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If You Shoot My Dog, I'ma Kill Yo' Cat

An Enquiry into the Principles of Hip-Hop Law

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This article investigates how the law is perceived in hip-hop music. Lawyers solve concrete legal problems on basis of certain presuppositions about morality, legality and justice that are not always shared by non-lawyers. This is why a thriving part of academic scholarship deals with what we can learn about laymen's perceptions of law from studying novels (law and literature) or other types of popular culture. This article offers an inventory and analysis of how the law is perceived in a representative sample of hip-hop lyrics from 5 US artists (Eminem, 50 Cent, Dr. Dre, Ludacris and Jay-Z) and 6 UK artists (Ms. Dynamite, Dizzee Rascal, Plan B, Tinie Tempah, Professor Green and N-Dubz). After a methodological part, the article identifies four principles of hip-hop law. First, criminal justice is based on the age-old adage of an eye for an eye, reflecting the desire to retaliate proportionately. Second, self-justice and self-government reign supreme in a hip-hop version of the law: instead of waiting for a presumably inaccurate community response, it is allowed to take the law into one's own hands. Third, there is an overriding obligation to respect others within the hip-hop community: any form of 'dissing' will be severely punished. Finally, the law is seen as an instrument to be used to one's advantage where possible, and to be ignored if not useful. All four principles can be related to a view of the law as a way to survive in the urban jungle.

1 Introduction

There is a growing interest in the relationship between popular music and the law. Building upon the success of the law and literature-movement,[1] an increasing number of authors investigate how law and popular culture,[2] including music,[3] interrelate. Articles were already written on references to the law in lyrics by musicians as diverse as Bob Dylan, Tina Turner and Bruce Springsteen.[4] It is in this respect surprising that the interest in the interrelationship between hip-hop music and the law is lagging behind.[5] Although hip-hop has become one of the most popular types of popular music, and its lyrics contain frequent references to the law, there has never been a systematic cross-country study of law and hip-hop. This article intends to fill this vacuum by offering an inventory and analysis of how the law is perceived in lyrics of a number of important American and British hip-hop artists.

Although hip-hop has become one of the most popular types of popular music, and its lyrics contain frequent references to the law, there has never been a systematic cross-country study of law and hip-hop

There are at least three ways in which hip-hop and the law can be related to each other. First, and most important in our view, hip-hop lyrics can inform us about an alternative perception of the law. While official institutions such as legislatures and courts express a mainstream view of the law, hip-hop lyrics convey how the law is understood in an influential subculture. In much the same way as the law and literature-move-

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1 For an overview: J. Gaakeer, 'Law and Literature', *IVR Encyclopedia of Jurisprudence, Legal Theory and Philosophy of Law*, available at *http://ivr-enc.info*.

2 See A. Chase, 'Toward a Legal Theory of Popular Culture', *Wisconsin Law Review* 1986, p. 547-563.

3 J. Jaff, 'Law and Lawyer in Pop Music: A Reason for Self-Reflection', *University of Miami Law Review* (40) 1986, p. 659-670; A.B. Long, '[Insert Song Lyrics Here]: The Uses and Misuses of Popular Music Lyrics in Legal Writing', *Washington and Lee Law Review* (64) 2007, p. 531-579.

4 See resp. A. Gearey, 'Outlaw Blues: Law in the Songs of Bob Dylan', *Cardozo Law Review* (20) 1999, p. 1401-1422; G. Minda, 'Phenomenology, Tina Turner and the Law', *New Mexico Law Review* (16) 1986, p. 479-493; A. Smith, 'The Dignity and Humanity of Bruce Springsteen's Criminals', *Widener Law Journal* (14) 2005, p. 787-835.

5 See, however, P. Butler, 'Much Respect: Towards a Hip-Hop Theory of Punishment', *Stanford Law Review* (56) 2004, p. 983-1016; P. Butler, *Let's Get Free: A Hip-Hop Theory of Justice*, New York: New Press; the website *http://hiphoplaw.blogspot.be*. This literature, however, focuses almost entirely on criminal law.

ment claims that reading novels can provide us with a narrative that is missed in a traditional account of the law,[6] listening to hip-hop lyrics helps us to understand how law can be seen differently. Thousands of available lyrics inform us about life in the urban ghettos of today and thus provide information about law in a bottom up way that is otherwise very difficult to access. Put differently: lyrics provide insights that could otherwise only become available through time-consuming sociological or anthropological research.

Second, knowledge about how the law is represented in hip-hop music can be important to understand the behaviour of an individual claimant or defendant. Popular culture in the form of literature, films, television series and music affects a layperson's perception of the law. It thus often adds to the emancipation of the layperson's legal mind in a much better way than the official institutions could ever do. The general audience is for example well aware of the rights it has when being arrested as a result of the many television series and films in which the police actually reads the defendant his or her rights. A better understanding of where individuals derive their legal knowledge from – even if based on false information – can be useful to the judiciary when making decisions.

