Ronald Weitzer (2010) point out in their review of studies investigating rap music effects, a significant portion of the literature is impressionistic and assumes a negative (or sometimes a positive) influence with virtually no empirical basis. Where studies rely on data, methodological problems throw doubt on findings of causal effects, for example due to: a non-generalizable or small sample size; over-emphasis on anecdotal evidence; a conflation of misogynist lyrical content with effect on listeners; unjustified claims based solely on correlation findings; a disregard for significant variables; the inherent weakness of laboratory studies versus natural environments; and neglect of how rap fans themselves interpret rap songs (De Boise, 2020; Kubrin and Weitzer, 2010).

Most social science articles on rap—regardless of whether they locate anti-social meaning or effects—still end by advocating for more research in the area. This knowledge-seeking and dissemination of findings is itself a flexing of governance power, which, as I will argue later, is a symptom of racial and sexual exceptionalization. Where scholarship does associate rap with anti-social behaviour, its typical stated goal is to raise awareness about the potential harm. Some authors recommend encouraging musicians to reduce problematized language. Finally, there is often a suggestion that fans should be provided with ‘media literacy’—to help them either choose other genres, or engage critically with the songs. What is not generally promoted is censorship, or the singling out of particular musicians as bad actors. The genre is problematized, the music industry is condemned and fans are constructed as impressionable, but the social science literature generally does not seem to create individualized folk devils, or advocate for official regulatory action. This stands in contrast to some feminist activists and popular commentators who target rap artists, as will be shown below.

Feminist activism and popular discourse

When rap music first appeared on the mainstream radar, it was met with substantial feminist critique. A prominent example was Tipper Gore’s (1990) anti-rap polemic in the *Washington Post*, where she bemoans the ‘street ethic’ being promoted to children, which she asserts, ‘glorifies violence against women or discrimination against minorities’. Criticism from the Black feminist community reflected some of Gore’s concerns, but added awareness of how anti-Black racism affects the political stakes. One important spokesperson was prominent civil rights activist Dr C Delores Tucker, who campaigned against gangsta rap, arguing that it was degrading to women, and detrimental to the Black community (Conway, 2015). Other Black feminist public intellectuals felt caught between the anti-racism and the anti-sexism movements. For example, Patricia Williams (1995) stated that while Dr Tucker’s activism brought more attention to the problem of gangsta rap, it also gave conservatives an opportunity to: ‘take a black and feminist cause and deploy it in the perpetuation of an old, familiar tune: black social failings constitute a “pathological” evil that presumably has no parallel in white society’. Another

trailblazer of Black feminist theory, Kimberlé Williams Crenshaw, applied the concept she originated—intersectionality—to respond to the obscenity case involving 2 Live Crew. She stated, ‘I wanted to stand together with the brothers against a racist attack, but I wanted to stand against a frightening explosion of violent imagery directed at women like me’ (Crenshaw, 1993: 254). One article that garnered significant attention was bell hooks’ *Spin* magazine interview with former NWA gangsta rapper, Ice Cube, where hooks challenges ‘Brother Cube’ on his sexist lyrics, while affirming their shared struggle for Black liberation (hooks and Ice Cube, 1993). In the late 1990s, the emergence of hip hop feminism advanced a postmodern interpretation of rap, which allowed for multiple meanings and ambivalent responses that melded pleasure with political critique (Morgan, 2017).

As the 2000s unfolded, hip hop music began to dominate the charts. Meanwhile, feminist public censure of ‘misogynist’ lyrics also gained ground, but arguably lost nuance. Disseminated through a range of platforms including news media outlets and social media channels, feminists deployed their power to immediately ‘call out’ musicians who ostensibly perpetuated ‘rape culture’, but without much (if any) attention paid to racial contexts.

