

Does the Critical Scrutiny of Drill Constitute an Epistemic Injustice?

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In this paper, I look to draw novel connections between critiques of drill and epistemic injustice by addressing the question of whether the critical scrutiny of drill constitutes an epistemic injustice. I argue that these critiques constitute two types of epistemic injustice: testimonial injustice and contributory injustice. We see testimonial injustice in how courts and police do not give credibility to drill artists' testimonies about the storylike nature of their songs, and these credibility deficits are based in racist stereotypes about black criminality and believability. We see contributory injustice in how courts and police, through wilful ignorance, see drill music as violent and criminal rather than expressive and fictional – as drill artists do – which thwarts drill artists' ability to contribute to shared knowledge.

1 What is Drill and How is it Critically Scrutinized?

1.1 What is Drill Music?

Originating in the early 2010s in Chicago's South Side area, drill music is one of many subgenres of hip hop (Masterclass, 2021). Hip hop is an art form originating from predominantly African Americans and Latino Americans in the south Bronx of New York. Inspired by Chicago drill, various countries have developed their own distinctive versions. A popular version is UK drill, which emerged from the council estates of south London, coming to prominence in the mid-to-late 2010s. While UK drill shares many similarities with Chicago drill, it also draws inspiration from earlier British genres such as grime—a style of UK hip hop originating in the council estates of East London known for its dark and energetic sound. These influences have added a distinctiveness to UK drill.

This distinctiveness can be assessed along three important characteristics defining drill: flow, lyrics and production (Masterclass, 2021). The typical *flow*—how the rhythm and rhymes of lyrics interact—of UK drill artists is more expressive than their Chicago counterparts. UK drill artists tend to avoid using auto-tune and favour a more raw, energetic delivery of lyrics. Like Chicago drill, the *lyrics*—words making up the song—of UK drill are often a violent and cold reportage of life in deprived areas. This involves 'taunting rivals in vividly shocking terms, describing the harm that awaits them, and keeping a tally of "scoreboards" as a sign of collective's transgressive capital' (Fatsis, 2019, p. 1302). The *production*—rhythmic ideas defining a song's style (Rory, 2020)—of UK drill differs from Chicago drill insofar as it is more fast-paced. The melodies are darker, and beats are often constructed with 808s and fast tempos—between 138–150 BPM—which are seen in grime music (Digga, 2021; Loski, 2021; Unknown T, 2021).

Before I look at how drill music is critically scrutinized, it is important to clarify my characterization of UK drill. I have outlined three characteristics—flow, lyrics and production—and presented how UK drill music differs from other hip hop subgenres along these lines. I am focusing on the subset of drill with violent lyrics, and when I say ‘drill’ hereafter, I mean this subset. Moreover, when I say ‘driller,’ I mean black male drillers, given that drillers are predominantly black boys/black men, and, in particular, the forms of scrutiny that I examine below are targeted at black male drillers.

1.2 *How Has Drill Music Been Scrutinized?*

Drill music is frequently critically scrutinized by the Met and the system of courts. Central to this scrutiny drill receives from these state authorities is an assumption that drill music causes or is otherwise connected in problematic ways to serious violence.¹ Drill is being interpreted as ‘a form of coded communication among those who commit violent crime or those who might be encouraged to do so’ (Ilan, 2020, p. 998). This assumption is not exclusive to drill music, with the genre’s predecessors—garage, grime, Chicago drill—subject to a similar kind of scrutiny where critics cite its connections to serious violence.

Although we can indeed describe the current critical scrutiny of drill as another iteration of the critical scrutiny of its predecessors, the scrutiny of drill is, as we will see, more severe. I show in the following sections how this has led to harsher levels of censorship and restriction. One reason we might think the scrutiny of drill is more severe could be the rise in digital media and online communications, which has led to a proliferation of online street culture (Ilan, 2020, p. 997). Law enforcement agencies, for instance, can now easily access UK drill videos and more readily interpret drill videos as inciting or glorifying violence, whereas before they would not have seen these videos, which were shared only in offline spaces. Moreover, social media has played a role in catalysing the involvement of drill artists in street conflicts, which has led to political pressure for authorities to act, manifesting itself in at least two ways. First, the censorship and over-policing of drill music by law enforcement agents; second, the use of drill lyrics and videos as evidence in criminal trials. I look at each in turn.

1.2.1 The Censorship and Over-Policing of Drill

Drillers have been subject to censorship in the form of Criminal Behaviour Orders (CBOs), preventing them from associating with certain people, entering certain areas,

1 There are other ways in which drill music might be scrutinized. For instance, it could be that drill does less well than other subgenres of hip hop, such as politically and socially conscious rap, as propaganda that promotes belief in truth and justice (Du Bois, 1926, as cited in Taylor, 2017). This is because the content of drill can sometimes be seen to endorse violence, drug dealing, sexism and misogyny. While the critiques that drill does not do well as propaganda or that drill is deeply sexist and misogynistic are legitimate critiques, this paper solely deals with the critique that drill music causes or is otherwise connected to serious violence. Moreover, the question I investigate cuts across these critiques. There could still be epistemic injustice in drill music that has other negative content.

using social media and performing certain songs. It is a criminal offence to breach a CBO, and this was recently seen in the case of drillers AM and Skengdo, who were given a nine-month suspended sentence for breaching their CBOs. The drill duo performed *Attempted 1.0* (AM 410, 2021), which allegedly incited violence against members of a rival gang; this is despite there being no evidence of gang membership in the lyrics of *Attempted 1.0*.

Drillers are also subjected to iron-fisted and militaristic responses such as stop and search (Fatsis, 2019, p. 1304). A famous episode of the policing of drill is illustrated by how police targeted the shooting of drill rapper *Ballistic's* music video. Three Met officers arrived at the music video with machine guns to hand as a helicopter circled Ballistic and his entourage from above. This was in response to a report of a firearm, but there was no evidence of wrongdoing (Fatsis, 2019, p. 1304). These militaristic responses have been questioned on their efficacy to stop crime, their motivations and their impact on black urban youth.