Finally, hip-hop and the law are related when the question needs to be answered whether lyrics can be admitted as criminal evidence.[7] If lyrics are seen as autobiographical, and thus depict real life events, they can play a role in revealing the criminal intent of the defendant. This use of hip-hop lyrics is commonly accepted in the United States courts. For example, in the case of United States v Foster,[8] the defendant was caught carrying two suitcases full of drugs. The police found a handwritten rap lyric in his bag containing the sentence 'Key for Key, Pound for Pound, I'm the biggest Dope Dealer and I serve all over Town'. This line was accepted as evidence for the defendant's intention to distribute drugs.[9]

Our aim is to investigate whether it is possible to find legal principles immanent in hip-hop lyrics. If the creation of a legal system were left to rappers, what would this system look like and in what way would it differ from existing legal systems?

The focus in this article is on the first aspect. Our aim is to investigate whether it is possible to find legal principles immanent in hip-hop lyrics. If the creation of a legal system were left to rappers, what would this system look like and in what way would it differ from existing legal systems?[10] We do not assume a coherent and largely uniform view of the law in all varieties of hip-hop produced around the world, but we do believe that the artists we selected are representative for the hip-hop movement. After an explanation of our methodology (section 2), we proceed with an identification of the principles we were able to identify in the reviewed lyrics (section 3). Section 4 concludes.

6 See e.g. R. Weisberg, *Poethics: Toward a Literary Jurisprudence*, New York: Columbia University Press 1992.

7 On which A. Dennis, 'Poetic (In)Justice? Rap Music Lyrics as Art, Life, and Criminal Evidence', *Columbia Journal of Law and the Arts* (31) 2007, p. 1-41.

8 939 F.2nd, 445 (7th Circuit, 1991), at 448-449.

9 A fifth possible relation between law and hip-hop is when courts use lyrics in their decisions. Although this to the best of our knowledge did not happen yet with hip-hop lyrics, it is not uncommon in the United States that courts refer to song texts. Long 2007, p. 540 shows that Bob Dylan is the most cited musician in American court decisions (26 times), followed by Paul Simon and Bruce Springsteen. In particular Dylan's probably most famous sentence 'The Times They Are A-Changin' was cited more than once in order to illustrate a changed view of what the law should entail. Dylan was also quoted by Supreme Court judges Roberts and Scalia. In the case Deangelo Bailey vs. Eminem, Michigan Circuit Court judge Deborah Servitto rapped a part of the decision: see *http://lawhaha.com/the-real-slim-shady-is-not-a-michigan-trial-judge*.

10 In this respect, we follow the path set out by Butler, *Stanford Law Review* (56) 2004, p. 1001 ff., who aims to demonstrate how hip-hop informs a principled theory of punishment. Our investigation, however, is broader as we do not limit ourselves to criminal law.

11 See J. Chang, *Can't Stop, Won't Stop: A History of the Hip-Hop Generation*, New York: St Martins Press 2005.
12 See for an overview based on periods: A. Bradley & A. Dubois (eds.), *The Anthology of Rap*, New Haven: Yale UP 2010. A different type of categorisation is offered in the excellent Wikipedia entry on hip-hop music, available at *http://en.wikipedia.org/wiki/Hip_hop_music*.
13 Cf. N.J. Sciullo, 'Conversations with the Law: Irony, Hyperbole, and Identity Politics or Sake Pase?', *Oklahoma City University Law Review* (34) 2009, p. 455-513.
14 C. Molanphy, 'Introducing the King of Hip-Hop', *Rolling Stone Magazine* 15 August 2011. The election was based on album sales, charts, YouTube views, income from touring, Facebook likes, album reviews and awards. It puts Eminem on 1, Jay-Z on 5 and Ludacris on 8. 50 Cent and Dr. Dre are not on the list.
15 Several lists on *www.nme.com* were looked at to get an impression of the popularity of the selected artists.
16 This first check was based on the keywords promise, family, authority, government, police, justice, prison, fairness, judges, lawyers, free speech, jail, refugees, drugs and weapons (and their equivalents in slang).
17 We do acknowledge that the image of hip-hop music is also influenced by non-mainstream artists such as in the United States Blu (Johnson Barnes, born San Pedro, Cal. 1983) and in the United Kingdom Kano (Kane Brett Robinson, born London 1985), but did not consider their lyrics for inclusion in the project.

2 Methodology

Hip-hop music[11] originated in the New York South Bronx in the 1970s and became known internationally through artists like Sugarhill Gang ('Rapper's Delight', 1979), Run DMC ('Walk this Way', 1986), Salt-N-Pepa ('Push it', 1988) and Public Enemy ('Fight the Power', 1989). While these artists are already widely diverse, hip-hop has diversified even further in the last twenty years. Even within mainstream hip-hop music, various styles were developed (including East Coast and West Coast hip-hop and gangsta rap).[12]

Hip-hop as a social movement and a lifestyle (and not only as a form of music) can be best described as being about resistance against the status quo (including the law)

Today, hip-hop is usually associated with best selling American artists like 50 Cent, Eminem and Jay-Z. Adding to the current diversity of different types of hip-hop in the United States are the many national varieties of hip-hop throughout the world. This worldwide expansion turned hip-hop into the second best sold type of popular music. Hip-hop as a social movement and a lifestyle (and not only as a form of music) can be best described as being about resistance against the status quo (including the law).[13] This is already evident from many of the names that hip-hop artists use (such as Public Enemy, Big Punisher, Beastie Boys, Missy Misdemeanor Elliott and OutKast), but it is even more apparent from the controversial lyrics of many hip-hop artists.