Feminist lyric interpretation took two forms. First, a plethora of articles, blogs and tweets in the 2010s catalogued songs where offensive lyrics were detected (Khan, 2017). This commentary operated as consciousness-raising, a shaming ritual and often, a call to delete these songs from one’s listening repertoire. While a diverse cross-section of artists, bands and musical styles were criticized, hip hop genres and artists were singled out more frequently. Significantly, a few artists attracted heightened attention and calls for punitive and direct sanctions for their rap or hip hop–pop crossover songs. For example, Rick Ross was targeted for censure, public protests, petitions and boycotts for his guest lyrics on Rocko’s song ‘U.O.E.N.O.’, ‘Put molly all in her champagne, she ain’t even know it. I took her home and I enjoyed that, she ain’t even know it’ (Rocko (Ft. Future & Rick Ross), 2013). The feminist activism inspired hundreds of articles, blogs and tweets, while costing him his sponsorship deal with Reebok. On the heels of this controversy was the top summer song of 2013, ‘Blurred Lines’, which ignited international outrage for ostensibly suggesting that consent can be ‘blurry’ (Handforth et al., 2017). A third example occurred when feminist activists successfully pressured state authorities in New Zealand, Australia and Britain to prevent American rapper, Tyler, the Creator, from performing in their countries, claiming he was a ‘danger’ because of his music’s ‘discriminatory’ views on women (Blistein, 2014; Collective Shout, 2018; Stutz, 2015).

In the second half of the 2010s, while criticism of sexist music persisted, the focus also expanded to include boycotts of musicians accused of sexual or gender-related misconduct (Strong and Rush, 2018). The last example I will provide suggests a conflation between problematized lyrics and violent conduct. In 2020, BBC DJ Annie Mac issued a public statement that treated grime artist Andy Anokye’s rape convictions as if they were on the same continuum with ‘misogynistic’ rap music. She stated that Anokye’s actions were ‘way beyond misogyny’, and by playing rap music, DJs may be validating the ‘degrading’ lyrics and thereby contributing to violent behaviour (Singh, 2020). Mac’s position demonstrates the continued exceptionalization of rap within a public feminist

discourse that treats lyrics as promotional material. Further, as with much anti-rap public discourse, there is the suggestion that sexist songs will cause harm in the real world, thus creating, in her words, 'a moral conundrum' for DJs. Ultimately, such stances reflect a moral panic and assert an empirical truth claim—that rap lyrics are bad for society—without having to deal with the complexity of data and analysis. In the next section, we will see how certain legal actors similarly position rap lyrics as indicative of bad character, or evidence of misconduct.

The criminal justice system and legal discourse

Under the legal gaze, rap's status as art, fiction and expression is repudiated. Rap lyrics are currently being used as evidence in hundreds of criminal cases, sometimes as the primary or sole basis for establishing guilt (Nielson and Dennis, 2019: 13). The lyrics by an accused can become entangled with the law in multiple ways. For example, they may be proffered as evidence indicating motive, confession or a violent character or state of mind—even though the connections between the lyrics and the crime are often tenuous and vague. For example, broad references to killing (a common theme in gangsta rap) have been used to prove homicidal intentions, and thus to bolster weak cases with little or no circumstantial evidence. This is what happened in the high-profile McKinley 'Mac' Phipps case, cited by Nielson and Dennis (2019) in their *Rap on Trial* book to epitomize the injustice of exploiting rap as incriminating evidence. In other cases, rap is itself the crime. For example, trial courts branded 2 Live Crew's hyper-sexual rap album, 'As Nasty as They Wanna Be', as obscenity (overturned in the USA, upheld in Canada), reflecting the conflation between rap and pornography in the legal imaginary (*F.2d*, 1992; *R v. Emery*, 1992). Rap lyrics can also be constructed as a terrorist threat, even if they have never been shared publicly, as happened in the *Tosin* case, which put a Black college student in jail for over a year before the conviction was overturned (Urdangen, 2021). Finally, lyrics that appear to glorify gang violence have been characterized as contravening legislation prohibiting unlawful benefit or promotion of gang activities, even where the suspect has not been accused of any other crime (King, 2014; Rodrigues, 2020).

There is also evidence that police and prosecutors see rap artists as inherently suspicious, and rap music as presumptively incriminating. Nielson and Dennis recount how in the 1990s, task forces were set up to survey and target those associated with the hip hop scene (Nielson and Dennis, 2019). Alan Jackson, a former Los Angeles prosecutor, stated if a suspect's rap lyrics can be construed to corroborate other evidence, they should be admissible as proof of guilt (Martin, 2014). Furthermore, in a 2004 document addressing gang-related cases, the American Prosecutors Research Institute insisted that personal items, including texts with music lyrics, should be used as evidence to expose the supposed 'true character' of the suspect (Nielson and Dennis, 2019).

