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## Conference Highlights: Reflections of a Law Student from the Hip Hop Generation

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## Conference Highlights: Reflections of a Law Student from the Hip Hop Generation

# REFLECTIONS OF A LAW STUDENT FROM THE HIP HOP GENERATION

By Shailee Diwanji<sup>1</sup>

For an immigrant on the outside looking in, America is bright, shiny, new, and full of optimism. America is the pot of gold at the end of the rainbow, brimming with hope and potential. It is, however, the pot of gold he will never find. Many immigrants in this country were forced to choose between the lesser of two evils – corruption and oppression in their country or a muted version of it here in America. Today, unfortunately, America is still a land where an African American medical student is pinned to the ground for the crime of driving a Mercedes and where a prominent African American United States Attorney is charged with a crime he did not commit. To many, equality under American law is a distant dream. They call it “the new slaveocracy.” “Slavery was not abolished, it was polished,” they say. These are radical proclamations. However, considering ‘colored’ persons account for nearly two-thirds of America’s prison population, the slogans lose some of their radical luster. At the very least, dialogue is necessary. The international language of Hip Hop facilitates that dialogue through a remarkable amalgam of sound and engineering.

Paul Butler, Dean and Professor of Law at George Washington University, addressed the intimate connection between Hip Hop and the criminal justice system in his Keynote Presentation at this year’s *Roots and Reality II* symposium. “Hip hop is political,” he said, “but it is not united on any issue except for its critique of the criminal justice system. America has used prison promiscuously. Today, there are more black men in prison than in college. Prison has lost its deterrent effect.” Hip Hop proffers three main ideas that form the foundation on which our criminal justice system should be built. First, people who harm others should be punished. Second, criminals deserve love and respect. And third, communities are destroyed by crime and by punishment. Given this foundation, it follows that judges, when sentencing, should consider the effect of a sentence on other people in the community, just like prosecutors do before indicting a corporation.

Hip Hop, through its music, has broken barriers of silence and started a dialogue on these vital issues. Hip Hop is, however, not free of criticism. So that its creators may earn “street cred,” misogyny and hyper masculinity is pervasive in Hip Hop. Perhaps as a result, a black man is fourteen times more likely to be shot and a black woman is thirty-five percent more likely to be physically assaulted. On the other hand, Hip Hop is not so different from other popular culture. Do we not see the same kind of misogyny and hyper masculinity in movies, sports, and military culture too? *Roots and Reality II* juxtaposed the game-changing power of Hip Hop with its untenable misogyny. It offered a unique and interactive way for us students, die hard members of the Hip Hop generation, to participate in this revolutionary, no, “resolutionary” dialogue about equality under the law.

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## Endnotes

<sup>1</sup> Shailee Diwanji is a first year student at American University Washington College of Law (WCL) and is a staff writer for *The Modern American*. Shailee attended the first Hip Hop Law Conference hosted at WCL, “Roots and Reality II: Hip Hop, Law, and Social Justice Organizing,” on April 13, 2011. The event was hosted by the WCL Chapter of the American Constitution Society, the WCL Chapter of the National Lawyers’ Guild, Students United, WCL’s Criminal Law Society, and HBO’s Division of Corporate Social Responsibility. The event was co-sponsored by *The Modern American*, the Marshall-Brennan Constitutional Law Project, the Lambda Law Society, D.C. National Lawyers’ Guild, the national chapter of the American Constitution Society, and WCL’s Journal on Gender, Social Policy and the Law.