The high number of hip-hop artists and their diversity of styles pose a methodological problem. We chose to select the artists for our research on basis of three criteria: their nationality, their influence and the likeliness of the artist making reference to the law. In terms of nationality, we restricted ourselves to artists from the United States and the United Kingdom in view of the importance of these countries in worldwide hip-hop culture. Within the group of artists from the US and the UK, we measured their influence by asking five students (all well-informed about hip-hop music) to make a list of hip-hoppers they considered the ten most influential 'mainstream' artists. Their lists were checked against the (American) Rolling Stone Magazine 'King of Hip-Hop' election[14] and against various listings in the (British) New Musical Express.[15] This was followed by a random check of the extent to which the selected artists' lyrics were likely to refer to the law.[16] This led to the selection of five US artists and six UK artists whom we believe to be representative of today's mainstream[17] hip-hop in their respective countries. These are Dr. Dre (André Romell Young, born Los Angeles 1965), Jay-Z (Shawn Corey Carter, born New York City 1969), Eminem (Marshall Bruce Mathers III, born Detroit 1972), 50 Cent (Curtis James Jackson III, born New York City 1975), Ludacris (Christopher Brian Bridges, born Champaign 1977), Ms. Dynamite (Niomi Arleen Daley, born London 1981), Professor Green (Stephen Paul Manderson, born London 1983), Dizzee Rascal

(Dylan Kwabena Mills, born London 1984), Plan B (Benjamin Paul Drew, born London 1984), Tinie Tempah (Patrick Chukwuem Okogwu Jr., born London 1988) and N-Dubz (a group consisting of Constadinos Contostavlos, born London 1987, Richard Rawson, born London 1987 and Tulisa Contostavlos, born London 1988).

In the next step, we selected the two[18] best selling albums of each of these artists on basis of data of the recording industry.[19] Selected were *The Marshall Mathers LP* (Eminem, 2000), *The Eminem Show* (Eminem, 2002), *Get Rich or Die Tryin'* (50 Cent, 2003), *The Massacre* (50 Cent, 2005), *The Chronic* (Dr. Dre, 1992), *2001* (Dr. Dre, 1999), *Word of Mouf* (Ludacris, 2001), *Chicken-N-Beer* (Ludacris, 2003), *Vol. 2… Hard Knock Life* (Jay-Z, 1998), *The Black Album* (Jay-Z, 2003), *A Little Deeper* (Ms. Dynamite, 2002), *Judgement Days* (Ms. Dynamite, 2005), *Maths + English* (Dizzee Rascal, 2007), *Tongue n' Cheek* (Dizzee Rascal, 2009), *Who Needs Actions When You Got Words* (Plan B, 2006), *The Defamation of Strickland Banks* (Plan B, 2010), *Disc-Overy* (Tinie Tempah, 2010), *Alive Till I'm Dead* (Professor Green, 2010), *Uncle B* (N-Dubz, 2008) and *Love Live Life* (N-Dubz, 2010). The in total 290 songs on the selected albums formed the basis for our investigation.

It is assumed in this article that there is something like a coherent hip-hop lifestyle that is based partly on the experiences of the artists and their relatives and friends, and partly on some idealised hip-hop culture

One methodological problem deserves separate attention. It is likely that when hip-hop emerged in the 1970s, the lyrics reflected real life experiences of the artists. This may no longer be true today, even though all five selected American artists have witnessed gang violence and some of them were in fact arrested (with 50 Cent being notorious for having been a crack dealer as a teenager and being shot three times at age 24). Most of the selected British artists grew up on council estates and Professor Green is known to have sold drugs in Hackney, East London, where he grew up. Although it is tempting to find parallels between the artists' lyrics and their personal life (facilitated by the autobiographies that some of them wrote[20]), we will not attempt to do so. It is assumed in this article that there is something like a coherent hip-hop lifestyle that is based partly on the experiences of the artists and their relatives and friends, and partly on some idealised hip-hop culture. This idealised 'hip-hop nation' means that the lyrics often refer to role models (such as some idealised picture of a gangster, drug dealer or pimp) and are even ironic.[21] Viewed from our perspective, it does therefore not matter if the lyrics do not (completely) reflect real life events or real personal emotions of their authors.[22]

3 Principles of Hip-Hop Law

Introduction

Scrutiny of the 290 songs on the selected albums leads to the identification of four principles of hip-hop law. This does not mean that no other principles exist,[23] but we believe these four are the most important ones. We discuss the principles below. We explicitly choose to incorporate relevant lyrics in the main text. We also refer to lyrics by other hip-hop artists insofar as these are known to us.[24]

3.1 Punishment: an Eye for an Eye

It is commonplace to distinguish between several goals of criminal law. Next to retribution, rehabilitation and protection and education of the offender, (specific and general) deterrence, incapacitation and restoration are among the goals that criminal justice systems seek to achieve.[25] Each country tends to prioritise one goal over another, building the criminal justice system that it considers most in line with its own community values.

