

Dissident Sound:
Power, Containment, and Beyoncé's *Lemonade*

by

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Introduction

*The United States is, at bottom, a former slave economy that still counts on and factors in the exploitation and colonization of nonwhite labor. This is especially true in the arenas of cultural labor.*¹

José Esteban Muñoz
Disidentifications (1998)

The American music industry, like the rest of the economy, is founded on the exploitation of Black labor. The origins of the recording industry and of music as a commodity are rooted in “the colonization of black music by the American industrial apparatus.”² From the blues recordings of the 1920s and 1930s, through the jazz era, the birth of rock ‘n’ roll, the golden age of hip-hop/R&B, and up to the present moment, white people have consistently capitalized on Black labor.³

The unethical expropriation of copyrights from Black musicians by white industry executives and white-controlled labels is well-documented historical territory. With the rise of the sample licensing economy, the ethical debate over who should own the copyright or have access to a composition or a recording took on a new dimension. Not only were royalty payments increasingly at stake, but the control of access to samples by (non-Black executives at) copyright-holding record labels— notably Bridgeport Music, who duped George Clinton out of his entire catalog and

¹ José Esteban Muñoz, *Disidentifications: Queers of Color and the Performance of Politics* (Minneapolis: University of Minnesota, 1998), 43.

² Jacques Attali, *Noise: The Political Economy of Music* (Minneapolis: University of Minnesota, 2014), 103.

³ Norman Kelley, *R & B, Rhythm and Business: The Political Economy of Black Music* (New York: Akashic, 2002), 12.

then went on a courtroom crusade against sampling artists—represents the enactment of a meta-containment of sound within the narrative flows of American culture.⁴

Author Josh Kun writes that “when we talk about music in America, and music’s role in shaping American identities and American meanings, we should be thinking of music in terms of the differences it contains, the differences it makes audible, not the unities or harmonies it can be used to fabricate.”⁵ The key word here is fabricate. Culturally significant commodities, like those produced by the music industry, play a central role in constructing the way that people understand social relations, and when they fabricate harmonies, then important inequities, tensions, and conflicts become erased. For Roland Barthes, this is the function of myth: “Myth does not deny things, on the contrary, its function is to talk about them; simply, it purifies them, it makes them innocent, it gives them a natural and eternal justification, it gives them a clarity which is not that of an explanation but that of a statement of fact.”⁶ What this produces for Barthes, among other effects, is a dominant narrative of a “*fabricated...quality of colonialism.*”⁷ To extrapolate from this, it is an essential function of the ruling social stratum of America: to deny, erase, and *reify* its use of exploitation and violence, through myth. To push this even further, I must point out that one of the intrinsic properties of structural racism is that white supremacy must deny its own existence, while simultaneously, to ensure its own survival, white

⁴ Kembrew McLeod and Peter DiCola, *Creative License: The Law and Culture of Digital Sampling* (Durham: Duke University Press, 2011), 93.

⁵ Josh Kun, *Audiotopia: Music, Race, and America* (Berkeley: University of California, 2005), 21.

⁶ Roland Barthes, *Mythologies* (New York: Hill and Wang, 1972), 143.

⁷ Barthes 143.

supremacy must fabricate historical narratives that qualify, justify, or deny the historical realities of enslavement, genocide, and colonial violence that white people have perpetrated and perpetuated.⁸ Importantly, this is also true of patriarchal hegemony; look at how vehemently the state has fought against women's reproductive rights, equal pay for equal work, and historically, suffrage, while employing specious arguments about the inherent inequality of bodies and the will of god.

The following are several examples that show how the state and the media collude to rationalize, reinforce, and reify racism. First, think of the discrepancies between how the mass media portrays murderers of different ethnicities. A 2014 report from the Sentencing Project states that

many media outlets reinforce the public's racial misconceptions about crime by presenting African-Americans and Latinos differently than whites — both quantitatively and qualitatively. Television news programs and newspapers overrepresent racial minorities as crime suspects and whites as crime victims.⁹

Dipannita Basu expounds on and amplifies this fact: “when a Black person kills a White person, they are offending against more than the victim; they are challenging White control of social order. The killing (or neutralizing) of Black people, particularly the young, is systematically legitimized and excused as a rational, pre-emptive strike in maintaining law and order.”¹⁰ The discrepancies in how media

⁸ Jennifer Stoeber-Ackerman, “Splicing the Sonic Color-Line: Tony Schwartz Remixes Postwar Nueva York,” *Social Text* 102, vol. 28, no. 1, 2010: 66.

⁹ Nazgol Ghandnoosh, *Race and Punishment: Racial Perceptions of Crime and Support for Punitive Policies* (Washington, D.C.: Sentencing Project, 2014), 3.

¹⁰ Dipannita Basu, “Hip Hop: Cultural Clout, Corporate Control, and the ‘Carceral Cast,’” *The Vinyl Ain't Final: Hip Hop and the Globalization of Black Popular Culture*, ed. Dipannita Basu and Sidney J. Lemelle (London: Pluto, 2006), 38.

portrays the relationship between race and crime is one example of how the the meta-narrative of white supremacy is enacted and legitimated, but white supremacy must employ containment. Jacques Attali writes that “everywhere we look, the monopolization of the broadcast of messages, the control of noise, and the institutionalization of the silence of others assures the durability of power.”¹¹ For the narratives of white supremacy to be propagated, the narratives of people of color must be contained, silenced, and overwritten with pseudo-rationalizing, reifying myth.

This extends into social spaces. In her essay “The ‘War on Noise’: Sound and Space in La Guardia’s New York” (2011), Lilian Radovac details the policies of noise containment that were enacted in New York city throughout the 20th century, the infrastructure projects devised by Robert Moses, and their relationships “to the need to control public space” and to assimilate immigrants in order to protect the sensibilities of the ostensibly white middle class of New York.¹² The noise containment policies and Moses’s infrastructure developments were both racist undertakings. Radovac writes that Moses “deliberately favored white middle- and upper-class neighborhoods in his building plans and famously discouraged African Americans from using the facilities he constructed.”¹³ She goes on to explain that

La Guardia’s administration held that the sound of an amplified voice on a picket line veered dangerously close to the chaos of a full-fledged riot and that the need to prevent the one justified the forceful silencing of the other. By equating the sounds of protest, begging, or even certain kinds of music with the commission of violent crimes, La Guardia’s war on noise foreshadowed

¹¹ Attali 8.

¹² Lilian Radovac, “The ‘War on Noise’: Sound and Space in La Guardia’s New York,” *American Quarterly*, vol. 63, no. 3, 2011: 755 & 751.

¹³ Radovac 755.

the ‘broken window’ theory of urban policing, which became the founding doctrine of Giuliani’s notorious crackdown on crime in the 1990s.¹⁴

In this excerpt, the dissident and subversive character of noise is clear. Attali shows that “listening to music is listening to all noise, realizing that its appropriation and control is a reflection of power, that it is essentially political;” in the case of La Guardia’s New York, there is a direct alignment of dissident sound and crime.¹⁵ The appropriation and containment of noise is a critical element of what keeps the present political infrastructure intact. White supremacy is threatened by the noise that has the potential to undermine it by making audible alternative narratives and exposing the mythology that it must maintain. La Guardia’s project of containing noise and silencing communities of color is constitutive of the mythological harmonies that scramble our cultural perception of colonialism.¹⁶ This mythologizing and narrative control is visible and audible everywhere, and Josh Kun’s directive to listen to music to hear the difference it contains—to transcend the harmonies that it may fabricate—implicates the music industry in the colonial whitewashing of history and of social relations at the same time that it implores the listener to transcend it.

Beyoncé Knowles-Carter released the visual album *Lemonade* on April 23rd, 2016.¹⁷ The tenth song on the album, “Freedom,” is a critical touchstone and pivot point that I return to throughout this essay. The song has seven credited songwriters;

¹⁴ Radovac 756.

¹⁵ Attali 6.

¹⁶ Kun 21.

¹⁷ Brittany Spanos, “Beyonce Releases New Album ‘Lemonade’ on Tidal,” *Rolling Stone*, 13 April 2016. Web. 4 March 2017.