Thus, law treats rap as evidence of criminal intent or character, or views the act of creating or performing the lyrics as itself criminal. Though the coercive power of law is unique, as will be elaborated below, its truth-claims and contamination fears overlap with some social science studies and feminist activism.

Overlapping interpretive approaches and effects

Racialized selectivity

Reviewing the literature above, it seems clear that social science, feminism and law exceptionalize rap as a problematic musical genre. Although rap is now produced by people from every racial identity, it is still coded as Black cultural expression (Rose, 1994). As Nielson and Dennis (2019: 72) state, regardless of the race of the musician or performer, ‘rap music primes certain stereotypes about young black men’. The disproportionate social scientific preoccupation with rap’s lyrics and potential effects raises questions about Black exceptionalism, when compared to its treatment of other musical styles. Indeed, there is a long history of social scientists studying Black culture as a social problem, as dysfunctional and as prone to anti-social tendencies (Billingsley, 1970). Regardless of researchers’ intentions, there is no pursuit of knowledge that is neutral. The fact that rap is continually probed for its misogynous underpinnings or effects—while other genres are subject to less scrutiny on the topic of sexism—contributes to the construction of Black culture as disproportionately prone to sexual deviance.

Public feminist engagement with misogynist music also appears to disproportionately focus on hip hop and racialized musicians. Within hip hop, white artists like Eminem and Robin Thicke have also been criticized and protested. However, as Nielson and Dennis (2019: 72) suggest, negative reactions to white rappers may be informed by their perceived transgression of “‘crossing over” and embracing Black culture’. Feminist articles and social media posts have also targeted pop music for sexism. However, such protests are fewer in number, less severe in tone and less likely to involve calls for concrete sanctions, such as boycotts, protests, visa denials or cancellations of concerts or corporate sponsorships.

For example, in 2014, public feminists and anti-sexual violence organizations accused the white pop band, Maroon 5, of romanticizing stalking in their ‘Animals’ song and video (RAINN, 2014; Valenti, 2014). However, there were no high-profile petitions, boycotts, lost sponsorships or concert cancellations—as what happened to Rick Ross, and no cancelled tours, border interrogations or claims that the music threatened national security—as what happened to Tyler, the Creator. This seems racially conspicuous. Indeed, in the absence of anti-Black racism, one might have expected feminist attention to focus on the more popular of the offending material. Consider that Maroon 5’s ‘Animals’ peaked at #3 on the Billboard Hot 100, as compared to ‘U.O.E.N.O.’ which only made it to #20 (Billboard, 2013; Caulfield, 2014). As for Tyler, the Creator, the rap artist did not even make Billboard’s list of the top 100 artists in 2014 or 2015 (Billboard, 2015), the years when feminist activism contributed to decisions by New Zealand, Australia and the UK to deny him touring visas. By comparison, Maroon 5 ranked #6 on that list in 2015, the year it toured internationally, including in those same countries. Maroon 5’s song would thus have had a stronger cultivation effect on listeners than Ross, or Tyler, the Creator. Yet no feminist organization orchestrated comparable campaigns against Maroon 5, or Adam Levine, the group’s lead singer. Critical race theory may explain this hypocrisy. As Duru (2004) points out, there is a long history of constructing Black people as ‘bestial’ and closer to the animal world. Levine can playfully portray himself as a predatory animal because his white privilege protects his humanity. Thus,

while white pop musicians may attract feminist ire for their songs, they appear less threatening to the white-dominated social imaginary.

In relation to musicians who have committed or been accused of committing violent acts, racialized status also has an impact on feminist-driven social responses (Strong, 2019; Strong and Rush, 2018). Strong and Rush (2018: 575) cite the example of Australia refusing Chris Brown an entry visa because of his guilty plea to domestic assault-related charges, while allowing Ozzy Osborne to tour in the same year, despite his admissions of committing similar acts of partner-violence. Strong and Rush (2018: 575) further point out the anti-Black bias in Spotify's initial decision to remove R Kelly and XXXTentacion from playlists under the company's short-lived 'Hateful Conduct' policy (a move applauded by feminist organizations), while white artists with comparable violent histories were not so removed.