The idea that criminal law should aim for social benefits such as crime reduction is not shared in hip-hop lyrics. Instead, the lyrics suggest that the law does not in any way prevent crime

Our analysis confirms the previous findings of Paul Butler that hip-hop denies any utilitarian goals of punishment.[26] The idea that criminal law should aim for social benefits such as crime reduction is not shared in hip-hop

18 UK artist Tinie Tempah released only one album so far, but because of its success it was also included in the sample. In order to reach 20 albums in total, the best selling album of Professor Green was added to the list.

19 For the US artists, data were retrieved from the Recording Industry Association of America (RIAA), available at *www.riaa.com*. Data for the UK are available on the website of the British Recorded Music Industry (www.bpi.co.uk). Sales in our sample range from 10,4 million for Eminem's *The Marshall Mathers LP* to 60.000 for Plan B's *Who Needs Actions When You Got Words.*

20 See Eminem, *The Way I Am*, New York: Dutton 2008; 50 Cent, *From Pieces to Weight*, New York: MTV Books 2004; Jay-Z, *Decoded*, New York: Spiegel and Grau 2011. The British artists also seem to have rapped about their criminal past (see e.g. Dizzee Rascal in 'World Outside' (2007), Professor Green in 'Just be Good to Green' (2010) and N-Dubz in 'Secrets' (2008)).

21 On which N.J. Sciullo, *Oklahoma City University Law Review* (34) 2009, p. 481.

22 We made use of the archives of hip-hop lyrics available at e.g. *http://ohhla.com/all.html* and *www.hiphoparchive.org*.

23 The lyrics contain regular references to racial discrimination and to freedom of expression. As the hip-hop view on this does not fundamentally differ from the mainstream view, we decided not to pay further attention to these.

24 Other artists than those in our sample of 11 are quoted by the title of the song and the year of release.

25 See for a critical reflection upon the goals of criminal law G.P. Fletcher, *Rethinking Criminal Law*, Oxford: Oxford University Press 2000.

26 Butler 2004, p. 1001 ff. See also A.D. Pond Cummings, 'Thug Life: Hip Hop's Curious Relationship with Criminal Justice', *Santa Clara Law Review* (50) 2009, p. 515-546.

lyrics. Instead, the lyrics suggest that the law does not in any way prevent crime. Jay-Z, who often expresses his view of criminal law and the justice system, is not deterred from crime as he makes clear when he raps 'I probably owe it to y'all, probably to be locked by the force / Tryin' to hustle some things, that go with the Porsche / Feelin' no remorse, feelin' like my hand was forced / Middle finger to the law, (…)'.[27] This general insensitivity to the law is also very clear in the lyrics of 50 Cent. In a style that is definitely more aggressive than that of Jay-Z, he makes it clear that the police, the law and possible imprisonment do not deter him from committing crimes. In his song 'Heat' (2003), he states 'I do what I gotta do I don't care if I get caught / The DA can play this motherfuckin' tape in court'. Likewise, hip-hop artists do not seem to believe in the value of restorative justice, such as reintegrating the offender into society. Jay-Z recalls that being sent to prison does not make someone another person because he still has to go back to where he came from: 'For 3 years they had me peeing out of a cup / Now they 'bout to free me up what you think I'm gon' be what / Rehabilitated man I still feel hatred'.[28]

This sceptical view of the educating value of criminal justice can be easily explained. The philosophy of hip-hop culture is that people living in socially deprived areas cannot help committing crimes if this is what they see around them all day and if they have no other way to make an income. OutKast narrates: 'Knowing each and every nigger sellin', but can you blame/ The fact the only way a brother can survive the game'.[29] This is not any different in Britain: in his song World Outside, Dizzee Rascal narrates 'Running around hype and criminal antics fed me for a while / But studio gave me a lot more creative style'. This does not make it right if a poor person sells drugs in order to make an income, but in a hip-hop view of the law it is seen as wrong to punish this person severely.