For instance, debates around the relationship between drill music and youth violence distract us from tackling the real root causes of youth violence. Correcting the root causes would involve tackling 'childhood trauma, undiagnosed and untreated mental health issues, inadequate state provision, deficient parental support, poverty and social inequality' (Youth Violence Commission, 2018, p. 5). Further, these militaristic responses—such as stop and search—are ineffective, and the claim that stop and search is a necessary tactic for crime prevention does not stand up to empirical scrutiny (Stop-Watch, 2021).

Law enforcement's militaristic responses to and the censorship of drill are more severe instantiations of the over-policing of black subcultures. The way in which drill music is targeted, monitored, and suppressed by authorities such as the Met is ineffective for crime prevention and explicitly discriminatory towards young black males. The censorship of drill is often an unjustified restriction on young black people's freedom of expression. It is also counterproductive to the aims of policing drill: the over-policing of drill prevents drillers from using their music to escape poverty; as poverty is a cause of violence, the police are reinforcing the thing they claim they want to reduce. If drillers are having their videos taken down and prevented from performing, this leads to a lack of exposure, and they miss out on opportunities to undertake successful commerce. In Section 2, I will address specifically whether the over-policing of drill constitutes epistemic injustice.

1.2.2 Drill as Evidence

There has been a surge in the number of UK criminal trials using rap/drill lyrics and videos as evidence. Owusu-Bempah analysed thirty appeal judgements reported between 2005 and 2020. She found that in most cases, lyrics are being used as 'evidence of bad character' as opposed to evidence about the actual crime being charged (Owusu-Bempah, 2020). This is the prosecutor's way of proving some issue in the case, such as gang association or an inclination to violent behaviour. In legal terms, evidence of bad character is evidence of a disposition towards misconduct (Owusu-Bempah, 2020). Here, misconduct 'is defined as commission of an offence or other reprehensible behaviour'

(Owusu-Bempah, 2020). Drill is being treated as evidence of a propensity to violent and reprehensible behaviour.

A recent example of a UK trial in which lyrics were used as evidence of bad character is that of East-London driller ‘Unknown T.’ There was no substantial evidence against Unknown T, yet he was still charged with murder following a fatal stabbing at a 2018 New Year’s Eve house party. In an unusual turn of events, the trial judge dismissed the use of rap evidence as weak and prejudicial, which acquitted Unknown T from the charges (Rymajdo, 2020). Nonetheless, the prosecution’s attempt to use participation in drill as evidence of bad character illustrates the trend that Owusu-Bempah identifies.

Furthermore, the lyrics being used in criminal trials need not be recent. This means the prosecution can draw on evidence that is years behind the current trial. Owusu-Bempah gives the example of a video being used as evidence of bad character in which the defendant was 14 at the time of the video, and the trial took place when the defendant was 16. She questions the extent to which the video can accurately represent ‘character or intention or state of mind, or anything, two years later at 16’ (Owusu-Bempah, 2020).

Moreover, defendants only need to have a low level of involvement in drill videos to prove the defendant was part of a ‘joint enterprise’; this permits at least two defendants to be convicted of the same crime (Owusu-Bempah, 2020). A mere gang sign or standing near people identified as gang members is sufficient to confirm someone’s association with that gang, which can then be used to link the same person to a ‘joint criminal venture’ (Owusu-Bempah, 2020).

Owusu-Bempah asserts that the use of rap as evidence is racist; rap is ‘used almost exclusively as evidence against black young men and boys accused of serious offences in urban areas – usually London’ (Owusu-Bempah, 2020). Prosecutors draw from drill videos and lyrics to highlight defendants’ dangerous character, reflecting longstanding stereotypical narratives about black male criminality. For instance, the use of lyrics and videos in joint enterprise cases reflects stereotypes of gang association, particularly how the word ‘gang’ has been racialized to reflect groups of black males.

Furthermore, to take drill lyrics literally and conflate drill personas with actual persons is to treat drill — an art form predominantly constituted by black people — in a way that would be unthinkable to other art forms, such as ‘violent folk, rock or pop’ (Owusu-Bempah, 2020). To single out drill in this way appears to be motivated by racist stereotypes prosecutors use to construct case theories (Owusu-Bempah, 2020). This seems to reinforce the racist notion that black art forms cannot reach the same level of sophistication as these white counterparts (Gilroy, 1988, as cited by Ilan, 2020). In taking lyrics solely as autobiographical confessions, and as providing non-fictional accounts amenable only to ‘realist’ interpretation, drill is being denied the status of art, and drillers are being prevented from creative expression.

Having identified how drill is over-policed and used as evidence in courts, I next explore whether this form of scrutiny constitutes an epistemic injustice.

2 Epistemic Injustice in the Critical Scrutiny of Drill

Recall that epistemic injustice is ‘a wrong done to someone specifically in their capacity as a knower’ (Fricker, 2007, p. 1). There may be various kinds of epistemic injustice, but in

the following, I will be focusing on two kinds in particular: testimonial injustice (characterized by Miranda Fricker) and contributory injustice (characterized by Kristie Dotson). I will outline each notion of epistemic injustice, and the changes required to overcome each (Dotson, 2012). Then, I show how each manifests in the forms of critical scrutiny to which drill is subjected.

2.1 *Testimonial Injustice*

Fricker defines testimonial injustice as occurring ‘when prejudice causes a hearer to give a deflated level of credibility to a speaker’s word’ (Fricker, 2007, p. 1). By prejudice, Fricker means negative identity-prejudicial stereotypes affecting the credibility assigned to a speaker. A negative identity-prejudicial stereotype is:

a widely held disparaging association between a social group and one or more attributes, where this association embodies a generalisation that displays some (typically, epistemically culpable) resistance to counter-evidence owing to an ethically bad affective investment. (Fricker, 2007, p. 35)

In other words, when speakers want to transmit knowledge but the hearer has prejudices, the speaker’s testimony is assigned less credibility in virtue of these negative prejudices.

Dotson gives an example of testimonial injustice by looking at Patricia Williams’ book ‘The Alchemy of Race and Rights’ (Williams, 1991). Here Williams describes an instance of anti-black racism she experienced in an attempt to shop at Benneton’s in SoHo of being denied entry for no apparent reason other than racial prejudice.