<<http://www.rollingstone.com/music/news/beyonce-releases-new-album-lemonade-on-tidal-20160423>>

among them are the white folklorists John Lomax Sr. and Alan Lomax.¹⁸ White folklorists being credited as writers is not a new phenomenon to hip-hop; Jay-Z's song "Takeover" also credits Alan Lomax as a writer because of the samples contained in the song. The Lomaxes had nothing to do with writing the sampled songs in question; they were just there to record them. This essay takes on a critical exploration of the interrelationships between this attribution of credit to the Lomaxes (and the royalties involved), structural racism in the music industry, the politics of Beyoncé's "Freedom," and the ways that American juridical, cultural, and economic systems work to maintain hegemony, control historical narratives, and contain Black noise.

In hip-hop, a sample can be many things at once; it can be a piece of a recording, used for its sonic qualities; it may be recognizable, and act as a statement in a composition about musical influence and historical inheritance; and it may be evocative of another time and place. The writer and musician Greg Tate says that "Sampling in hip-hop is...an art form unto itself. Hip-hop is ancestor worship."¹⁹ The critic Jeff Chang echoes him, saying that "sampling itself is an embodiment of [the] active process of engaging with history."²⁰ The samples in Beyoncé's "Freedom" work to do all of these things.

¹⁸ Duncan Cooper and Myles Tanzer, "Here Are the Full Album Credits for Beyoncé's *Lemonade*," *The Fader*, The Fader Inc, 23 April 2016. Web. 19 April 2017. < <http://www.thefader.com/2016/04/23/full-album-credits-beyonce-lemonade>>

¹⁹ Siva Vaidhyanathan, *Copyrights and Copywrongs The Rise of Intellectual Property and How It Threatens Creativity* (New York: New York University Press, 2003), 138.

²⁰ McLeod and DiCola 49.

Juana María Rodríguez reminds us that “sovereignty does not reside within the authority of the settler state and thus can never be given; it can only be exercised, limited, denied, activated through gestures that evoke both memories and longings.”²¹ These are the stakes for access to cultural memory, and these are the stakes for the type of performative, evocative sampling that is embedded in Beyoncé’s “Freedom.” In these pages, copyright and sample-licensing will be regarded as forms of containment, similar to that of La Guardia’s political policy. They will be regarded as structures that work to regulate and monetize cultural memory, functions that in turn protect the myths that work to maintain hegemony and silence the type of remembrance that Rodríguez says are so crucial for the reclamation of sovereignty from colonial power.

In the introduction to his book *Audiotopias* (2005), Josh Kun writes that “music is, after all, a spatial practice, evoking, transcending, and organizing places along spatial trajectories.”²² He argues that we “should be thinking of pieces of music—be they songs, samples, lyrics, chords, harmonies, rhythms—as ‘audiotopias,’ small momentary, lived utopias built, imagined, and sustained through sound, noise, and music.”²³ The audiotopia, the evocation and mashup of space and time, of places, and the history of those places, is a framework that sample-based music demands to be regarded within, and it is the framework from which I analyze “Freedom,” and consider it in relation to its visual counterpart in Beyoncé’s visual album, *Lemonade*.

²¹ Juana María Rodríguez, *Sexual Futures, Queer Gestures, and Other Latina Longings* (New York: New York University, 2014), 72.

²² Kun 21.

²³ Kun 21.

By regarding the music through this framework, I listen for the ways in which Beyoncé and her collaborators challenge hegemonic narrative and mythology through memories and forward projections about the future's possibilities.

It must be acknowledged here that *Lemonade* and "Freedom" are commodities. Part of the underlying purpose of this project is to demystify the musical commodity by showing some of the specific and inequitable practices of racialized labor exploitation and corresponding social relations that constitute sample-based records and folkloric recordings. Georg Lukács writes that reification "can only be overcome by *constant and constantly renewed efforts to disrupt the reified structure of existence by concretely relating to the concretely manifested contradictions of the total development, by becoming conscious of the immanent meanings of these contradictions for the total development.*"²⁴ Lukács emphasizes that "the structure can be disrupted only if the immanent contradictions of the process are made conscious."²⁵ He goes on to say that "the relation to totality does not need to become explicit...what is crucial is that there should be an aspiration towards totality, that action should serve the purpose, described above."²⁶ This project aims to stir up and help decipher the rather opaque history of racial inequity in the music industry; in doing so, I wish to contribute to the disruption of the reified narratives of American history, narratives that distort the social relations that are already reified and hidden behind the commodities of the culture industry. I am also interested in developing an

²⁴ Georg Lukács, *History and Class Consciousness*, trans. Rodney Livingstone (Cambridge, MA: MIT Press, 1971), 197.

²⁵ Lukács 197.

²⁶ Lukács 198.

understanding of how contemporary musical forms can vibrate on that very same disruptive frequency. Beyoncé’s visual album *Lemonade* explicitly remediates the ways that people, and especially children, think of themselves, of their identities, of race, and of American history.²⁷ *Lemonade* works as what Fred Moten calls “a subplot, a plot against the plot, contrapuntal, fantastic, underground—a fugitive turn or stealing...enacted by a runaway tongue or dissenting body.”²⁸

The stakes for working against reification and hegemonic colonialist mythology are high. Lukács intimates that this process of disrupting reified narratives of history and social relations is integral for preventing those narratives and myths from becoming even more deeply entrenched. Beyoncé articulates those stakes in more concrete terms when she says that

it’s important to me to show images to my children that reflect their beauty, so they can grow up in a world where they look in the mirror, first to their own families, as well as the news, the Super Bowl, the Olympics, the White House, and the Grammys, and see themselves, and have no doubt that they are beautiful, intelligent, and capable.²⁹

Lemonade works as a disruption of the ruling class ideologies of white capitalist supremacy, and also, crucially, a disruption of patriarchy, patriarchal values, and patriarchal power. *Lemonade* works against the further entrenchment of those normative structures in mass consciousness by challenging the mythology that mass media constantly peddles in order to indoctrinate people, and especially children, into those oppressive, normative structures. In this way, *Lemonade* is a survival tool too.

²⁷ Beyoncé Knowles-Carter, “Grammy Acceptance Speech,” 59th Annual Grammy Awards, 12 February 2017, Staples Center, Los Angeles, CA. Acceptance Speech.

²⁸ Fred Moten, “Preface for a Solo by Miles Davis,” *Women & Performance: A Journal of Feminist Theory*, vol. 17, no. 2, 2007: 219.

²⁹ Knowles-Carter, “Grammy Acceptance Speech.”

In Part 1, I set forth a working understanding of the distribution of power in the music industry and its relationship to race. I move into a brief discussion of the history of American copyright to lay the groundwork for an exploration of the rise of the licensing economy and subsequent questions that have been raised about who benefits from and is protected by copyright law in the American music economy. From there I consider how sample-licensing works as a mode of colonization and containment. Moving into Part 2, I explore the historical context for the samples used in “Freedom.” I specifically consider the Lomaxes’ copyrighting practices in the 1930s and ‘40s, how their practices compared to those of other folklorists and record labels of that period, and the connection between their practices and other historical examples of appropriation of world musics. I also consider the path that the “Stewball” sample embarked on to find itself in “Freedom.” In Part 3, I work with Kun’s notion of audiotopia to explore the signification of paradoxical, plural time-space that Beyoncé’s “Freedom” evokes, with specific attention to the relationship between containment and memory that is enacted in the “Stewball” sample. I also consider those enactments in relation to the form and contents of the audiotopic space enacted in specific parts of Beyoncé’s visual album *Lemonade*.

This essay represents an effort to demystify some of the less-articulated exploitative processes of the music industry, and to focus narrative and critical theory on contemporary musical form and its potential to articulate, embody, and disrupt the dynamics of dominant American narratives, culture, and social relations. I do not aspire to fully articulate the whole history of racial exploitation in the political economy of American music, nor the full potential for music to intervene in how we

think of history. However, this project does tease out new modes of mediation, new ways for us as listeners to grasp the processes that animate our society. By amplifying the historical dynamics of the recording industry so as to make them more readily audible, and by demonstrating the deftness with which Beyoncé wields her power and claims Black feminine sovereignty, I hope to contribute to the ever-growing body of cultural criticism and critical theory by which we may move, step by step, towards a more equitable, transparent, and creative society.