In addition, one of the most important features of hip-hop lyrics is that the criminal justice system is criticised for being discriminatory against the socially and financially deprived because of the type of conduct that is criminalised. If people feel that prosecution of offenders is based on the wrong criteria, one cannot expect them to show better behaviour after their return from prison. The best-known example of this inequality in the American justice system has long been the Anti-Drug Abuse Act 1986. This statute was meant to fight the use of drugs in inner city neighbourhoods. It put a mandatory minimum sentence of five years on the possession of crack (cocaine mixed with baking soda so that it can be smoked) and an even higher sentence on selling this drug. Users and dealers of powder cocaine received much lower sentences.[30] The result of this was that poor African-Americans in inner cities (typically users of the less expensive crack) were prosecuted and sentenced more heavily than users and sellers of regular cocaine. This led to a much-criticised 100 to 1 ratio: crack users were likely to be punished 100 times more heavily than powder cocaine users. In 2010, the punishment regime was changed under the new Fair Sentencing Act, which reduced the disparity to 18 to 1. This bias against certain types of drugs use, leading the police to act primarily against young African-Americans,[31] has not gone unnoticed in hip-hop circles.[32] Already in 1988, KRS-One noted that 'In society we have illegal and legal / We need both, to make things equal / So legal is tobacco, illegal is speed / Legal is aspirin, illegal is weed'.[33] A bias against African-Americans is also mentioned in Jay-Z's song '99 Problems' (2003), in which the portrayed young male is pulled over by the police because he 'was doing fifty-five in a fifty-four', a speed zone that does not exist but that can be seen as a hyperbole for being prosecuted for a wrong that was not really committed.

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If criminal law does not serve to prevent people from committing crimes and successful reintegration in society is not likely, then what is the goal of punishment in a hip-hop view of the law? It seems that simple retribution is the only true justification for punishing criminals: the justice system is there to offer a proportionate response to the offense.[34] This principle of 'an eye for an eye' can be discerned in many lyrics. One prominent example is in Jay-Z's 'Justify My Thug' (2003): 'If you shoot my dog, I'ma kill yo' cat / Just the unwritten laws in rap – know dat / For every

27 'Dirt Off Your Shoulder' (2003). In the song '99 Problems' (2003), Jay-Z remarks: 'In my rearview mirror is the motherfucking law.'
28 'Threat' (2003).
29 'Mainstream' (1996), quoted by Butler 2004, p. 1005.
30 Anti-Drug Abuse Act 1986. See Butler 2004, p. 988 and D.A. Sklansky, 'Cocaine, Race, and Equal Protection', *Stanford Law Review* (47) 1995, p. 1283-1322.
31 And also leading to a disparity in prison population: statistics show that 50% of imprisoned men in the United States are African-American, while only 12% of the American population is black.
32 Cf. Public Enemy, 'Fight the Power' (1989): 'You see one in every 100 Americans are locked up / One in every 9 black Americans are locked up.'
33 'Illegal Business' (1988), quoted by Butler 2004, p. 1008.
34 See M.J. Fish, 'An Eye for an Eye: Proportionality as a Moral Principle of Punishment', *Oxford Journal of Legal Studies* (28) 2008, p. 57-71.

action there's a reaction'. Grammy Award winner Nelly also reminds us of this law of biblical and Islamic[35] retaliation: 'if you take a life, you gon' lose yours too'.[36] It seems that hip-hop artists eagerly accept it as morally correct that criminal behaviour should be punished with a sentence identical to the offense. A harsh sentence for an offense seen as discriminatory (such as possession of crack) is not regarded as proportionate. This emphasis on retaliation also means that it would be wrong to state that in hip-hop criminal justice is held in low esteem simply because criminals are against any prosecution. Prosecution is needed, be it for another reason than is accepted in most official jurisdictions.

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3.2 Self-Justice and Self-Government

A second principle of hip-hop law consists of self-government and the desire to take the law into one's own hands (self-justice). When we discussed the principle of retribution, it was still left open *who* would retaliate: the official State institutions or the victim itself. The lyrics consistently show a preference for the latter: they tend to describe how hip-hop characters counterstrike against those who attack them as a form of *street justice*. The aim of this is to get even and ultimately to prevent a person from being victimised again. The reasonable limits of self-defense as defined in national jurisdictions are not respected. Thus, the character portrayed in Dr. Dre's 'Let Me Ride' (1992) arms himself to protect him against others carrying weapons: 'I got my Glock cocked cuz niggaz want these / Now soon as I said it, seems I got sweated / By some nigga with a TEC-9 tryin' to take mine / Ya wanna make noise, make noise'.[37] In the autobiographical song 'Many Men (Wish Death)', 50 Cent relates: 'Hommo shot me, three weeks later he got shot down / Now it's clear that I'm here, for a real reason / 'Cause he got hit like I got hit, but he ain't fucking breathing'. The song refers to 50 Cent being shot in May 2000 by Darryl 'Homicide' (or 'Hommo') Baum. Three weeks later three gunmen killed Darryl Baum himself. Ludacris also makes clear what to expect when being harassed: 'Just keep on pissin' me off, like a weak kidney / And you will find your family reading your obituary'.[38]

A second principle of hip-hop law consists of self-government and the desire to take the law into one's own hands (self-justice)

British rappers are eager to confirm the importance of taking the law into one's own hands. When Professor Green raps about life being tough and children living on council estates using weapons from a young age to protect themselves, he states: 'It's blitz amidst the strife here, got kids with sticks and knifes here / It's hype here, we know no different prick; it's just life here, life the way we know from young the way we're shown'. Plan B's song 'No Good' (2006) is one long warning not to use violence against the main character to avoid any counterviolence: 'Don't fucking cross my line, yo / I'll hit you so hard your arse will hit the floor in Cairo / I know how to take your life and make you die, yo / So watch your fucking step and where you place your fucking eyes bro'. The need for self-protection is also evident from Dr. Dre's song 'Forgot About Dre' (2000). In Compton, Los Angeles ('the home of drive-bys and ak-matics, swap meets, sticky green, and bad traffic'[39]) violent crime occurs more often than in average California. This leaves Dr. Dre reluctant to give up his weapons: 'Now you wanna run around and talk about guns, like I ain't got none / What you think I sold 'em all?'