Williams experienced the testimonial injustice from the replies she got when telling her experience to others. She was stripped of credibility on many occasions, made to feel like a liar and a person with a ‘diseased mind trying to make all white people feel guilty’ (Williams, 1991, p. 242). The inclination not to believe William’s testimony of racial prejudice is indicative of negative identity-prejudicial stereotypes labelling African Americans, such as ‘paranoid’ and ‘liars’ (Dotson, 2012, p. 27). Hearers who hold these stereotypes face difficulties in assigning credibility to the testimonies of African Americans, such as Williams’ reports of discrimination.

Addressing testimonial injustice requires reform within frameworks where credibility is still authoritative to address the problems of unjustified credibility deficits (Dotson, 2012). We need not change the authority of credibility, but we should make sure people redistribute credibility along more equitable lines. Since testimonial injustice is often, as Fricker describes, a transactional injustice—injustice involving the errors individuals make in their interactions—tackling testimonial injustice often requires addressing these errors of individuals. Do critiques of drill constitute a testimonial injustice?

2.2 *Testimonial Injustice in Scrutiny of Drill Music?*

To show that critiques of drill constitute a testimonial injustice, I would need to show that a) there are deflated credibility assignments, and b) these follow from negative-identity prejudices, in the terms I outlined above.

With regards to a), I think drillers' testimonies are often assigned deflated credibility. Drillers sometimes label their work as fictional, but they are not believed. Other drillers say their music is merely reflective of the unjust circumstances they find themselves in, and rapping about murder does not make them murderers, but they are not believed. Moreover, many drillers make clear that their use of violent lyrics is merely to sell their music, but they are still not believed. This shows how the assumption that drill music inherently causes, precipitates or glorifies crime is at odds with how those within the drill scene view it. Those with the best source of information about the artworks—those in authorial positions—are not believed. We often think that authors are the authorities on their works, but in the case of drill, drillers are not seen as authorities on their art. This starkly shows that condition a) is met. Regarding b), stereotypes about the criminality of black boys and men produce these deflated credibility assignments. The driller is not believed because they are stereotyped by hearers—court officials, police officers and media agents—as violent criminals.²

One might object that the stereotypes involved in the deflated credibility assignments of drillers are not epistemic stereotypes about drillers being less credible or trustworthy (as in Fricker's and Dotson's examples). In the drillers' case, we (at least sometimes) see a non-epistemic stereotype—to do with criminality—deflating credibility assignments. And since the stereotypes of drillers are non-epistemic, one might think we lack the relevant kind of prejudice to establish testimonial injustice.

However, I think the reduced believability of drillers' testimonies makes for an interesting case of testimonial injustice. In the case of drillers, non-epistemic stereotypes about the criminality of drillers (not specifically ones to do with epistemic features like trustworthiness) can also lead to deflated credibility. But they are working in a relevantly similar way—in Dotson's case, the inclination not to believe Williams is indicative of prejudicial stereotypes labelling African Americans as unreliable and paranoid. But here, the issue is that a driller is not believed because he is stereotyped as a criminal, and that is what they are testifying to the falsity of. Other stereotypes to do with epistemic features are likely involved too—for instance, negative prejudicial stereotypes about the believability of black boys and men, which become enmeshed with stereotypes about criminality and violence. So we see a 'double-whammy' of stereotypes about credibility and stereotypes about criminality and violence.

2.2.1 Testimonial Injustice in Criminal Courts

In a recent interview between media personality *Zeze Millz* and *Loski*—a popular south London driller—Loski explains how drill is fictional, claiming that it is 'more like story-telling.' He claims, 'the majority of people doing drill are not even yutes [youth] like that—like it's not even proper road yutes; the yutes that are causing all this violence aren't rapping really' (Centrl, 2020). Crucially, he clarifies that 'Loski is a character,' and his music is his story (Centrl, 2020).

2 The negative identity-prejudicial stereotypes are attached to the social groups black boys and men—see Section 1.1.

When Loski asserts, ‘a lot of people [drillers] are nice guys’, Millz responds in disbelief, ‘are you fucking with me right now?’ (Centrl, 2020). This is despite Loski explaining that his account should be assigned credibility because of his experience coming from these places.

It is not only his interviewer in apparent disbelief: authorities have attempted to use Loski’s lyrics as evidence against him at criminal trials (Owusu-Bempah, 2020). This shows how state authorities take his—and drillers’ more generally—lyrics literally and disregard their testimonies asserting that their lyrics are not reflective of their actions. One plausible explanation for this is that the courts assign a deflated level of credibility to drillers. Despite drillers like Loski highlighting that their violent drill lyrics are not autobiographical, state authorities and the media are reluctant to believe them, taking action as if their drill lyrics are autobiographical. Insofar as this reluctance to believe drillers is fuelled by stereotypes about the criminality and believability of black boys and men, this constitutes a testimonial injustice.

2.2.2 Testimonial Injustice in the Over-Policing of Drill

The restrictions of and militaristic responses to drill are not merely unjustified—they also constitute testimonial injustice: some drillers who are subject to these measures have made it clear that their work is non-autobiographical and a way of ‘getting out.’ For instance, recall AM and Skengdo’s nine-month suspended sentence for breaching their CBOs. Talking about their injunctions and censorship to the BBC, they made clear the fictional nature of their drill. When asked by BBC 1Xtra’s *Twin B* what they want people to take away from their music, AM responds he wants people ‘to appreciate ... the way it’s portraying a story of where we have come from’ (1xtra, 2019). Here, we see how censorious measures have been taken against drillers who explicitly say their work is fictional and reflective of their surroundings, rather than expressions of violent intent or descriptions of crimes.

Moreover, drillers often explain how drill is a means to make it out of the deprived places they come from. However, the ways in which drillers are over-policed stifles their attempts to create a better reality. For instance, popular driller *Digga D* often voices his frustration at the excessive stop and searches he is subject to on his social media accounts and his BBC documentary ‘Defending Digga D’ (Drillnews UK, 2020). Digga D’s lawyer Cecilia Goodwin claims this over-policing is obstructive to ‘the ability of the artist to be creative, to put out music and make money’ (Goodwin, as quoted in Rymajdo, 2020).³

Before moving on to the next section, I want to make some concluding remarks about the scope of my claim. I am not claiming that all drillers present their drill as fictional. Drillers often claim their music communicates fact, not fiction. My claim about

3 It could also be that when drillers’ videos are taken down by the police, they might gain street credibility because they can point to their videos being taken down as evidence of their street authenticity. However, street credibility alone does not put money in drillers’ pockets. If they are having their work censored, taken down and being prevented from performing, they are being prevented from monetizing their perceived street authenticity.

testimonial injustice pertains to the cases where drillers explicitly say that their work is fictional, but still police officers and officers of the court are not believing them.