Part 1: Hip-Hop, Copyright, and Power in the Music Industry

Since the invention of recorded music and its development into a widely disseminated commodity form, white men have been at the helm of the music industry. Jacques Attali writes that the market for popular music recordings was “produced by the colonization of Black music by the American industrial apparatus... White capital, which owned all of the record companies, controlled this commercialization process from the start, economically and culturally.”³⁰ Somewhat unsurprisingly, and almost definitely as a consequence, there have been strikingly few studies of race and gender representation in the music business. The few that have been conducted are discussed in the following section.

By way of introduction, I wish to point out that, though it is not exactly a rigorous study, Billboard’s 2016 Power 100 lists 141 of the most powerful executives in the music industry (some spaces on the list include multiple executives); less than 10 percent of the individuals represented on the 2016 Power 100 list are people of color.³¹ It is worth noting, too, that the first Black executive on the list, Jon Platt, shows up at number 31.³² The journalist Amelia Mason writes that

it’s impossible to look at ‘The Power 100’ and not see evidence of staggering disparity. Despite the fact that blacks especially have made significant inroads on the performance side of things — American pop music is currently ruled

³⁰ Attali 103-104.

³¹ Amelia Mason, “What The Rise And Fall Of Black Leadership In The Music Industry Says About Equality Today.” *WBUR*, 5 October 2016. Web. 9 April 2017. <<http://www.wbur.org/artery/2016/10/05/black-leadership-music-industry>>

³² “Billboard's 2016 Power 100 List Revealed.” *Billboard.com*, Ed. Tony Gervino, Billboard, 12 Feb. 2016. Web. 17 Dec. 2016. <<http://www.billboard.com/articles/business/6874816/billboards-2016-power-100-list-revealed>>

by the likes of Beyoncé, Rihanna and Kanye West, to name but a few — diversity among industry leadership is practically at ‘Mad Men’-era levels.³³

This disparity is also blatantly evident with regards to gender. Only thirteen of the individuals on the Power 100 are women.

This section begins by looking specifically at disparities of representation in upper-level management and corporate positions in the American music industry. I then discuss the structure of American musical copyright law, and from there, I move into a discussion of sampling, sample-licensing, and the theft discourse that accompanies it. With this information and analysis, I hope to concretize the ways in which the predominantly white music industry works to maintain white power in its executive branches while it monetizes and controls the creative labor of Black artists.

Race and Power in Corporate Record Label Structure

One of the most recognizable entities in the music industry is the record label, of which there have been traditionally two types: major labels, and independent labels, or indies. Major labels have historically been regarded as ‘majors’ because of their longevity, extensive resources, well-developed distribution networks, large corporate structures, and massive rosters of artists. Indie labels are often owned and operated by majors, forming a mutually beneficial relationship where indies can make use of the resources that the majors have at their disposal, and in return the majors may receive percentages of revenue from sales and royalty collections from streaming services.

³³ Mason, “What.”

There are now, after a long history of mergers and acquisitions between corporations, three major labels. Andrew Leyshon writes that “by the middle of the opening decade of the twenty-first century the musical economy was dominated by four large corporations—AOL-Time Warner, Sony/BMG, Universal, and EMI—that were responsible for 80 per cent of global music sales and had significant interests across the media, entertainment, and technology sectors.”³⁴ In 2012, Universal acquired EMI Music for \$1.9 billion.³⁵ Since the (r)evolution of digital streaming services like Spotify, Apple Music, and (more recently) Tidal, Forbes magazine estimates that “the three labels have amassed positions in digital music startups valued at almost \$3 billion--or around 20% of the \$15 billion or so the labels are collectively worth.”³⁶ According to the Recording Industry Association of America (RIAA), in 2015, “for the first time, streaming was the largest component of industry revenues, comprising 34.3% of the market, just slightly higher than digital downloads.”³⁷ Although these massively powerful labels have relied on the creative

³⁴ Andrew Leyshon, *Reformatted: Code, Networks, and the Transformation of the Music Industry* (New York: Oxford University Press, 2014), 80.

³⁵ Ben Sisario, “U.S. and European Regulators Approve Universal’s Purchase of EMI.” *The New York Times*, 21 Sept. 2012. Web. 7 Mar. 2017.
<<http://www.nytimes.com/2012/09/22/business/global/universal-takeover-of-emi-music-is-approved.html>>.

³⁶ Zack O’Malley Greenburg and Nick Messitte, “Revenge Of The Record Labels: How The Majors Renewed Their Grip On Music.” *Forbes*. (15 April 2015, Web, 7 March 2017)
<<https://www.forbes.com/sites/zackomalleygreenburg/2015/04/15/revenge-of-the-record-labels-how-the-majors-renewed-their-grip-on-music/#8cab1542fba7>>

³⁷ Joshua P. Friedlander, *News and Notes on 2015 RIAA Shipment and Revenue Statistics* (Recording Industry Association of America, 2016), 1. Web. 7 March 2017.
< <https://www.riaa.com/wp-content/uploads/2016/03/RIAA-2015-Year-End-shipments-memo.pdf>>

labor of Black artists since the early days of the recording industry, there have historically been relatively few Black label owners and executives.

In 1959, Barry Gordy Jr. started the Motown record label in Detroit, Michigan. At the time, Black ownership of labels was “virtually unknown in the music business.”³⁸ In the decades that followed, as Motown, soul, and funk music crossed over into the pop charts, there was “an influx of Black executives, managers and producers” into the pop music industry, at a time “when labels were looking to capture black audiences.”³⁹ In 1971, CBS commissioned a study by Harvard Business School (The Harvard Report) to analyze the possible benefits of hiring Black executives.⁴⁰ John Kellogg points out that “that report basically said that the major labels, if they wanted to make a dent in this huge business of black music, which really exploded in the ‘70s, they would have to bring on black executives and affiliate with black production companies and artists to become successful in that area.”⁴¹ The thing to be taken from Kellogg’s words is that the underwriting motivation for the Harvard Report was not equity, it was profit. CBS commissioned their report in order to figure out what they would need to do in order to start profiting significantly from soul music. In her article “What The Rise And Fall Of Black Leadership In The Music Industry Says About Equality Today” (2016), journalist Amelia Mason writes that “CBS, acting on that advice, went on to cut deals with the soul labels Stax and Philadelphia International Records, helping to usher in an era of black leadership and

³⁸ “Respect.” *Rock & Roll*, executive produced by Elizabeth Deane, edited by David Espar, narrated by Liev Schreiber, BBC/WGBH, 1995: 8:40.

³⁹ Mason, “What.”

⁴⁰ Mason, “What.”

⁴¹ Mason, “What.”

influence at the major labels.”⁴² However, the era of Black executive power and influence that is alluded to here did not last, nor did Black executives make significant inroads into the highest levels of the music industry.

A quarter of a century later, the Harvard Consultation Project (1996) “surmised that Black record executives ‘are constantly relegated to positions with grand titles, with duties that amount to little more than being a talent scout.’”⁴³ Even with the commercial success that hip-hop as a genre began to enjoy in the early 1990s, Black representation at executive levels within the music industry remained sparse. There have always been some hyper-visible Black hip-hop entrepreneurs, like Sean Combs, Russel Simmons, Dr. Dre, Jay-Z, and Beyoncé. However, they are vastly outnumbered by a dominant contingent of white executives, a contingent that has maintained continuity throughout the existence of the American recording industry.

Black artists have traditionally had to cross over and become palatable to white audiences in order to break into the mainstream pop market and the expanded revenue streams that are to be had there. To say nothing of white artists that emulated Black musical forms, blues, jazz, rock ‘n’ roll, Motown, soul, funk, R&B, and hip-hop artists have consistently operated in an industry where the big money and success is to be had by crossing over into the pop charts. On the one hand, the agreement that CBS entered into with the infamous Black soul label Stax Records was convoluted; it resulted in Stax “making less on the sale of each LP operating through a major label

⁴² Mason, “What.”