The exceptionalization of rap as suspect, dangerous and indicative of bad character is most blatant in law. The music itself may be deemed as harmful, and its lyrics are interpreted as motive-revealing, confessional or autobiographical evidence. To be sure, other types of music have occasionally made their way into court rooms, notably heavy metal during its heyday. But as Nielson and Dennis (2019: 91) have pointed out, such cases are rare, and when they do occur, more often involve civil proceedings, rather than criminal cases. Nielson and Dennis (2019: 19) also report that when white hip hop artists are accused of crimes that involve lyrics as evidence, the verdict or sentence is usually more favourable to them. Furthermore, racial bias can be detected in prosecutorial discourses. For example, when the American Prosecutors Research Institute advocated using music lyrics in court, it argued that the tactic would expose the 'real defendant' as 'a criminal wearing a do-rag and throwing a gang sign' (cited in Nielson and Dennis, 2019: 127). As Tibbs and Chauncey (2016: 37) state, the reference 'speaks to how this [profiling] practice is almost exclusively premised upon and reserved for the stereotypes of young Black men: based on a racial style of dress and physical presentation'.

As the 'do-rag' quote thus exemplifies, the standard practice of seizing on rap lyrics as inculpatory evidence in the criminal justice system is rooted in anti-Black racism. Kubrin and Nielson (2014: 201) state:

Using rap lyrics as evidence, then, is not just a matter of art being sacrificed for the sake of an easy conviction. Rather, the practice also constitutes a pernicious tactic that plays upon and perpetuates enduring stereotypes about the inherent criminality of young men of color.

Rap's criminalization accordingly imbues Black masculinity with danger, criminality and violence, while differentiating it from professional activity and creative intelligence. What is concerning is that social scientists and feminist campaigns work in harmony with law through their approach to music interpretation, and in their disproportionate focus on hip hop as a social problem.

Lyrical essentialism and autobiographic readings

Much of the social science literature that analyses lyrics makes ideological assumptions about the meaning of words. For example, in some studies, the word 'bitch' was

interpreted as inherently degrading or misogynist, without consideration of the term as a floating signifier that could convey many things, including power, intelligence and sex appeal. Furthermore, words that described aggressive sexual acts were assumed to endorse and normalize such actions in real life. Less attention is paid to other possible meanings of hypersexual and violent sexual expression, for example, as therapeutic (Eate, 2013), or as a place of kink, role playing, fantasy and catharsis (Khan, 2017). Social scientists generally ignored the ground-breaking work of anti-respectability Black feminist theorists, who are positing alternative interpretations, including through the lenses of self/-counter-fetishism, illicit erotica, queer alliances, counter-hegemonic appropriation and pleasure-positivity (Carney et al., 2016; Miller-Young, 2008).

Similar to much social science research, public feminist campaigns relied on an implicit social scientific ‘media effects’ logic, extracting lyrics out of context and offering a singular interpretation of their meaning. For example, critics of ‘Blurred Lines’ essentialized the meaning of the phrase, ‘I know you want it’ as necessarily coercive. But, a study of listener responses to ‘Blurred Lines’ found lyric interpretations varied from non-consent, consent, both or not referring to consent at all (Handforth et al., 2017). Moreover, consider how a notorious line in the verse from Black rapper T.I. (‘I’ll give you something big enough to tear your ass in two’) was interpreted as literal, as opposed to, for example, consensual dirty talk that draws pleasure from taboo words (Khan, 2017). This is not, of course, to suggest that the correct interpretation of the song is one depicting consent or kinky vernacular. Rather, it is to argue that the essentialist feminist reading did not allow for multiple interpretations.

Essentialist understandings of rap lyrics further extend to assumptions that the conduct depicted is being glorified, and/or is based on personal experience. Artists who attempt to differentiate themselves from the characters portrayed in their songs generally meet with little success. Indeed, this is what happened with Ross. After the feminist activist group, Ultraviolet, accused him of being ‘a man who brags about raping women’ (Ultraviolet, 2013), Ross pleaded during a radio interview:

I don’t think taking Rap lyrics as straight facts is ever the way to go. I mean that is really setting a precedent we do NOT want to set, then every rapper could be indicted for Drug dealing, Murder, etc. . . Hip hop is Art.