Perhaps a challenge would be that the people who say their work is non-fiction are sufficiently pervasive that it informs the stereotype of rap artists reporting fact. This might make the default conception of rap artists people telling authentic stories about their lives, so when the drillers say that their work is fictional and are not believed, it is not because of racist stereotypes about criminality, but rather some default assumptions about rap artists that are supposedly empirically grounded. So it is not a testimonial injustice given it is not based in negative-identity prejudices.

We have two explanations for why drillers claiming their work is fictional are not believed. First, testimonial injustice based in racist stereotypes. Second, the Met and prosecutors are not believing these drillers because of generalizations based on the default assumption that drillers are telling authentic stories about their lives. I think both explanations are plausible. However, even if it is the case that sometimes these agents are not believing drillers because of default assumptions about authenticity, this is not incompatible with my view that at least sometimes their inability to believe drillers is based in racist stereotypes. All that is needed to make my claim stick is that, at least sometimes, at least sometimes, assigning deflated credibility to drillers is based in racist stereotypes. Moreover, sometimes the default assumption will itself be based in racist stereotypes (rather than, e.g. acquaintance with statistical data about the fictive components of drill).

Furthermore, the first explanation seems more plausible given the prevalence of racism in UK society and the often explicit and implicit targeting of black art. This can be seen in how rap lyrics can activate bias in potential jurors (Powers, 2015) and the documented institutionalized racism in both the Met and system of courts (Lammy, 2017; Macpherson, 1999). This gives us reason to see the Met and prosecution's deflated credibility assignments based on racist stereotypes, constituting a testimonial injustice.

In this subsection, I have argued that, despite how some drillers view and describe their artistry—fictional, reflective of their surroundings and an opportunity to sell more music—their views are not assigned credibility, and their music is seen as intentionally precipitating violence by state authorities. I have argued that this scrutiny is based in negative-identity prejudices about black believability and criminality, constituting a testimonial injustice.

2.3 *Contributory Injustice*

Dotson defines contributory injustice as when:

an epistemic agent's wilful hermeneutical ignorance in maintaining and utilising structurally prejudiced hermeneutical resources thwarts a knower's ability to contribute to shared epistemic resources within a given epistemic community by compromising her epistemic agency. (Dotson, 2012, p. 32)

Contributory injustice occurs when different hermeneutical resources exist—resources used to understand and communicate experiences—but the perceiver uses structurally

prejudiced or biased hermeneutical resources (Dotson, 2012, p. 32). An agent uses biased hermeneutical resources when resources used are an ill fit for some social groups' experiences of the social world, perpetuating epistemic exclusion of those for whom the resources are an ill fit. In using an inapt set of conceptual resources, the ability of other—often marginalized—people to contribute to knowledge is hindered. Contributory injustice resides within a middle-ground 'between agential and structural perpetuation of epistemic injustice' (Dotson, 2012, p. 31). It is agential insofar as an agent's usage of structurally prejudiced resources can act as a catalyst for contributory injustice, and it is structural insofar as biased hermeneutical resources also act as catalysts for contributory injustice.

An example of a contributory injustice would be where someone insists on using the conceptual resources of 'banter' or 'boys being boys' to describe behaviour that other, less powerful groups (women) are arguing should be described as 'sexual harassment'. Where someone now has the conceptual resources to make sense of her experiences in the workplace, if another person insists on using conceptual resources that do not include 'sexual harassment', the use of the former conceptual resources would hinder women's contributions to shared understandings, as well as preventing them from effectively protesting their experiences.⁴

Dotson asserts that addressing contributory injustice is difficult but possible: it requires not simply adjusting the conceptual resources that one has, but also recognizing the existence of a range of different conceptual resources or shared meanings and the ability to switch hermeneutical resources. Necessary for this ability is to see the limitations of, and see beyond, any set of hermeneutical resources. Does the critical scrutiny of drill constitute a contributory injustice?

2.4 *Contributory Injustice in the Scrutiny of Drill Music*

There are readily available frameworks sufficiently influenced by drillers to adequately interpret their work. These frameworks 'highlight the importance of local knowledge and familiarity with people and places to interpret the threat levels in online communications' (Ilan, 2020, p. 998). The issue is with how these frameworks are being interpreted and whether there is the right uptake for these conceptual frameworks.

We can identify contributory injustice here because multiple hermeneutical frameworks can make sense of violent drill lyrics. Moreover, contributory injustice highlights that the marginalized—which, in this case, are drillers—have the necessary hermeneutical resources to make sense of their violent lyrics, but these interpretations are shunned. This meets the required components of contributory injustice, since agents are wilfully ignorant in maintaining and utilizing structurally prejudiced hermeneutical resources in seeing the music as violent autobiographies. This thwarts drillers' ability to contribute to shared knowledge.

4 This comes from Fricker (2007) and Dotson's (2012) treatment of the Carmita Woods case.

Ilan emphasizes the need for ‘street-literate’ interpretations of violent drill lyrics (Ilan, 2020). Street literacy was developed by Dwight Conquergood (2005) to show how gangs could accurately decipher meanings within graffiti that others could not. Ilan has extended this notion to drill in arguing that state authorities and the media do not properly interpret what is being communicated by drill artists. These agents’ street illiteracy both produce and contribute to ongoing dynamics of suspicion between marginalised black populations and agents of criminal justice, enabling the counterproductive and prejudiced policies seen in the first section.

Where the relevant authorities and parties take drill as a glorification of and precipitation to crime, Ilan suggests this street-illiterate interpretation must be replaced with an understanding of drill’s relationship to violence as ‘complex rather than causal’ (Ilan, 2020, p. 1002). As Kubrin explains, ‘lyrics are discursive actions or artefacts that help construct an interpretive environment where violence is appropriate and acceptable,’ but he emphasizes this does not mean music causes violence (Kubrin, 2005, as quoted in Ilan 2020, p. 1002). A rigorous and informed interpretation of street culture and street expressivity is necessary to understand these lyrics in a non-marginalizing way.