⁴³ Basu 34.

than when they had been operating through independent distributors,” and culminated in a multi-million dollar lawsuit and the ultimate demise of the independent label.⁴⁴

On the other, equally reprehensible hand, David Sanjek argues additionally that “the careers of certain mainstream R&B artists became lost in CBS’s commitment to crossover during the course of the 1970s.”⁴⁵ This is to say that the story of CBS’s greed-motivated exploitation of Stax is representative of a double containment of Black influence in the music industry. Dipannita Basu extends this in her essay “Hip Hop: Cultural Clout, Corporate Control, and the ‘Carceral Cast’” (2006) when she writes that

while musical crossover has historically set the limits of Black modes of musical expression, the crossover of Black executives and staff into pop or rock departments, or departments concerned with international and global scope, is also paltry. Administratively, Black staff and executives in the music industry are routinely circumscribed by industry-wide perceptions that they are best suited to local or regional markets, and knowledges and tastes.⁴⁶

These analyses are echoed today in the Billboard Power 100 list and in recent studies of the British music industry. In Vick Bain’s 2012 study of the UK’s music industry, she found that “of the 152 surveyed companies, only 43 percent reported having a diversity and equality policy. More shocking still, the existence of such a policy appeared to have no positive effect on the diversity and gender balance in a company’s demographic makeup.”⁴⁷ The study shows a striking degree of institutional inertia that preserves the status and power of white males within the

⁴⁴ Sanjek 71.

⁴⁵ Sanjek 72.

⁴⁶ Basu 35.

⁴⁷ Vick Bain, *An Assessment of the Attitudes and Practices of Employers Within the UK Music Industry Towards Equality and Diversity*. University of Reading, Masters Thesis, qtd. in Mason, “What.”

music industry, and it speaks to a privileging of profit over artistic power and integrity, resulting in a “cultural corruption” that was encouraged and forced by the drive to cross over.⁴⁸ The power structures that have historically constituted the industry have maintained continuity up to the present day, and this is further reflected in the ways in which musical copyright has been used to control Black musical expression and profit off of Black creative labor.

Musical Copyright

The engine that drives the music industry is royalty collection, made possible by copyright. In the United States, copyright is a branch of intellectual property law, established in the Constitution. In the essay “Indigenous Music and the Law,” Sherylle Mills writes that “The United States constitution only grants copyrights to the ‘writings’ of ‘authors.’ The term ‘author’ is defined, for the purposes of copyright protection, as ‘the originator’ or ‘he to whom anything owes its origin.’”⁴⁹ Siva Vaidhyanathan adds that copyright “grants an exclusive right to copy, sell, and perform a work of original authorship that has been fixed in a tangible medium,” a right that expires after a set period of time, after which the work enters the public domain, and can be copied, sold, or performed by anyone without any legal repercussions.⁵⁰ Originally copyright was intended as an incentive for the production of new literature. As technology has evolved and the the forms of art produced by

⁴⁸ Basu 34.

⁴⁹ Sherylle Mills, “Indigenous Music and the Law: An Analysis of National and International Legislation.” *Yearbook for Traditional Music*, vol. 28, 1996: 63.

⁵⁰ Vaidhyanathan 20.

American people have expanded and multiplied, copyright law has changed. As filmmaking and music production became multi-billion dollar industries, the length of the copyright's applicability has been extended numerous times, to ensure that the period in which copyright owners may collect royalties on the sale and reproduction of their copyrighted material is extended, in an attempt to maximize profit from existing works.

There are two main elements of musical copyright, and each can result in royalty revenue through the sale or licensing of the protected work. The master copyright governs the right to collect monies from the reproduction of a work in a fixed medium. This part of the copyright refers to the right to reproduce the actual recording. The other element protected by copyright is the musical composition, the work which is fixed into the recording medium. Mechanical licenses are generally issued by the copyright holder in order to collect mechanical royalties from the sale or reproduction of recordings and compositions by other parties. It is important to note that the creator of a work is not necessarily one person (it is common practice for multiple songwriters and producers to be credited on a single composition), nor is the creator always the copyright holder; this means that the mechanical licenses are not always issued on behalf of the artist. Carrie McLaren writes that "The copyright holder is rarely the artist herself. Therefore we should not romanticize copyright as an author's right. It starts out that way, but that's not the whole story."⁵¹ The rest of the

⁵¹ Carrie McLaren, "Copyrights and Copywrongs: An Interview with Siva Vaidhyanathan," *Cutting across Media: Appropriation Art, Interventionist Collage, and Copyright Law*, ed. McLeod, Kembrew, and Rudolf E. Kuenzli (Durham: Duke University Press, 2011), 50.

story is that in the music industry, copyrights are often signed over to the publishing companies, or publishing branches of major labels, in exchange for distribution deals and the rights to collect a percentage of the royalties from the reproduction, streaming or sale of their work. This transference of copyright is often a sight of exploitation (as will be explored further in the following chapter); artists can be enticed into signing less-than-savory deals because they have little leverage in the bargaining process in relation to the major label's distribution and publishing power.⁵²

El-P, the prolific producer and member of the hip-hop group Run The Jewels, points out that the owners of musical copyright are usually entities “who swallowed the shit up, you know, who bought them and a million other groups in some merger.”⁵³ Copyrights have become lucrative commodities in and of themselves, things to be owned, bought, and sold by publishing companies and record labels. With the increasing marketability and popularity of sample-based hip-hop in the late 1980s, those copyrights gained an additional money-making dimension. The law as it was structured had no real precedents for the use of pieces of copyrighted master recordings in new recordings and compositions. In the late '80s and early '90s, labels and other corporate music industry entities seized on the opportunity to extract settlements and royalties from popular sampling artists by taking them to court and establishing the licensing economy. Timothy D. Taylor goes so far to say that “for today's music industry, it has become less important to find good new music to

⁵² McLaren 45.

⁵³ McLeod and DiCola 82.

record, market, and distribute than to exploit to the fullest the copyrights that it owns.”⁵⁴

Sampling, Theft, and the Rise of the Licensing Economy

*"Thou shalt not steal." [sic] has been an admonition followed since the dawn of civilization.*⁵⁵

Judge Kevin Thomas Duffy
Opinion on Grand Upright v. Warner, 1991

In 1991, Raymond “Gilbert” O’Sullivan sued Biz Markie for sampling his song “Alone Again (Naturally).” Judge Kevin Thomas Duffy’s ruling set a precedent that “all but shut down the practice of unauthorized sampling in rap music.”⁵⁶ Not only did he rule in favor of Grand Upright and O’Sullivan, but he recommended that Biz Markie be criminally prosecuted.

There are various criticisms of Judge O’Sullivan’s 1991 ruling. Daphne Keller writes that “Judge Duffy’s ‘thou shalt not steal’ implies a deeply flawed analogy between physical property and the intellectual property protected by copyright law. Property rights over informational works, such as music, don’t work the same ways as property rights over land or material goods.”⁵⁷ Beyond that, in the documentary

⁵⁴ Timothy D. Taylor, *Music and Capitalism* (Chicago: University of Chicago Press, 2016), 117.

⁵⁵ Grand Upright Music, Ltd v. Warner Bros. Records Inc. United States District Court for the Southern District of New York. 1991. *Music Copyright Infringement Resource*. USC Gould School of Law. Web. 12 Mar. 2017. <<http://mcir.usc.edu/cases/1990-1999/Pages/granduprightwarner.html>>.

⁵⁶ Vaidyanathan 141.

⁵⁷ Keller, Daphne. “The Musician as Thief: Digital Culture and Copyright Law,” *Sound Unbound: Sampling Digital Music and Culture*, Ed. Paul D. Miller (Cambridge, MA: MIT, 2008), 136.

Copyright Criminals, Paul D. Miller, aka DJ Spooky, and Siva Vaidhyanathan argue that the production of culture itself is built on the practice of collage. Vaidhyanathan says that making art and culture is “about taking bits and pieces of your influences and forging them into something newer and stronger.”⁵⁸ But the reality is that the sample licensing economy emerged as a result of this ruling and others like it in the few years prior. An infrastructure for licensing emerged, where copyright holders (usually corporations) could contractually license the right to use pieces of master recordings to sampling artists, and in return, the entities who owned the copyrights to the recordings and compositions in question would receive flat payments and/or royalties from the sale of the new work.