(Zeichner, 2013)

None of his critics responded to this artistic defence or expressed any concern for the ‘precedent’ Ross warned about.

Unfortunately, as has been discussed above, there is already literal precedent for taking rap lyrics as ‘straight facts’ in criminal trials to prove homicidal tendencies or violent intentions, confessions, terrorism, threats and gang promotion. Many artists and academics have challenged such interpretations. For example, Drakeo the Ruler (2020)—who was himself incarcerated primarily due to his rap lyrics being used as confessional evidence—pointed out in his song ‘Fictional’ that in film or other musical genres, narratives are not treated as reflections of the true thoughts or actions of the performer. In blunt terms, Jay-Z (2011) describes this phenomenon as, ‘the failure, or unwillingness, to treat

rap like art, instead of acting like it's just a bunch of n****s reading out of their diaries'. On the academic side, some legal, humanities and social scientific scholars have attempted to dislodge literalist interpretations and explain some of the conventions at play. For example, when the 2 Live Crew obscenity case was unfolding, Henry Louis Gates, Jr (1995) explained that:

2 Live Crew is engaged in heavy handed parody, turning the stereotypes of black and white American culture on their heads . . . Their exuberant use of hyperbole (phantasmagoric sexual organs, for example) undermines—for anyone fluent in black cultural codes—a too literal-minded hearing of the lyrics.

Dennis (2007: 20) similarly argues that when courts use rap lyrics as autobiography or symptomatic of a defendant's mindset, they ignore the poetics of rap, including the 'use of collective consciousness, metaphors and boasting, and narrative conventions'. Hirsch (2018: 493, emphasis in original) argues, 'treatment of rap as literal text denies the nuances of voice in the *musical performance* of rap, its multiple layers and unified strife'. Finally, as Kubrin and Nielson (2014) note, the music industry exerts significant pressure on rap artists to produce songs with violent and aggressive sexual themes. Such albums apparently sell better than those with tamer lyrics.

The critics thus posit that to understand rap—and the hypersexual and violent themes that are standard fare—we need culturally competent translators, fluent in the genre from aesthetic, historical, political, economic and market standpoints. In legal cases, expert witnesses are sometimes called to give evidence about the complexity of rap as a cultural phenomenon, but they are often ignored by decision makers. As discussed above, Black feminist engagement with rap has theorized the complex forces that encourage male rappers to present violent and misogynistic personae. However, most anti-rap feminist campaigns since the 2010s make little or no attempt to position rap as a complex art form with its own poetic language, parodic and hyperbolic tradition, or as a by-product of racialized capitalism. Many of these feminist campaigns thus contribute to the erasure of rap's status as an *art* form and a consumer product and seem to overlap with the racist exceptionalization of rap within law. These campaigns also overlap with the law in focusing punitive efforts on individual actors who are found guilty for their perceived perpetuation of rape culture.

Danger to society

The final theme to explore is the construction of rap as a danger to society. As we saw, social scientific interrogation of misogynist rap lyrics appears to rest on the implicit or explicit belief that some harm will flow. The experimental studies seek to empirically test this belief, much like earlier work sought to investigate the influence of pornography or violent television. And as was the case with these earlier investigations, while some studies show a short-term negative effect, there are serious limitations to these studies, and a substantial number revealed weak or null effects. Furthermore, as discussed below, other social science studies focus not on whether rap is harmful, but rather demonstrate that the general population holds racialized bias against rap music, its performers and its fans.