A street-literate interpretation of drill identifies realism—the non-fictional interpretative lens—as just one framework for interpreting drill. Quinn identifies other frames that disrupt this realist frame. For example, drill is filled with braggadocio, where drillers use well-established rhetorical devices to present the persona of the ‘badman.’ Further, it is a popular youth form of entertainment and is heavily fictional. An aspiration to emulate their rap heroes and gain rap recognition to get paid drives drill’s violent content (Quinn, 2020).

For instance, many drillers cultivate an image of street authenticity to sell their music. As Ilan puts it, ‘cultivating a violent reputation ... raises rappers in an economy of street-cultural standing, affirming them as more authentic’ (Ilan, 2020, p. 1004). Drillers know that being perceived as a strong, unwavering and genuine criminal type can cause success in the music business, which generates income. Authenticity is cultivated from violent lyrics, and authenticity, in turn, progresses drillers from violence. Real-world violence is neither necessary for their performative ‘street cool’ nor does it assist in their pursuit of status and income, since engaging in criminal behaviour can stifle professional progress (Ilan, 2020).

Crucially, a street-literate interpretation of drill understands the rhetoric and conventions being deployed. Next, I look at the specific ways in which the over-policing of drill and use of drill as evidence in criminal courts constitutes a contributory injustice.

2.4.1 Contributory Injustice in the Over-Policing of Drill

The censorship and restriction of drill—through injunctions and militaristic responses—constitutes a form of contributory injustice because extreme measures are being used to prevent drillers and those within the drill scene from contributing to shared hermeneutical resources. This is grounded in wilful hermeneutical ignorance, since the police are insisting that drill music is violent and, by doing so, are using structurally prejudiced

resources causing epistemic harm. This injustice is intensified since agents are not just insisting the music is violent and so resisting 'street literate' interpretive resources, but are also using state force to limit drill. This means that important knowledge is not available for the shared hermeneutical resources, such as how drillers' social contexts influence their lyrics. Crucially, the means by which drillers are being prevented from contributing to shared resources is not just via the use of biased hermeneutical resources describe but via the enforcement power of the state—constituting a contributory injustice.

2.4.2 Contributory Injustice in Criminal Courts

The use of drill lyrics and videos in criminal courts constitutes a form of contributory injustice since prosecutors are presenting evidence in street-illiterate ways, such as claiming 'autobiographical confessions to crimes, threats of violence or proof of gang affiliation,' through wilful ignorance (Rymajdo, 2020). These street-illiterate interpretations of drill are based on structurally prejudiced hermeneutical resources. Where those within the drill scene stress the need for familiarity with rap's genre codes, so that they do not conflate a violent musical persona with a driller sitting on the dock, this does not receive relevant uptake by the prosecution and jury members. This prevents drillers from contributing to shared knowledge and therefore constitutes a contributory injustice.

The courts do not give uptake to street-literate interpretations of drill. There are two possible competing explanations for this lack of uptake, both of which constitute wilful ignorance, and therefore contributory injustice. First, the authorities are unaware of these street-literate interpretations. Second, they are aware of these street-literate interpretations but continue to use street-illiterate interpretations. I argue for the second explanation.

On the first explanation, it seems that even if agents are unaware of street-literate interpretations, they still ought to be aware of such interpretations. There are readily available resources explaining the importance of street literacy when evaluating hip hop and its subgenres. And given the consequences of incorrectly interpreting drill lyrics as causing violence—censorship, over-policing and imprisonment—the stakes are very high. This should encourage authorities to avail themselves of these street-literate interpretations, given their responsibilities. Moreover, I am not sure that these authorities are unaware of such interpretations. Rap experts, for instance, are found in courts informing the relevant agents of these better interpretations. For these reasons, I think the second explanation for lack of uptake is most plausible.

On the second explanation, it seems that the relevant agents continue to use structurally prejudiced hermeneutical resources to interpret drill (in the form of street-illiterate interpretations of the genre) despite being aware of less structurally prejudiced hermeneutical resources (in the form of street-literate interpretations of drill). The question arises: 'why do these agents continue to do this?' I think these actions can be understood as an instance of institutional racism. This can be defined as 'processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantages minority ethnic people' (Fatsis, 2019,

p. 1308). When understood as discriminatory actions, such as over-policing, censorship and using lyrics as character evidence, institutional racism becomes 'a prime suspect' in the lack of uptake by relevant authorities and the criminalization of drill.

Where a street-illiterate interpretation insists drill lyrics are literal and autobiographical truth, street-literate readings require a deeper understanding of drill music where stereotypes about black male criminality do not substitute detailed knowledge of street expressivity and street culture. Consequently, these critiques of drill appear to be partly rooted in existing patterns of stereotyping disadvantaged black urban boys and men as violent criminals who lack the intellectual or aesthetic prowess to engage in deep and abstract artistic expression. These sorts of stereotypes involved in testimonial injustice are also at work here, compounding the difficulty for the drillers being believed.

Furthermore, the use of structurally prejudiced hermeneutical resources criminalizing black boys and men blames drillers for promoting the violence they are victims of. Interpreting violent drill lyrics 'as a desired individual lifestyle, instead of an ugly fact of social life' is a useful tool for the state because it criminalizes drillers for the unequal social circumstances they are found in (Fatsis, 2019, p. 1309). However, this wrongly places the responsibility for insufficient public provision onto individuals rather than the state. In utilizing street-illiterate interpretations that emphasize the threat of violent lyrics to public safety, authorities blame black art forms for the state's failure to uphold public safety and wellbeing. This is an effective move by authorities who are reluctant to develop policies improving the unjust social arrangements and conditions of drillers. This victim-blaming also reinforces the racist stereotypes identified in the section on testimonial injustice.

I have argued that the forms of scrutiny to which drill is subject constitute testimonial and contributory injustices. Now I turn to solutions for tackling these specific forms of epistemic injustice.