In *Creative License* (2011), Kembrew McLeod and Peter DiCola set forth the ideal scenario where “a successful licensing transaction means that the owners of existing compositions and recordings receive compensation when it is deserved; the creators of new, sample-based works get to make their art; and both parties have reached an agreement.”⁵⁹ This is a loaded statement. When is compensation deserved?

There is a long history of industry executives and labels expropriating copyrights from Black artists in transactions that turn out to be less than equitable. DiCola and McLeod write that “The history of the twentieth-century American music industry is also a history of the exploitation of African American artists by whites. It was not uncommon for a black songwriter to have his or her name replaced by a

⁵⁸ *Copyright Criminals*. Directed and produced by Kembrew McLeod and Benjamin Franzen, performances by Paul D. Miller and Siva Vaidhyanathan, PBS, *Independent Lens*, 2009: 39:30 – 40:30.

⁵⁹ McLeod and DiCola 9.

businessperson or musician with more legal and economic resources but little or no involvement in songwriting.”⁶⁰ One highly publicized legal case that is sometimes regarded as the benchmark for music industry corruption is the one surrounding George Clinton and his relationship to Bridgeport Music: “Clinton did at one time own the copyrights to his music. But...he lost ownership of much of his catalog in the early 1990s,” a time in which sampling was a highly lucrative source of income for older funk recording artists.⁶¹ Armen Boladian, an executive at Bridgeport, duped Clinton into selling off the copyrights to his catalog; Bridgeport, with Boladian at the helm, engaged in licensing and litigation that, according to Clinton, furnished Boladian with over \$100 million.⁶² This illustrates how the law enables a bureaucratic maze of ownership that is simultaneously built on and divorced from any idea of authorship. It also reveals how racial inequity on the executive side of the music industry sets up and thrives on a systemically racist exploitation of Black artists.

This example of exploitation can be better understood by way of the contrasting case of one of the most successful recording artists and songwriters of all time: Shawn Carter (Jay Z). In a 1996 interview, Carter is asked, “What motivated you to own your own?” and he responds: “my man Jaz-O... you know he introduced me to this game, he showed me a lot of different things...I knew what I wanted, I wanted full control over my music, you know what I mean?”⁶³ The interviewer asks, “So you own the publishing rights...” and Carter continues:

⁶⁰ DiCola and McLeod 97

⁶¹ DiCola and McLeod 93.

⁶² DiCola and McLeod 85.

⁶³ “Jay Z Had the Game Figured out in 1996.” Perf. Jay Z. J-Rookz Entertainment, 5 Dec. 2016. <<https://www.facebook.com/Fakeshore/videos/10154084148047876/>>

Everything. Everything. Everything. Everything but the 20 percent distribution fee. And we working on that. Try to own as much of yourself as possible, you know? I mean, I know times is hard...and cats gotta sell that publishing to eat... 'cause them royalty checks take so long to come...but you know you try to own as much of yourself as possible, you know, 'cause it's gonna pay off in the long run, when cats is sittin' around sampling your voice, you know, and they goin' platinum, but you ain't feelin it, but the company is gettin' all that money, you know? So I'm just waitin', I want everybody to sample with us, I'll keep going platinum, I'll make records while I sleep.⁶⁴

Here, Jay-Z valorizes the collaborative character of sampling; he is excited by the prospect of the re-use of his vocal recordings on other records, because it will result in both a further proliferation of his cultural presence and new, unforeseeable revenue streams. This interview fragment encapsulates the ideal situation for the recording artist. Because Shawn Carter has retained his publishing and master recording rights throughout his career, he has continuously received undiluted royalty payments that have helped turn him into the third wealthiest recording artist alive, with a net worth of over half a billion dollars.⁶⁵ Shawn Carter was incredibly fortunate because his mentor, the recording artist Jaz-O (Jonathan Burks) put him in a position to understand and avoid the exploitative side of the industry from a young age. The transfer of information from one community member to another subverted the exploitative power of the music industry in this case; however, this is a rare example. Most heavily sampled Black artists from the 1950s through the '80s did not retain both their master rights and their publishing rights. Early in the career of the great Black blues musician Willie Dixon, Chess Records—founded by Leonard and Phil

⁶⁴ “Jay Z Had the Game Figured out in 1996.”

⁶⁵ Zack O'Malley Greenburg. “The Forbes Five: Hip-Hop's Wealthiest Artists 2016.” *Forbes*. *Forbes Magazine*, 3 May 2016, Web, 7 March 2017
<<https://www.forbes.com/sites/zackomalleygreenburg/2016/05/03/the-forbes-five-hip-hops-wealthiest-artists-2016/#e1f3dc128a17>>

Chess, both white—paid him hourly wages while they filed copyrights on his works, and the Chess brothers profited heavily while “Dixon got pennies.”⁶⁶ Among the few Black artists that did retain their copyrights between the ‘50s and the ‘80s are Sam Cooke and Curtis Mayfield, and it has provided steady income for them and their estates.⁶⁷

‘Theft’ is a relative term. Siva Vaidhyathan writes that “from the middle of the nineteenth century, those who have pushed to enlarge and deepen copyright protection have invoked the need to protect authors from ‘theft.’”⁶⁸ Yet, in most cases in the late 1980s and early 1990s, the author was not the copyright owner; it was not generally the author who brought the lawsuit against the sampling artist. In one well-traversed example, DJ Dangermouse’s Grey Album (a mashup of Jay-Z’s Black Album and The Beatles’ White Album) was attacked by the major label EMI, but not because Jay-Z or The Beatles had a problem with it.⁶⁹ It was the corporation, protecting their financial interests.

Hip-hop has its roots in the Jamaican practice of ‘versioning.’ According to musicologist Michael Veal, “digital sampling of older music plays an important role in Jamaican music, with the canonized musical gestures of the 1960s and 1970s...reappearing to provide formal punctuation, timbral variation, and de facto historical grounding.”⁷⁰ In New York in the late 1970s, Kool DJ Herc (a Jamaican

⁶⁶ McLaren 46.

⁶⁷ McLeod and DiCola 85.

⁶⁸ Vaidhyathan 11

⁶⁹ *Copyright Criminals* 44:50. It is worth noting, however, that the Beatles have almost never granted licenses to sampling artists.

⁷⁰ Michael E. Veal, *Dub: Soundscapes and Shattered Songs in Jamaican Reggae* (Middletown, CT: Wesleyan University Press, 2007), 193.

immigrant) was one of several DJs who transplanted the Jamaican DJ culture of versioning and remix to the United States, which evolved into hip-hop.⁷¹ These fundamentally creative appropriations of existing works by artists from the African diaspora also have their roots in jazz and the blues. In an essay entitled *The Ecstasy of Influence: A Plagiarism Mosaic* (2008), Jonathan Lethem links creative appropriation in jazz and the blues to sampling when he writes that

Blues and Jazz musicians have long been enabled by a kind of “open source” culture, where preexisting melodic fragments and larger musical frameworks are freely reworked. Technology has only multiplied the possibilities; musicians have gained the power to *duplicate* sounds literally rather than simply approximate them through allusion...today an endless, gloriously impure, and fundamentally social process generates countless hours of music.⁷²

In his unique essay *Das Plagiienwerk* (2011), David Tetzlaff takes this further when he writes that “citation buries the truth that we all borrow ideas behind the lie that somewhere there is an individual point of origin, of authorship or ownership.”⁷³

McLeod & DiCola also expand this idea to African diasporic culture in North America: “Oral tradition was central to African American culture partly because laws forbade slaves from learning to read or write; as such it contributed to the ethic of sharing in various forms of Black music.”⁷⁴ It should also be recognized that many

⁷¹ McLeod and DiCola. 53.

⁷² Jonathan Lethem, “The Ecstasy of Influence: A Plagiarism Mosaic.” *Sound Unbound: Sampling Digital Music and Culture* (Cambridge, MA: MIT, 2008), 39-40.

⁷³ Tetzlaff, David. “Das Plagiienwerk: Convolute Uii.” *Cutting across Media: Appropriation Art, Interventionist Collage, and Copyright Law*. (Durham: Duke University Press, 2011), 55.