It is obvious that the principle of self-justice follows from the feeling among rappers that the law does not sufficiently protect them

It is obvious that the principle of self-justice follows from the feeling among rappers that the law does not sufficiently protect them. This is not only the case because they feel that the State does not want to protect them in the same way as other people are protected, but also because their aim in life is to become rich at any cost and preferably without being 'harassed' too much by the government or the

35 Exodus 21:23-25 and Qur'an 2:178.
36 'Nellyville' (2002).
37 A Glock is a popular Austrian-made handgun, a TEC-9 a semiautomatic handgun produced by the American company Intratec.
38 'Get the Fuck Back' (2001).
39 Dr. Dre, 'Still D.R.E.' (2000), referring to drive-by shootings, AK-47 automatic rifles, forced sexual intercourse in prison, weed and traffic in low quality drugs, respectively.

police: many lyrics narrate how the ultimate goal of drug dealing and committing other crimes is to gain wealth. The title of 50 Cent's album (2003) and film (2005) *Get Rich Or Die Tryin'* already reveals this desire. There is an inconsistency here with what we previously encountered as a justification for criminal behaviour, namely that it is needed in order to survive.

Hip-hop not only questions the ability of courts to reach fair outcomes in concrete cases. Also criticism of the judiciary and of other official institutions is a recurrent theme. In 'Fuck Tha Police' (1988), Dr. Dre's former rap group N.W.A. (Niggaz Wit Attitudes) describes a fictitious case against the police department in an especially designed 'N.W.A. court': 'Right about now N.W.A court is in full effect / Judge Dre presiding in the case of N.W.A versus the police department'. Also the national parliaments are not seen as representing the interests of the least privileged in society. In particular Eminem is known for being outspoken about the failure of democracy. The aim of rapping about the U.S. Congress is 'to spit liquor in the faces of this Democracy of Hypocrisy'.[40] Ms. Dynamite directly addresses the British Prime Minister: 'How much hundred seats in parliament / It's so unfair but so clear / Don't none of them represent me / And ain't one of them represent my peers / And it don't matter who we vote for, nor who gets in / The poor keep dying and the rich keep living / Mothers keep losing their children to the system / They stay strong while we remain victims'.[41] Also Dizzee Rascal raps about the failures of government. In the song 'Dirtee Cash' (2009), he asks the government if it has any solution to end the possession of guns, use of drugs and prostitution: 'Everywhere I go, there's a girl on the corner / Guns and drugs got the city like a sauna / And its getting warmer and out of order / Turn a poor struggling mother to a mourner / Mister politician, can you tell me the solution / What's the answer, what's the conclusion'.

Criticism of the government often goes together with criticising the tax system. This is a popular theme among English rappers. In the song 'Work Work' (2008), N-Dubz raps that many families are left with very little money and are unable to afford food: 'See me I scream for the scrape my taxman rape / Government wonderin' why we show hate / When there's kids sayin' mummy I'm starving, hungry, need food in my tummy / Mammas crying out loud now, cos' she don't got no money'. However, unlike their American counterparts, English hip-hop artists seem to keep faith in the power of institutions to remedy these problems. Plan B for example criticises the government for the lack of facilities available to the youths: 'It's ironic don't you think, that 5 years back the same cats are now on crack / They didn't even used to drink, now they're the missing links / In the world of wasted talent could have been great, now they're just making up the balance / Musicians, artists, writers, authors, gymnasts athletes footballers / Bare peeps I used to know that could've turned pro, now the only game they play is the one on road / Whether it be drug pushin', shoplifting or prostitution, some sort of institution seems like the only solution'.[42]

Perhaps the most important principle of hip-hop law is to respect others within the community

3.3 Respect: No Dissing

Perhaps the most important principle of hip-hop law is to respect others within the community. While there is virtually no need to take into account the interests of society as a whole or of (people in) other segments of society, there is a high standard of respect to be paid vis-à-vis others in the 'hip-hop community'. The threshold for being disrespected, or *dissed*, is relatively low: rappers feel insulted in an earlier stage than an average person. Any infringement on somebody's reputation or pride cannot be tolerated. Dr. Dre's song 'Fuck Wit Dre Day' (1992) is one long message to the outside world that he should not be disrespected: 'Now understand this, my nigga Dre can't be touched (…) Cause when you diss Dre you diss yourself, motherfucker'. This concern with disrespect is to be found in a wide variety of lyrics, including those of Ludacris ('Want to disrespect give me your neck / And I'll put a knife on it'[43]) and Jay-Z ('No disrespect to you, make sure your word is true'[44]).