3 Addressing Epistemic Injustice in the Context of Drill

Addressing testimonial injustice in the context of drill would require changes ensuring that stereotypes do not deflate the credibility assigned to drillers. Tackling contributory injustice in the context of drill requires agents to see the limitations of street-illiterate interpretations of drill and be willing to switch to more street-literate interpretations. I explore strategies for both kinds of change in the following sections.

3.1 *Tackling Testimonial Injustice in Criminal Courts and Over-Policing*

Alison Bailey suggests we can tackle testimonial injustice by pursuing minimal reforms in our interactions with agents to redistribute credibility along more equitable lines (Bailey, 2014, p. 64). For instance, Bailey suggests implicit bias tests can be administered to police officers and jury members to show how prejudiced associations can harm people of colour (Bailey, 2014, p. 64). The idea is to make agents more aware of stereotypes they may hold, and what they must do about it to avoid associations influencing judgements and behaviours. With drill, it seems that making the relevant police and court agents

aware of implicit bias might be an important step towards tackling testimonial injustice in criminal courts and over-policing. For instance, when Met officers are reviewing whether to censor a drill song, or when the prosecution and jury partake in a trial, they could take an implicit association test (IAT)—measuring the strength of associations between concepts—beforehand to measure the extent to which they associate black people with negative-identity prejudices deflating credibility.

However, taking these tests would not be enough—the agents would also have to do something to avoid the associations or undo the stereotypes. Some strategies might include bias reduction techniques, such as implicit bias training. This might involve *implementation intentions*, which are intentions to think counter-stereotypical thoughts in particular contexts (Stewart and Payne, 2008, as cited in Saul and Holroyd, 2017). For instance, the relevant agents might focus on implementations involving the believability of drillers, such as, ‘if a driller explains his drill is fictional, I will think “believable”’. This is a strategy to avoid the associations operating and influencing judgements of the relevant agents.

Bailey’s suggestion for tackling implicit bias is individualistic insofar as they focus attention on correcting individuals’ minds and behaviours. However, such individualistic approaches do not consider the environment in shaping people’s behaviour. Structural approaches, on the other hand, pay attention to the problematic societies forming our problematic associations and prejudices. Instead of fixing our minds’ problematic associations between social groups and negative traits, we fix the environments that form these associations.⁵ Academics often stress the need for structural remedies to injustices, even when the injustices are transactional, like many forms of testimonial injustice. By shifting attention to structural approaches, we tackle testimonial injustice by erasing the stereotypes that deflate credibility. These structural remedies should not be read as competing with individualistic remedies to epistemic injustice, but rather as complementary and necessary to tackle epistemic injustice holistically. For instance, many structural remedies provide the conditions that enable individualistic remedies to work. Moreover, attending to how individual and structural injustices interact, and what is needed to address them, enables deeper analysis of epistemic injustices involved—as I show below when discussing non-standard grammar.

Moreover, Anderson argues that structural forms of testimonial injustice are more prevalent than Fricker acknowledges. For instance, one structural testimonial injustice Anderson identifies is group-credibility deficits (Anderson, 2012, p. 169). Fricker observes that we rely on many credibility markers, some of which are explicitly prejudicial and others having reasonable epistemic uses (Fricker, 2007, p. 71). For instance, education is a marker of credibility and expertise where educated judgement is necessary. Standardized grammar is a sign of education and, therefore, credibility. So, it follows that no transactional testimonial injustice is committed if hearers, where educated judgement is called for, take unstandardized grammar as a marker of a lack of education and, consequently, low credibility.

5 It has been argued that our implicit biases are best targeted by structural reforms, given concerns about the efficacy of bias reduction techniques (Saul and Holroyd, 2017).

However, in societies depriving the disadvantaged social groups of access to a good education, the markers assessing credibility will be exclusionary of those groups. At the source of this is a structural injustice in the denial of fair education opportunities. This structural inequality creates other structural injustices in opportunities for speakers to exercise their full epistemic agency.

We see a similar structural testimonial injustice in the case of drillers, since black people often lack access to a good education and are more likely to be excluded and expelled (McIntyre et al. 2021). Black drillers often lack a good education to begin with, which is compounded by disproportionate rates of exclusion. Therefore, their use of unstandardized grammar could be an effect of these structural injustices. Moreover, where drillers substitute unstandardized grammar for street language or ‘slang’ – coded communication between the street literate — this could be understood as a response to how they are over-policed. By developing a street language utilizing unstandardized grammar, street-illiterate police will not understand what they discuss and might, therefore, leave them alone.

Addressing these causes of deflated credibility requires at least two things. First, addressing inequities in educational opportunity and experiences within education. Second, re-evaluating whether standardized grammar (vs slang) really is a good marker of credibility. On the first remedy, by improving education, perhaps drillers would obtain the necessary credibility markers to make their testimonies believable. Or, at the very least, we should increase the number of scholarships for those from deprived areas to undergo better education. I can imagine this would increase the number of black people in ‘good schools’, improving their credibility markers like standardized grammar. The idea is not to give up on non-standard grammar, since it might be useful. Rather, drillers could have these credibility markers available—using standardized grammar in interviews and courts (if they choose), but non-standardized in music, if they choose. Further, the integration of black people into these spaces would target bias by exposing people to counter-stereotypical exemplars (Saul and Holroyd, 2017).

However, we might think improving the standards of education puts responsibility on black people to get the relevant credibility markers rather than those who discriminate to recognize the stereotypes informing their discrimination. According to the second remedy, we might think there are good reasons not to conform to the dominant markers of credibility, such as standardized grammar, since slang is communicatively effective, in some contexts, and comprises a useful set of hermeneutical resources. Those who hold associations between standardized grammar and credibility should recognize this association can oppress by assuming those using slang are not credible. Therefore overcoming structural testimonial injustice might involve tackling the association between non-standard grammar and credibility. This might be done by educating those holding these associations about the communicative benefits of slang.

3.2 *Tackling Contributory Injustice in Criminal Courts and Over-Policing*

In Section 3.1, I suggested that the use of street-illiterate interpretations of drill substitutes interpretations requiring a deeper comprehension of drill, with stereotypes viewing

black boys and men as violent criminals who are lacking the intellectual abilities to engage in abstract artistic expression. Consequently, actions by criminal courts and the Met utilizing these structurally prejudiced interpretations seem to be partly entrenched in existing patterns of stereotyping. We might, therefore, think reforms addressing stereotypes, as seen in Section 3.1, will go some way to tackling contributory injustice. That is, using measures of implicit bias as individualistic reforms mapping on to problematic stereotypes, as well as structural reforms tackling the very environments in which these stereotypes are formed, might go some way to tackling contributory injustice in criminal courts and over-policing.