⁷⁴ McLeod and DiCola 49.

European composers, including Johannes Brahms and Igor Stravinsky, also borrowed compositional elements extensively from other composers and from folk melodies.⁷⁵

Hip-hop sampling is irrefutably a creative enterprise. For Judge Duffy to admonish a young Black man for “theft” of a sample when the history of music, even western classical music, is filled with appropriation and collage, embodies a form of systemic racist containment that runs right back to the noise containment policies of Mayor La Guardia in mid-century New York, and the idea that power is maintained by silencing the noise of those who would challenge it.⁷⁶ Beyond that, if the history of the American recording industry is thoroughly characterized by the exploitation and looting of Black sound, style, and cultural capital by white artists and executives, then who is really stealing from whom?

⁷⁵ McLeod and DiCola 45-46.

⁷⁶ Of course, the Beastie Boys album *Paul's Boutique* was also at the center of the controversy over sample licensing at the end of the '80s. But just because there are white sampling artists does not mean hip-hop is not a Black art form; it does not negate the fact that hip-hop sampling was brought and revolutionized by caribbean immigrants. Just because laws apply to both white and black people does not mean that they are not racist.

Part 2: The “Freedom” Samples, The Lomaxes, and Parchman Prison Farm

*From the first two decades of the twentieth century, we see the beginning of the practice that would haunt black musicians for decades: white composers filing for copyright protection on works created out of the commons of African American aesthetic traditions.*⁷⁷

Siva Vaidhyanathan
Copyrights and Copywrongs (2003)

“Freedom” by Beyoncé uses three different samples. The first is from a psychedelic 1960s track called “Let Me Try” by the band Kaleidoscope, and the second is a part of a recording by Alan Lomax of “Reverend R.C. Crenshaw preaching to his congregation at a Baptist church in Memphis, TN, in 1959.”⁷⁸ The third sample is taken from a recording made by the Alan and John Lomax at Parchman Prison Farm in Mississippi, a prison that was named after the plantation upon which it was built and “became known for holding hundreds of Civil Rights activists and Freedom Riders.”⁷⁹ The fact that the Lomaxes hold songwriting credits for “Freedom” is a manifestation of the “haunting” that Siva Vaidhyanathan alludes to in the epigraph to this chapter. Their ethically questionable practices of copyrighting the compositions of blues singers and inmates that they recorded in their

⁷⁷ Vaidhyanathan 13.

⁷⁸ Christine Werthman, “Alan Lomax, Beyoncé, and Sampling Sounds from the Jim Crow South,” *Genius*, Genius.com, 28 April 2016, Web, April 16 2016.
<<https://genius.com/a/alan-lomax-beyonce-and-sampling-sounds-from-the-jim-crow-south>>

⁷⁹ Werthman, “Alan Lomax.”

years as traveling folklorists in the first half of the twentieth century have, in the age of sampling, manifested revenue streams with blurry endpoints.

In this section, I open with a brief exploration of the problematic subjection of oral tradition and non-Western music to the Western copyright system, before moving on to the context surrounding the origins of the samples that Beyoncé appropriated from the Lomax collection for the composition of “Freedom.” I then discuss the ethics behind the Lomaxes’ roles as preservationists of Black music and southern Black culture. I relate their practices and the results of those practices to other folklorists and to the early record industry’s relationship to Black oral tradition, before circling back around to the implications of the Lomaxes’ songwriter credits on “Freedom” and the corresponding royalty stream that resulted from the licensing of their samples.

Oral Tradition and Copyright

*The dominant ideology and discourse are that non-Western musics are a kind of natural resource that is available for the taking.*⁸⁰

Timothy D. Taylor
Music and Capitalism (2016)

There are obvious ethical problems with applying American copyright statutes to oral tradition and non-Western musics. As we have seen, American copyright relies on a notion of authorship that levels the possibility of collective ownership. Additionally, because copyright statutes “require music to contain specific characteristics in order to obtain protection,” many non-Western musics are simply

⁸⁰ Taylor 98-99.

unprotectable by American copyright; this can result in the relegation of non-Western music to the public domain, as Sherylle Mills explains.⁸¹ Furthermore, and crucially for the following exploration, white folklorists almost always occupy a higher position of power in relation to the subjects that they record, because white folklorists generally have a much better knowledge of the law itself, a better understanding of the potential monetary value of the recordings, and much more ease of access to royalty collection agencies, publishers, and labels. Though many ethnomusicological recordings do serve the unequivocally valuable function of archiving and preserving cultural artifacts, the incompatibilities between Western law and non-Western traditions and musics have resulted in an extensive history of inequity and exploitation of non-Western musicians by corporations and folklorists alike.

We recall that the composition of a musical work is one of the main copyrightable elements of a recording. DiCola and McLeod point out that Western copyright law focuses almost exclusively on lyric and melody; what this leaves out, among other things, is percussion.⁸² Rhythm is uncopyrightable. They point out that “music from Africa and the African diaspora emphasizes rhythm far more than melody, whereas the inverse is true for Western folk, pop, and classical music.”⁸³ This is one marker of problematic ethnocentrism in Western copyright law.

Another marker of how Western copyright law is set up in such a way that it privileges Westerners and corporations is exemplified in the following anecdote. The infamous song “The Lion Sleeps Tonight,” used most prominently by Disney in *The*

⁸¹ Mills 60-61.

⁸² McLeod and DiCola 102.

⁸³ McLeod and DiCola 102.

Lion King, was originally written as “Mbube” in 1939 by the South African artist Solomon Linda.⁸⁴ In a completely non-unique act of exploitation, “Solomon Linda was paid 10 shillings (under \$1 today) by Gallo Records when he signed over the copyright to that company in 1952. After living in poverty, Linda died in 1962, and his heirs have struggled as well.”⁸⁵ The royalties from the various covers of “Mbube,” and especially from its prominent use in *The Lion King*, would undoubtedly be worth millions, millions that Linda did not receive in his lifetime. This is an echo of the case of Willie Dixon and Chess Records that was mentioned in the previous section. In both cases, a record label took blatant advantage of a talented artist because they recognized the potential value in his art, a potential value that he could not have cashed in on by himself. This speaks to what Timothy D. Taylor links to neoliberal capitalism: “the globalization of music under neoliberal capitalism has increasingly meant the acquisition of copyrightable materials and their protection.”⁸⁶ This marks a practice of exploitation that relies on the privileged access to musical marketplaces afforded to (white) Westerners by colonialism. Now, when artists go to sample these recordings, the copyright is generally owned by a label or entity that has little to no responsibility to repay or repatriate royalties to the original composer(s) and performer(s). This manifests in the following section, in the specific case of the Lomaxes. Additionally, their case is complicated by problems that arise when there is no clear ‘author’ attached to a particular recording.

⁸⁴ Taylor 114.

⁸⁵ Taylor 114.

⁸⁶ Taylor 117.

Sherylle Mills writes that “The recordings of non-Western songs themselves fully meet the Constitutional and statutory requirements of an author, originality and tangibility. The actual field recordings ‘owe their origin’ to the producer who pressed a ‘record’ button, therefore, the producer is the author in the Constitutional sense.”⁸⁷ This shows another manifestation of the privileges that many folklorists hold over their subjects. Economically speaking, the people who had access to recording mechanisms in the 1930s and 1940s in the United States were almost exclusively white people. The same can be said about who had access to knowledge about copyright and how to claim it; this is expanded on in the following section. This is all to say that copyright law is systemically set up to substantiate white privilege and to afford exploitation of oral tradition. This is not to say that copyright law itself is malicious, but rather to point out that it has historically afforded ethically reprehensible practices.

The Parchman Prison Farm

The Association for Cultural Equity (ACE) is a non-profit custodian organization for the Alan Lomax Collection. They manage his copyrights and distribute the collections of recordings that he made. According to the ACE, the sample from the Lomax recording “Stewball” that Beyoncé and the producers of “Freedom” used in the bridge of the song was recorded by the Lomaxes on November 12th, 1947 at Camp B of Parchman Prison Farm in Lambert, Mississippi, and the vocal performance is attributed to Benny Will Richardson (Prisoner 22) and other

⁸⁷ Mills 67.

unidentified prisoners.⁸⁸ The ACE page for the song “Stewball” does not list a songwriter; according to BMI, the songwriting and composition copyright for “Stewball” belong to John Lomax Sr. and Alan Lomax, which is why they have been listed, 70 years later, as songwriters on Beyoncé’s “Freedom.”