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There are various ways to earn respect. One is to make money, but it seems even more important to do so by breaking the law. The lyrics

40 'White America' (2002).
41 'Mr. Prime Minister' (2005).
42 'Missing Links' (2006).
43 'Cold Outside' (2001).
44 'Politics As Usual' (1996).

suggest that the more one engages in criminal conduct and contributes to one's street credibility ('street cred'), the more respect one deserves. This is not surprising in view of what was seen in the above: breaking the law is a legitimate form of revolting against the status quo.[45] This also explains why hip-hop lyrics are sympathetic to prisoners.[46] It is not difficult to see the importance of gaining and enforcing respect within the community: if one does not feel treated as a human being by the regular State institutions, one needs to find alternative ways of recognition. The obligation not to disrespect others in the hip-hop community is one of these: it partly replaces the 'normal' human dignity one is entitled to vis-à-vis the State and anyone else.[47]

Although respect has a very broad scope, it is possible to refine it based on sociological research carried out within street gangs active in American cities.[48] The lyrics confirm the results of this research that one of the main principles is honesty and the need to keep one's word. One example from a Jay-Z lyric was given above, but many other examples exist. Another main principle is not to badmouth someone, or say bad things about someone behind his back, reflecting a high level of loyalty to others within the community. If Dr. Dre feels his reputation and pride are affected by somebody else, his reaction is clear: 'Oh, don't think I forgot, let you slide. Let me ride, just another homicide'.[49] In a mainstream perception of law, murder as retaliation for an oral insult may be disproportionate, but not so in hip-hop law in which 'dissing' is one of the most severe crimes imaginable.

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Another illustration of the importance of not dissing others can be found in the absolute prohibition of snitching. To provide information to the police is seen as unacceptable, even if this means that one will be jailed for the rest of one's life. Or, as Jay-Z states: 'I will never tell, even if it means sittin' in a cell'.[50] In Jay-Z's 'A Week Ago' (1998), the main character's partner starts 'dropping names' to the police: 'I'm mad at myself cause I didn't spot the weakling / I would've bet the house you wouldn't speak a thing'. The consequence of this equates to being banned from the community: 'The labelling of a snitch is a lifetime scar / You'll always be in jail nigga, just minus the bars'. This lesson was well understood by the female rapper Lil' Kim (Kimberly Denise Jones, born New York City 1974), who served a one year-prison sentence for perjury after having lied to a federal jury about the involvement of a friend in a shooting in Manhattan in 2001.[51]

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3.4 Instrumental Use of the Law

The final principle of hip-hop law discussed in this paper is about the way in which the law itself is used. Hip-hop does not see the law primarily as protecting essential community values and norms (guaranteeing the rule of law), but much more as a means to an end.[52] The lyrics even suggest very clearly that this 'end' is some personal benefit: the law should be used to profit from when it is to one's advantage, but can be easily ignored in any other case.

We have already seen many examples of disobeying the law. Examples of lyrics in which the law is used to the advantage of the portrayed person are provided by Eminem. In the partly autobiographical song 'Without Me' (2002), he victoriously shouts: 'I just settled all my lawsuits, fuck you Debbie!' Eminem here refers to the lawsuit filed by his mother, Debbie Mathers, who sued him for a total amount of 11 million dollars in reputation damages.[53] Another case in which Eminem shows his faith in the legal system, and feels good about the law when it is on his side, is in 'Hailie's Song' (2002). He just won the case regarding the custody of his daughter and states: 'My baby's travelled back to the arms of her rightful owner'. Rappers also enthusiastically invoke their rights when being halted

45 Cf. Butler 2004, p. 997-998, who defines this as a 'glorification of outlaws'.
46 See also Butler 2004, p. 1002, who quotes Angie Stone ('Brotha', 2001): 'To everyone of y'all behind bars / You know that Angie loves ya.'
47 On the philosophical origins of human dignity: P. Lee & R.P. George, 'The Nature and Basis of Human Dignity', *Ratio Juris* (1) 2008, p. 173-193.
48 Cf. M. Knox, *Gangsta in the House*, Houston: Momentum Books 1995.
49 'Fuck With Dre Day' (1996).
50 'Justify My Thug' (2003).
51 See J. Vineyard, 'Lil' Kim found guilty of lying to Grand Jury', *MTV News* 17 May 2005, available at *http://www.mtv.com/news/articles/1498251/lil-kim-convicted-perjury-conspiracy.jhtml*.
52 See on this distinction e.g. B.Z. Tamanaha, *Law as a Means to an End*, Cambridge: Cambridge University Press 2006. See also Butler 2004, p. 990.
53 Case 1999-003915-NZ Mathers, Briggs D vs. Mathers, III, Marshall B DMD and case 2000-003366-NZ Mathers, Briggs D vs. Mathers, III, Marshall B DMD. Information retrieved via *http://macombcountymi.gov/pa*.