In Section 2.4, I also looked at institutional racism as a possible explanation of why the police and courts continue to use street-illiterate interpretations of drill despite often being aware of street-literate interpretations. Where this form of racism is embedded within organizations/institutions, it requires institutional reforms. In the context of drill, this might consist of changes to policies and practices of the police and courts to prevent discriminatory actions.

One such reform in criminal courts might involve altering prosecution lawyers heavy reliance on police officers to decipher rap evidence before trials and on the stand. Police are often erroneous with their interpretations, which are based on their street-illiterate interpretations of drill. Latoya Reisner has compiled a list of cases showing how police and prosecutors ‘cherry-pick lyrics to suit their agenda’ (Reisner, as quoted in [Rymajdo, 2020](#)). For instance, Eithne Quinn describes a case she was instructed in, which involved a drive-by shooting on a moped. Police compiled 100 pages of drill verses and presented two references to drive-bys that the prosecution thought to rely on (Quinn, as cited in [Rymajdo, 2020](#)). These verses, however, were taken from a song that is explicitly described as rider music to get you ‘hyped up’ (excited). These lyrics show it is club music for entertainment purposes and not to be taken literally. This illustrates how prosecution lawyers ask for literal interpretations of drill rather than seeing violent lyrics as generic conventions of the genre.

Altering the prosecutor’s heavy reliance on the police’s decoding might involve contesting the police’s interpretation of drill with that of ‘rap experts.’ These experts ‘comment on the relevance of rap evidence to the crime at issue, write reports and sometimes take the stand’ ([Rymajdo, 2020](#)). So, for instance, where prosecution lawyers want to use lyrics as evidence, they should rely on the interpretations of rap experts, who will have studied the conventions of drill and therefore can offer more street-literate interpretations of lyrics and videos than the police. This addresses contributory injustice by reducing the reliance on biased hermeneutical resources in police interpretations of drill. Crucially, calling upon rap experts instead of the police when decoding drill constitutes an institutional reform aimed at addressing contributory injustice in criminal courts.

To clarify, these rap experts need not recommend that the street-literate interpretation of drill lyrics and videos is always to see them as fictional. Rather, and unlike the police and prosecution, the rap experts will not be motivated to see—or be constrained by a limited understanding of—drill as non-fiction, understood only through a realist lens. Instead, they take a holistic approach—a street literate one that identifies the multiple frameworks, conventions and complexities involved in scrutinizing drill—to see if they

should be used as evidence in criminal trials. Eithne Quinn, for instance, acts as a rap expert. Quinn has written a book on the culture and commerce of gangsta rap, teaches hip hop studies and leads a project on prosecuting rap. Her expertise draws on knowledges of people within the communities that produce the music. Her expertise and interest in rap music make her well placed to contest the realist interpretations of the police and prosecution.

Quinn has found that the police and the prosecution often have greater resources than the defence counsel, who are often unaware of how to access rap experts to scrutinize police's decoding. This creates an inequality, placing more power into the hands of Met officers, whose interpretation is unchallenged. An institutional change targeting this inequality would involve criminal courts providing better resources to the defence on acquiring rap experts. Another change would involve getting the rap experts to approach the defence—instead of the defence needing to approach rap experts—seeing if they need help decoding. This reform addresses contributory injustice by making clear to the court the limitations of street-illiterate interpretations. This challenges biased hermeneutical resources by presenting alternative sets of hermeneutical resources needed to make proper sense of the lyrics involved.

Another kind of institutional reform in criminal courts might involve changing the kinds of evidence that is admissible for incriminating drillers. Using drill as evidence of bad character is highly prejudicial—not seen in other genres—and usually occurs to bolster weak cases. As discussed above (Section 1.2), there has been recent discussions about the unfairness of prosecuting drill by using it as evidence of bad-character, low-level involvement and in relation to joint enterprise convictions (Rymajdo, 2020). By stopping reliance on inappropriate evidence, the prosecution is prompted to use the right hermeneutical resources—not ones relying on racist stereotypes. Using the right hermeneutical resources would mean having a proper understanding of what it means to use certain lyrics, and of the social dynamics involved in the drill scene. Therefore, this reform addresses contributory injustice, since avoiding the use of evidence in these ways avoids courts relying on biased hermeneutical resources.

Regarding both over-policing and using drill as evidence, another institutional reform might require the relevant agents to do fieldwork with those in the drill scene as part of their training. We know that addressing contributory injustice in the context of drill requires that agents see the problems of street-illiterate interpretations and switch to more street-literate ones. To achieve this, the fieldwork required of the relevant agents would involve learning and hopefully adopting street-literate interpretations. For instance, Met officers involved in the policing of drill might undergo training whereby they interact with drillers in educational ways—perhaps going to studio sessions (unarmed)—and discussing drill with videographers, producers and the like. Hopefully, by immersing themselves in the drill scene, these agents learn the conventions of drill with a deeper understanding of street expressivity and how drill is a sophisticated art form. Consequently, this fieldwork would also be a step forward in correcting for contributory injustice in the context of drill.

This is, of course, subject to the drill scene cooperating with police and other agents of the state. Dotson thinks this adds to the difficulty of addressing contributory injustice

since ‘an epistemic community willing to apprentice the perceiver must be located’ (Dotson, 2012, p. 34). And years of oppression and prejudice towards black people and black art forms from state authorities such as the police have created a distrust between the drill scene and state authorities that would make drillers reluctant to apprentice Met officers. It will also require members of the Met to be willing to learn, adopting dispositions of humility about what they do not know. This added difficulty, however, should not mitigate the importance of this reform. Moreover, by interacting in positive ways with drillers, state authorities might begin to build trust between themselves and these communities.