The following quotation is an excerpt from Alan Lomax’s essay “‘Sinful’ Songs of the Southern Negro” (1934). As an introduction into the following discussion of the Lomax recordings and their copyright practices, I quote at length to evoke the setting and draw attention to the conditions under which this and the other Parchman recordings were made. I specifically want to foreground the disturbing undercurrent of white power and the threat of violence that was made to the performer in question in order to obtain the desired recording:

Late one August evening we sat on the front stoop of Camp Number One of the Prison Farm at Parchman, Mississippi, talking to the Superintendent. The men had come in from the fields, had eaten, and were bathing in the big dormitory in preparation for bed.

“You now, I’ve been in this prison system for over twenty years,” said the Superintendent. “I still remember one night when I had a bunch of men out on the road, ten or fifteen years ago. I was sitting, fighting the mosquitoes and smoking. The night was too hot for sleep. Down below me where the men were I heard one convict singing, and for some reason I listened. A fellow gets so used to the men hollering and singing out in the fields that after a while you don’t pay them any mind. But this time I listened. One of these goddam niggers can be funny when he takes a notion, and this one certainly was singing a funny song. It was something about a man getting ninety-nine years for killing his wife.”

It had the feel to us of a new ballad. We pressed him. The superintendent wouldn’t sing it, but at last he sent a trusty with a shotgun into the dormitory to find somebody who knew the song. Presently the black guard came out, pushing a Negro man in stripes along at the point of his gun. The poor fellow, evidently afraid he was to be punished, was trembling and

⁸⁸ “Recording Detail.” *Cultural Equity*. Association for Cultural Equity, 2009. Web. 12 Mar. 2017. <<http://research.culturalequity.org/get-audio-detailed-recording.do?recordingId=10694>>.

sweating in an extremity of fear. The guard shoved him up before our microphone.⁸⁹

The performer in question was Joe Baker.⁹⁰ This was thirteen years before “Stewball” was recorded. The performer was roused from his dormitory and essentially ordered to sing at gunpoint by the superintendent; this is obviously one early example of how one of these recordings was made, but it is strikingly representative of the power dynamic between the white Lomaxes and their subjects. While the Lomax recordings are widely and rightly regarded as crucial pieces of American and especially African-American oral history, the power dynamic depicted in this quotation manifests in multiple ways that call into question the ethics of the Lomaxes’ relationship to ownership, and the way that they related to the performances that their subjects produced.

The Lomaxes’ Copyright Practices, Early Recording Ethics, and Collective Memory

John Lomax’s biographer Nolan Porterfield writes that in the late 1930s and early 1940s, “the idea was to guard one’s work carefully, assume the stance of ownership, and create a climate in which would-be users—performers, anthologists, publishers, record companies, radio networks—would pay for permission to avoid trouble.”⁹¹ He implies that money was not being circulated by an entrenched and

⁸⁹ Alan Lomax, “‘Sinful’ Songs of the Southern Negro,” *Selected Writings* (New York: Routledge, 2003), 29.

⁹⁰ Lomax 29.

⁹¹ Nolan Porterfield, *Last Cavalier: The Life and Times of John A. Lomax* (Chicago: University of Illinois Press: 1996), 437.

reliable system of copyrights and royalties at that point. In John Szwed's *Alan Lomax* (2010), Szwed adds to this that in the 1930s and '40s, copyright was a somewhat impenetrable concept; "few, if any, law schools offered courses on it," and up into the 1950s, the Lomaxes had not copyrighted any songs. The copyrights that they held were on the songbook compilations that they had published, and even those copyrights were shaky because of publisher errors.⁹² Still, it seems that John Lomax did regard his work as, at least in part, a continuous investment project. Porterfield writes that in June of 1933, "Lomax hated the thought of losing out on some unsuspected bonanza, and he clearly stated his intention to 'protect for our benefit' — presumably through copyright — any promising material they turned up that summer."⁹³ It is also clear that Lomax regarded Huddie "Leadbelly" Ledbetter as a potential windfall. Lomax wrote in another letter that "[Leadbelly] sang us one song which I shall copyright as soon as I get to Washington and try to market in sheet music form."⁹⁴ Porterfield writes of John Lomax's second trip to the Parchman Prison Farm that "they discovered a cornucopia of songs...After four long hard days they had mined most of the ore."⁹⁵ John Lomax's role as a folklorist worked in tandem with his capitalist enterprise, granted that the Lomaxes were by no means well off, and they reinvested the royalties from the compilation books they published back into their travels, equipment, and future compilations.

⁹² John Szwed, *Alan Lomax: The Man Who Recorded the World* (New York: Viking Penguin, 2010), 292-293.

⁹³ John Lomax, "J. A. Lomax to Ruby Terrill," 29 June 1933, qtd. by Porterfield 297.

⁹⁴ John Lomax, "J. A. Lomax to Ruby Terrill," 21 July 1933. qtd. by Porterfield 300

⁹⁵ Porterfield 376.

This is not to say that the Lomaxes were driven by greed. When Alan Lomax did copyright songs, starting in the late 1950s, Szwed writes that he signed contracts with singers that “allowed publishers to copyright those songs...Alan’s name, along with the singer’s would come under the title ‘Writer,’ but with added language that said, ‘Collected, adapted, and arranged by.’...Lomax’s actual copyrights read, ‘Traditional song, arranger.’”⁹⁶ However, there are several problems with this formulation. With the case of the “Stewball” recording, and with many of the other songs that Lomax copyrighted as collector, there was no previous copyright.⁹⁷ Lomax advocated that “the folklorist who recorded a song in the field was obliged to ensure that the singer was paid for his work, but should also have a share of the royalties in consideration for his or her role as a collector.”⁹⁸ What this means is that when no “writer” was explicitly listed on the copyright itself, such as with the official “Stewball” copyright (which lists both Lomaxes as the collectors), the publishing rights to the composition itself fell to the collector. In the case of “Stewball,” since the Lomaxes were the first people to record and then publish the song, they assumed the role in the copyright as writers. They retained the publishing rights. According to BMI, Alan Lomax is listed as the songwriter/composer for 948 copyrighted songs.⁹⁹ This means that, no matter how they signed the contract, or whether or not there is

⁹⁶ Szwed 295.

⁹⁷ “Stewball. From American ballads and folksongs. For voice & piano.” *Public Catalog*. United States Copyright Office. Web. 17 April 2017.

⁹⁸ Szwed 294.

⁹⁹ “BMI Repertoire: Lomax Alan.” *BMI*. Broadcast Music Incorporated. Web. 19 April 2017.

<<http://repertoire.bmi.com/Catalog.aspx?detail=writerid&page=1&fromrow=1&torow=25&keyid=205648&subid=0>>

another person listed on the copyright, Alan Lomax is legally entitled to receive publishing royalties on reproductions of the composition.

Szwed notes that “Alan made it a rule to pay all of the people that he recorded, and to offer them signed contracts that promised payment of royalties if the recordings were ever commercially issued,” but Szwed also notes that “it was difficult to stay current with the recordings” and there was trouble with “keeping track of people who were often on the move or had died and had kin who survived them.”¹⁰⁰

It is highly unlikely that the Lomaxes paid Joe Baker, the Parchman inmate who recorded the unnamed “ballad” at gunpoint for the Lomaxes in the early 1930s. It is also unlikely that Benny Will Richardson received any compensation for his performance on “Stewball.” Certainly, their names never made it onto the copyright sheets as songwriters. Obviously many folk songs do not have a single author, and therefore the notion of “songwriter” imposed by the copyright structure doesn’t exactly fit. But the heart of the ethical problem stemming from this is precisely that there are multiple entities involved in the publishing of a folksong (the folksinger, the collector, the arranger, the performer, and the publishing company), and only some of those entities have the resources and knowledge to claim ownership.¹⁰¹ Folksongs only need to have a legal author figure once they enter the publishing economy as sheet music, arrangements, and recordings; as we have seen, the people who controlled those different elements of the music industry up until the 1960s (at the

¹⁰⁰ Szwed 296.