by the police, revealing a sophisticated level of knowledge about the law's practical implications. In Jay-Z's '99 Problems', the main character is driving around with 'raw' (slang for uncut heroine or cocaine) in the trunk of his car when being halted for speeding by the police: 'License and registration and step out of the car / Are you carrying a weapon on you, I know a lot of you are / I ain't stepping out of shit, all my papers legit / Well, do you mind if I look round the car a little bit? / Well my glove compartment is locked, so is the trunk in the back / And I know my rights, so you gon' need a warrant for that'. When the officer asks him whether he is some kind of lawyer, Jay-Z replies: 'Nah, I ain't pass the bar, but I know a little bit / Enough that you won't illegally search my shit.'[54]

It is interesting to see that the mainstream view of the law becomes more prominent when rappers grow older and richer. They were critical of the law when they still lived 'in the hood', but this changes with growing wealth and the potential to make use of the law in the way that suits them best. In Jay-Z's 'A Week Ago' (1998), the main character raps: 'Seventeen and I'm holding on to around a mill / I could bail out and blow trial and come around on appeal.' Although the song's hero is only seventeen, he already has a million dollars and can hire a good lawyer and post bail. After that he can just 'blow trial', meaning that he will not appear for his scheduled trial date, and win the case on appeal. Eminem also realises the value of the law for the rich: in 'Saying Goodbye To Hollywood' (2002), he raps: 'I just sold two million records, I don't need to go to jail / I'm not about to lose my freedom over no female.' Dr. Dre is even more explicit: years after his first album 'The Chronic' (1992), he suggests that violence is no longer for him, so he will not challenge a new generation of outlaws and be a family man instead.[55]

4 Conclusions: A Law to Survive in the Urban Jungle?

The aim of this article is to offer an inventory and analysis of how the law is perceived in a representative sample of hip-hop lyrics. Our analysis shows that four main principles would be part of a legal system designed by hip-hop artists. First, criminal justice is based on the age-old adage of an eye for an eye, reflecting the desire to retaliate proportionately against any offense. Second, self-justice and self-government reign supreme in a hip-hop version of the law: instead of waiting for an inaccurate community response, it is allowed to take the law into one's own hands. Third, there is an overriding obligation to respect anyone else within the hip-hop community, meaning that any 'dissing' is not allowed and will be severely punished. Finally, the law is seen as an instrument to be used to one's advantage wherever possible and to be ignored if not considered useful.

If we look at the law as a way to survive, setting and enforcing norms that allow people to make a living and to be protected against crime, the absence of this type of protection prompts the need to survive in another way. The four principles reflect this

The question remains what overall view of justice the lyrics reflect. We believe that Professor Green is a keen observer of the philosophy underlying the four principles. In his song 'Jungle' (2010), he raps that there is no point in being a law-abiding citizen in a city in which it is all about the survival of the fittest by preying on the weak. He sings that particularly on council estates people act like animals and stab, shoot and beat each other. 'I see no point in living life that right, so I just take what I can find (…) Welcome to Hackney, a place where I think somebody's been playing Jumanji[56] / A Manor where man are like animals, an' they'll yam on you like they yam on food / Cats with claws that'll stab a yout', act bad an' catch a slap or two'. His American colleague 50 Cent also refers to a jungle-like society: 'So chances are, I'ma have to blast me a nigga / I'm on that kevlar vest shit, that wild wild west shit'.[57] If we look at the law as a way to survive, setting and enforcing norms that allow people to make a living and to be protected against crime, the absence of this type of protection prompts the need to survive in another way. The four principles reflect this: they come to the surface in the absence of laws that are State enforced and regarded as fair by the community. In this respect, hip-hop law shows an interesting parallel with societies in which there is no effective government control to be relied upon by the citizens. The norms prevailing in the American Wild West

54 See also e.g. 50 Cent's 'High All The Time' (2003).

55 See already the song 'Bang Bang' (2000) as well as S. Michaels, 'Dr Dre says Detox will be his final album', *The Guardian* 23 November 2010, available through *www.guardian.co.uk*.

56 *Jumanji* refers to the 1981 children's book, 1995 film and 1996-1999 television series about a magical board game that implements animals and other jungle elements as the players are playing the game.

57 'I'm supposed to die tonight' (2005).

offer an example. This 'Code of the West' entailed that one could violate any State laws as long as one upheld the unwritten Code among cowmen. Violation led to the grave sanction of becoming an outcast and, as a consequence, a lesser chance to survive.[58]

Seen from this perspective, each of the identified principles contributes to survival in a lawless community (or one that is experienced as such by its inhabitants). This needs little explanation for the principles of an eye for an eye and of self-justice, but also the high degree of respect due to fellow community members adds to one's survival: it helps to create a closer community of people one can unconditionally trust. In a society without enforced State law, there is a need to replace the law with clear indicia of a person's good will: not dissing anyone can be seen as such. The fourth principle is not consistent with a mainstream view of the law, but it can also be readily explained out of the need to survive in the urban jungle: the use of the law to one's advantage is not based on some moral consideration, but simply on the fact that one profits from it.

58 See R.F. Adams, *The Cowman & his Code of Ethics*, Austin: Encino Press 1969. Also substantively, the Code in part resembles our principles by emphasising the importance of honesty (your word is your bond) and loyalty.