Feminist activism against musicians who perform songs perceived to be misogynistic reflect the moral panicked belief in music's power to cause concrete harm. While pop songs are sometimes singled out in this fashion, it appears more common for feminist media critics to label hip hop music as dangerous, specifically to women, and in need of suppression. Additionally, such claims are more likely to get traction with state authorities and the wider public. For example, Tyler, the Creator's 2015 ban from the UK was justified by conflating rap's purported glamourization of violence with the actual violence of terrorism. Many social critics understood Tyler, the Creator's rejection and terrorism branding as a feminist-driven outcome, as is evidenced by Jezebel's article entitled, 'Was banning Tyler, the Creator, the victory international feminism needed?' (Shepherd, 2015). This framing exemplifies governance feminism, where 'violence against women' rhetoric is deployed to bolster and mesh with state concerns with public order, national borders and terrorism. The framing also 'follow[s] a long history of [mostly] white women invoking state violence against men of color' (Moon and Holling, 2020: 256).

In the case of Ross, Ultraviolet not only conflated the person with his narrative persona in the song 'U.O.E.N.O.', it also suggested that his description of a particular 'rapey' scenario was performative: 'By holding Rick Ross up as something to aspire to, Reebok is sending the message that raping a woman is cool—and that's a dangerous message to send the boys and young men that Reebok markets to' (Ultraviolet, 2013). More recently, BBC DJ Annie Mac used the criminal conviction of one rap artist to brand the entire rap genre as harmful.

At this point, I should mention the case of white rapper Eminem (Marshall Bruce Mathers). Since the start of his fame at the turn of the century, activists have expressed outrage against his lyrics, which have been rife with homophobic epithets and explicit descriptions of violence against women. But while he faced civil lawsuits for lyrics that singled out specific women, the protest against his generalized misogyny never resulted in criminal charges, concrete material losses or the withdrawal of tour visas. To the contrary, he was the biggest-selling musical artist of the 2000s, has had a record-setting 10 consecutive albums debut at number one on the Billboard charts and was the first rapper to win an Oscar for best original song in 2003—all demonstrating his palatability to the mainstream (Caulfield, 2014). Slim Shady's lyrics have not mellowed with age. Around the time Ross and Tyler, the Creator were being targeted, Eminem rapped, 'I even make the bitches I rape cum' (Dr. Dre and Ft. Anderson .Paak, Candice Pillay & Eminem, 2015). While this attracted some angry tweets and feminist condemnations, it was nothing like the concentrated and coordinated protests or appeals to punitive state authorities faced by Ross or Tyler, the Creator. The analysis in this article suggests whiteness contributed to the acceptance of his rap as art, and made him appear less dangerous than he might have been if he were racialized.

The feminist perception of rap's danger (particularly when performed by Black men) meshes with some social science literature we have mentioned that sees rap songs as having a cultivation effect on listeners. In this way, the lyrics are endowed with transformative power to change social reality, and to actualize the words being uttered. And as we have seen, such an approach is echoed in cases that criminalize rap itself. At the beginning of rap's mainstream ascendancy, 2 Live Crew's obscenity trial was justified by

the suggestion that the lyrics would promote sexual violence and degradation. Indeed, according to a *Newsweek* article, rap music itself must share the blame for the actual rape of the 'Central Park jogger' (Will, 1990). More recently, rap is understood as terrorist threat or promoting gang violence, regardless of whether there is evidence that the performer engaged in criminal activity. Thus, we see each discursive arena—social science, feminist activism and law—interlocking to establish and reinforce the long-standing cultural construction of Black men as savage, deviant and dangerous.

In relation to other genres, as Richardson and Scott (2002: 181–182) point out:

Violence in music is not by any means limited to rap or gangsta rap. Folk and country music have contained references to murder, killing of police, and domestic violence . . . Yet despite the historical use of violent lyrics, country and folk artists are rarely blamed for escalating murder and domestic violence rates.

For a contemporary example of how some pop music more often escapes critical scrutiny, consider another hit by Maroon 5, 'Wake up Call', which hit #3 on the Adult Top 40 Billboard chart (Billboard, 2008). The lyrics portray the narrator taking homicidal vengeance after a lover's act of infidelity: 'Caught you in the morning with another one in my bed . . . so I had to shoot him dead.' Notably, there has been virtually no criticism, feminist or otherwise, claiming the song justifies domestic violence—in particular, the patriarchal notion that a man is entitled to kill his wife's lover, or is less culpable for this 'crime of passion' (Armstrong, 1993). I want to again suggest that Maroon 5's status as an all-white pop band may protect at least some of their creative expression from being perceived as performative—that is, as having the power to normalize the violence their lyrics appear to celebrate. To be clear, I am not suggesting that critics *should* be targeting the song 'Wake Up Call' as a threat to society, but rather that apparent inconsistencies in identifying 'dangerous' songs may be explained, in part, by the race of the singers, combined with the genre of the music.