This section has aimed to survey potential routes of response. I have not looked to take a position on which response I think works best, and there might be particular issues with each response. For instance, it might not be efficacious to have officers do fieldwork since being seen cavorting with the police takes away from how drillers present as street authentic. In turn, their station in life might suffer due to being seen as less street credible. While there might be problems with other potential responses, I cannot evaluate which responses work best within this paper, but I think an evaluation of some of the responses I offer here would be fruitful future work.

Conclusion

In conclusion, I have argued that the critical scrutiny of drill constitutes instances of testimonial injustice and of contributory injustice. In Section 1, I characterized drill, and I described how drill has been scrutinized by state authorities such as the police and the courts. In Section 2, I showed that the critical scrutiny by the police and the courts constitutes both testimonial injustice and contributory injustice. In Section 3, I proposed some ways to address testimonial injustice and contributory injustice in the context of drill. My argument shows how attention to the moral epistemic injustices involved in the contemporary reception of drill music can lead not only to a deeper understanding of the nature of its problematic reception but also to practically urgent reforms.

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References

- (2019) BBC 1Xtra. [online] YouTube. Skengdo and AM talk injunctions and censorship. Available at: <https://www.youtube.com/watch?v=lgmobkQeEWU&t=252s> [Accessed 3 July 2021].
- AM 410. (2021). #410 AM - Attempted 1.0 [Music Video] YouTube. Available at: <https://www.youtube.com/watch?v=1wzFXUpOuLQ> [Accessed 3 July 2021]
- Anderson, E. (2012). ‘Epistemic justice as a virtue of social institutions’. *Social Epistemology*, 26, pp. 163–173.
- Bailey, A. (2014). ‘The unlevel knowing field: an engagement with Dotson’s third order epistemic oppression’. *Social Epistemology Review and Reply Collective*, 3, pp. 62–68.

Conquergood, D. (2005), 'Street Literacy', in J. Flood, S. Heath and D. Lapp, (eds), *Handbook of Research on Teaching Literacy Through the Communicative and Visual Arts*. London: Routledge, pp. 354–375.

Digga D (2021). Digga D - Bluuwuu. [Online] YouTube. Available at: <https://www.youtube.com/watch?v=Ob4tChuRFvs> [Accessed 3 July 2021].

Dotson, K. (2012). 'A cautionary tale: on limiting epistemic oppression'. *Frontiers: A Journal of Women Studies*, 33(1), pp. 24–47.

Drillnews UK, (2020). Police harassing Digga D(CGM) for 2 minutes. [Online] YouTube. Available at: <https://www.youtube.com/watch?v=ojTCLS7M1LA>

Fatsis, L. (2019). 'Policing the beats: the criminalisation of UK drill and grime music by the London Metropolitan police'. *The Sociological Review*, 67, pp. 1300–1316.

Fricker, M. (2007). *Epistemic injustice*. Oxford: Oxford University Press.

Ilan, J. (2020). 'Digital street culture decoded: why criminalizing drill music is street illiterate and counterproductive'. *British Journal of Criminology*, 60, pp. 994–1013.

Lammy, D. (2017). Lammy review: an independent review into the treatment of and outcomes for Black, Asian and Minority Ethnic individuals in the Criminal Justice System, Available at: <https://www.gov.uk/government/organisations/lammy-review>

Loski. (2021). Loski - hazards #Harlem/ @Drilloski_hs. [Online] YouTube. Available at: <https://www.youtube.com/watch?v=2hojXQcOVzg>

Macpherson, W. (1999). The Stephen Lawrence inquiry: report of an inquiry by William Macpherson of Cluny. [online] William Macpherson. Available at: <https://www.gov.uk/government/publications/the-stephen-lawrence-inquiry>

Masterclass (2021). Guide to drill music: history and characteristics of drill music. Available at: <https://www.masterclass.com/articles/drill-music-guide#what-is-drill-music>

McIntyre, N. Parveen, N. and Thomas, T. (2021). *Exclusion rates five times higher for black Caribbean pupils in parts of England*. Guardian. Available at: <https://www.theguardian.com/education/2021/mar/24/exclusion-rates-black-caribbean-pupils-england>

Owusu-Bempah, A. (2020). Part of art or part of life? Rap lyrics in criminal trials. LSE British Politics and Policy. Available at: <https://blogs.lse.ac.uk/politicsandpolicy/rap-lyrics-in-criminal-trials/>

Powers, R. (2015). 'The rap bias.' Orange Coast Magazine. [Online] Available at: <https://www.orangecoast.com/features/the-rap-bias/> [Accessed 8 April 2022].

Quinn, E. (2020). London drill, criminal cases, and racial bias. [Online] Available at: <https://london-calling-iaspm2020.com/eithne-quinn-university-of-manchester-uk/> [Accessed 21 April 2022].

Rory, P. (2020). '5 stages of the music production process'. *ICON Music Blog*. [Online] Available at: <https://iconcollective.edu/music-production-process/>

Rymajdo, K. (2020). 'Prosecuting rap: how a UK legal project is fighting the use of rap lyrics in court'. *DJ Mag* [Online]. Available at: <https://djmag.com/longreads/prosecuting-rap-how-uk-legal-project-fighting-use-rap-lyrics-court>

Saul, J. and Holroyd, J. (2017). 'Implicit bias and reform efforts in philosophy: a defence'. *Philosophical Topics*, 46(2), pp. 1–43.

Stop-Watch, (2021). StopWatch research and action for fair and accountable policing. Available at: <https://www.stop-watch.org/>

Taylor, P. C. (2017). *Black is beautiful: a philosophy of Black aesthetics*. Oxford: Wiley-Blackwell.

- Trend Centrl. (2020). The ZEZE MILLZ SHOW: FT LOSKI - 'These Guys Doing Drill Aren't Really Gangsters'. [Online] YouTube. Available at: <https://www.youtube.com/watch?v=78SnPpSBXMo>
- Unknown T., (2021). Unknown T - Driller sh!t. [Online] YouTube. Available at: <https://www.youtube.com/watch?v=dlbpgzLiXK8&t=59s>
- Williams, P. J. (1991). *The alchemy of race and rights*. Cambridge, MA: Harvard University Press
- Youth Violence Commission. (2018). Interim Report, London: The Youth Violence Commission. [Online] Available at: <http://yvcommission.com/interim-report/>. [Accessed 20 July 2021]