Some empirical studies have noted a pervasive negative bias towards hip hop, thus suggesting that feminist fixation on the danger of 'rape culture' in rap simply reflects wider societal views. For example, Fried's (1999) experimental study, which was replicated in 2016, found that participants perceived identical violent lyrics as more dangerous and literal when presented as part of a rap song, rather than a country song (Dunbar et al., 2016). Another study by Fried compared different stereotypes of heavy metal and rap music fans (Fried, 2003). Although participants expressed concern about both groups, rap fans were more likely to be perceived as a threat to society, while heavy metal fans were more likely seen as threats to themselves.

This negative attitude towards rap is also reflected in statements made by celebrities, media pundits and politicians. American actress Ashley Judd has stated, 'As far as I'm concerned, most rap and hip hop music—with its rape culture and insanely abusive lyrics and depictions of girls and women as 'ho's'—is the contemporary soundtrack of misogyny' (Judd and Vollers, 2011: 60). Though a daughter of a country music star, Judd overlooks country music's frequent references to assault, murder and vengeance on a cheating spouse, along with its nostalgic attachment to whiteness and extreme patriotism (Mann, 2008). Miley Cyrus, a white pop star who has dabbled with music and performance

rooted in Black culture, has also passed judgement on what she perceives to be the overtly sexual themes of rap. She explains in an interview that what ‘pushed [her] out of the hip-hop scene’ were lyrics like, ‘Come sit on my dick, suck on my cock’ (Norris, 2017). Again, we see a white celebrity with musical origins in country music feeling entitled to exceptionalize hip hop as a particularly problematic ‘scene’.

Media pundits have also blamed hip hop for anti-social behaviour, including, ironically, anti-Black racism. For example, using blame-the-victim logic, media pundits have pointed the finger at rap to explain a racist incident at the University of Oklahoma. On a chartered bus, fraternity members were recorded reciting a song that repeatedly used the n-word and alluded to lynching African Americans (Morrison, 2015a, 2015b). After Atlanta rapper Waka Flocka Flame cancelled his concert at the university in protest of the scandal, MSNBC co-host Mika Brzezinski condemned the decision as hypocritical. She declared that Waka Flocka Flame’s music was ‘garbage’, and that ‘[His lyrics are] full of N-words, it’s full of F-words. It’s wrong . . . And he shouldn’t be disgusted with them; he should be disgusted with himself’ (Morrison, 2015a). In other words, white university students gleefully employing a hateful slur, and singing about racial exclusion and murder, was equated with a Black musician’s transformative appropriation of the epithet within the broader context of Black subversion of white supremacy.

In a much more influential political context, Katrina Pierson, the national spokesperson for the Trump campaign, capitalized on anti-rap sentiment in an effort to deflect criticism of Trump’s infamous ‘grab her by the pussy’ remark. She suggested that Trump was simply engaged in a private chat, and that the real culprit could be found on the public airwaves:

I find it quite rich that we have Democrats and the left talking about rape culture when they’re the ones backed fully by Hollywood. This rape culture is purported by none other than the entertainment industry, none other than hip-hop music, which you can hear on local radio . . . This is something that Mr. Trump said, who he thought was in private, that came to light for crying out loud as he was a part of that hip-hop celebrity culture.

(Platon, 2016)

In the remarks of both Brzezinski and Pierson, we see the appeal to what Thomas Ross (1990) refers to as white innocence and Black abstraction. Ross (1990: 3) defines white innocence as ‘the insistence on the innocence or absence of responsibility of the contemporary white person’. This discursive move works in tandem with Black abstraction, defined as, ‘the rhetorical depiction of the black person in an abstract context, outside of any real and rich social context’ (Ross, 1990: 6). The white fraternity members are innocent because they were corrupted by Black music, which is said to have normalized the use of the N-word. Trump is innocent because his speech is part of standard male-bonding practice, and significantly, because at that time he was a member of ‘hip-hop celebrity culture’, which Pierson conflates with rape culture. What is fascinating about both justifications is not only that hip hop is abstracted out of the context of art, politics and resistance to the history and prevalence of anti-Black racism—but that it is actually held responsible for white subjects having engaged in what was presented as minor uncouth

behaviour. We can therefore expand Ross's dyad into a triad, by adding to white innocence and Black abstraction the notion of Black culpability—such that when white subjects cross a line from acceptable to unacceptable behaviour in relation to race or sexuality, the blame may be partly or wholly attributed to Black culture.

The construction of hip hop as harmful, dangerous, contaminating and in need of suppression can thus be found across various sectors of society, from legal decisions to celebrity pronouncements, from activists to traditionalists, and from feminists to Trumpians. With this in mind, it becomes apparent that in disproportionately targeting rap and proclaiming its harmful effects, research studies that fixate on misogynist lyrics and feminist criticism against 'rapey' music are not counter-cultural initiatives, but disturbingly mainstream.

Conclusion

This article has compared disparate discourses to examine how social sciences, feminism and the law intersect in deviantizing hip hop culture and rap music. I have suggested throughout that their overlapping assessments reflect a moral panic and engage with governance power. As David Garland (2008) explains, moral panic theory generally describes an episode where a consensus emerges from various sectors of society that a 'new' social practice is morally wrong and harmful. The anxiety generates intense hostility towards the 'folk devils' who are blamed, and is disproportional to the actual harm (if any) of the practice. There is volatility to this panicked social reaction, and it can wane, disappear and reappear under new guises. Garland adds that these panics tend to inspire moral soul-searching, and a claim that the problem is symptomatic of a more pervasive societal ill. My analysis has documented a disproportionate and racialized reaction to rap's supposed dangers, and the construction of rap artists and their fans as folk devils.

While the gangsta rap genre is relatively 'new', the panic can be understood as a reincarnation of earlier trends. As Tibbs and Chauncey (2016: 38) argue, 'prosecuting hip-hop fits within a specific historical paradigm, connected to Slavery, of policing Black speech, based on white psychic fantasies of Black criminal deviance, thereby subjecting Black people to hyper-policing and hyper-criminalization'. Feminist and social science critiques of rap also echo earlier porn panics, which held out hardcore sexual expression as invariably manifesting or promoting violence against women. Feminist discourse also engages in moral soul-searching regarding which music is played or promoted, while positing that misogynist rap lyrics are symptomatic of rape culture. However, while there are some consistent themes in the problematization of rap across the three examined social arenas, they have not produced a unified consensus on rap's meaning or significance. This is why I have instead used the word overlap, instead of consensus, to point to areas of both convergence and divergence.

In the present context, I do not go so far as to suggest that social science and feminist media activists have conscious racist intentions. Nonetheless, their distinct interpretations of lyrics, and disproportionate condemnations of rap artists (especially racialized rap artists), can be seen to intertwine with ethical and epistemic justification for the exceptionalization of hip hop in law. They thus feed legal denials of the artistry and fictionality of rap songs, and fan fears of their corrupting influence.

As I write this, I note that we are in an important moment for the Black Lives Matter movement. The unjust killing of so many Black, Indigenous and racialized people has increased awareness of police brutality and civilian violence, and of the mundane manifestations of white supremacy found in everyday practices and institutions (Funders for Justice, 2020; Gassam, 2020; Sealy-Harrington, 2020). Against this backdrop, it is critical that social scientists, feminist commentators and activists think strategically about which social practices to target—and draw appropriately on the intersectional insights of critical race theorists and Black feminists, if engaging with hip hop. To do otherwise risks demonizing, shaming and protesting an art form overwhelmingly associated with Black expression, in ways that can reinforce the pervasive trope of Black deviance in both the criminal justice system and mainstream society.

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ORCID iD

Ummni Khan  <https://orcid.org/0000-0002-0586-9288>

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Author biography

Ummni Khan is an Associate Professor in Law and Legal Studies at Carleton University. Her research focuses on the construction and regulation of sexual deviance from an intersectional and pleasure-positive perspective.