¹⁰¹ Szwed 294.

earliest) were almost exclusively white men. The Black artists who the Lomaxes and other folklorists were interacting with did not have the resources to claim ownership over and consistently receive royalties from their performances or their work. The structure of power by which these compositions were mediated into the published realm was slated to financially privilege the white folklorists.

Many folklorists and collectors in the 1950s filed copyrights on the material that they collected, but with the exception of Alan Lomax, “none of them shared their earnings with singers.”¹⁰² Although many of these collectors did not copyright the songs as writers, it’s still clear that because many folk songs develop out of oral tradition, when they are subjected to the copyright system, they acquire an author out of the nearest thing, the collector who records publishes the work.

This subjection by the Lomaxes of Black oral tradition to the economy of music represents a mode of containment that again harkens back to function of the Mayor La Guardia’s noise control policies, described in the introduction. There, the state works to control the noise, and therefore, to preserve colonial myths that protect the state’s authority. Here, because these folk noises become commodities, the white structures of capitalism are able to enact a similar mode of control by inequitably placing these commodities in the market. Not only are the Alan Lomax Collection compilations for sale by themselves, but the songs also become financially generative because of sampling. In her article “Alan Lomax, Beyoncé, and Sampling Sounds from the Jim Crow South” (2016), Christine Werthman writes that “The ACE declined to comment on how much Beyoncé’s team paid them to license the Lomax

¹⁰² Szwed 295.

recordings. The organization also would not say whether or not they were able to pay a portion of the fees and royalties from the deal back to the families of those heard in the samples, which the organization claims to do.”¹⁰³

This represents a disruption and exploitation of what Juana María Rodríguez refers to as “an ongoing process...comprising endlessly repeated gestures of self-determination” through the activation and evocation of “memories and longings.”¹⁰⁴ The state-sanctioned mythology that racism is in the past, that there is no problem with police taking the law into their own hands and executing Black teenagers in the street, that we should be moving towards some pseudo-egalitarian “colorblind” society, is challenged by the sovereignty that can be claimed through samples: “By treating sound as both aesthetic object and historical text, sampling technologies can make the past come alive. As such, sampling is a form of aural storytelling.”¹⁰⁵ This is to say that the structure of white colonial capitalism effectively regulates and commodifies cultural memory as part of its indispensable project of containment and myth preservation. In the specific example of the Parchman Farm sample, white colonial capitalism says, “look. If you want to use this sound to evoke the historical continuity of racism that runs directly from the plantation into modern society, then you’re going to have to pay us for it.” The Lomaxes’ names, marked down permanently as writers on the song “Freedom,” are ghosts that in this context mark that very same historical continuity of racism, exploitation, and containment.

¹⁰³ Werthman, “Alan Lomax.”

¹⁰⁴ Rodríguez 72.

¹⁰⁵ McLeod and DiCola 100.

Part 3: Freedom and Constraint in *Lemonade*

*We all experience pain and loss, and often we become inaudible. My intention for the film and album was to create a body of work that would give a voice to our pain, our struggles, our darkness, and our history, to confront issues that make us uncomfortable. It's important to me to show images to my children that reflect their beauty, so they can grow up in a world where they look in the mirror, first to their own families, as well as the news, the Super Bowl, the Olympics, the White House, and the Grammys, and see themselves, and have no doubt that they are beautiful, intelligent, and capable. This is something that I want for every child of every race, and I feel it's vital that we learn from the past and recognize our tendencies to repeat our mistakes.*¹⁰⁶

Beyoncé

2017 Grammy Acceptance Speech for Best Urban Contemporary Album

In the essay “Cuts and Impressions: The Aesthetic Work of Linger in Latinidad” (2015), Joshua Guzmán and Christina León formulate a queer framework for critique and knowledge production that does not rely on the analysis of narratives to ascertain meaning. ‘Linger in’ is a critical method for living with and thinking through paradox, focusing instead on affective possibilities of representation:

If *latinidad* enacts a problem for gender, sexuality, the nation-state, for unity, and so on, then *lingering* becomes a critical practice in meditating upon the possibilities of an impasse. In fact, the etymological roots of lingering reveal the multivalent inspirations for working on this special issue...it largely resonates with the infinitive to tarry, bringing us back to a verb that knows how to deal with contradictions.¹⁰⁷

Fred Moten also takes up the idea of lingering when he writes that the ‘whole’ is perhaps best grasped by “lingering in or over individual detail, in the depth, as it were, of such detail’s surface.”¹⁰⁸ *Lemonade* is a fantastically plural work, a collection

¹⁰⁶ Knowles-Carter, “Grammy Acceptance Speech.”

¹⁰⁷ Javier Guzmán and Christina A. León, “Cuts and Impressions: The Aesthetic Work of Linger in Latinidad,” *Women & Performance: A Journal of Feminist Theory*, vol. 25, no. 3, 2015: 272.

¹⁰⁸ Moten 239.

of many narrative fragments, settings, images, and sounds. In my analysis of the song “Freedom” and of *Lemonade*, I do not try to decipher the works as singular narratives. Instead, I attempt to linger with select elements of the musical form, composition, lyrics, and especially the visual film, working with certain affective and evocative elements that tarry with one another, traversing different structures of time and space. I will engage with “Freedom” as a “musical utopia,” in order to think of it as what Fred Moten would refer to as a “subplot against history,” an explosive, multi-valent narrative body that emerges in conversation with and defiance of dominant white and patriarchal narratives of American history.¹⁰⁹ With the epigraph of this chapter in mind, I am specifically interested in how “Freedom” works within *Lemonade* to evoke pain, struggle, darkness, and history; to show Black, feminine, and southern beauty and intelligence; and to embody and give voice to a dynamic series of narratives that defy containment and unearth and remediate reified notions of American history and social relations.

Time, Space, and the Musical Utopia

Roland Barthes writes in *S/Z* (1972) that in the ideal text, “the networks are many and interact, without any one of them being able to surpass the rest; this text is a galaxy of signifiers.”¹¹⁰ Lingering asks us to listen to and work out the feelings, interactions and contradictions between the signifiers that arise in a work. By lingering to understand the interactions of the various evocative or signifying

¹⁰⁹ Moten 219

¹¹⁰ Roland Barthes, *S/Z*, Trans. Annette Lavers (New York, NY: Hill and Wang, 1972), 5.

elements of a song or audio-visual work, the plurality of the work can be better grasped. Here, I lay out and link theory and concepts from Mikhail Bakhtin, Fred Moten, Josh Kun, and José Muñoz in order to show how the “audiotopia” framework functions as a spatial and temporal model in which to linger, in order to grasp a work’s multiplicity of narrative signification and affect.

Bakhtin gives “the name *chronotope* (literally, ‘time space’) to the intrinsic connectedness of temporal and spatial relationships that are artistically expressed in literature...time, as it were, thickens, takes on flesh, becomes artistically visible; likewise, space becomes charged and responsive to the movements of time, plot and history.”¹¹¹ Bakhtin describes the chronotope as the site in which an “intersection of axes and fusion of indicators” occurs; as specific, historically particular markers of time and space inflect the spatiality invoked by the text, chronotopes accumulate in the novel.¹¹²

Adding to the concept of the chronotope, for Fred Moten, the relationship between music and time becomes a spatialized sequence: “Music consists of the organization of events so that they do not dissolve or pass away but rather coalesce into a thing that seems to suspend time precisely by bodying forth a temporal progression that belies thingliness.”¹¹³ This is, on the one hand, a basic observation of the artistic form that is music: a musical work coalesces as sounds themselves develop a relationship with and against time. The reanimation of compositions,

¹¹¹ M.M. Bakhtin, *The Dialogic Imagination: Four Essays*, Ed. Michael Holquist, Trans. Michael Holquist and Caryl Emerson (Austin, TX: University of Texas, 1981), 84.

¹¹² Bakhtin 84.

¹¹³ Moten 236.

sounds, or timbres all evoke Moten's temporal progression in another sense. Works, sounds, textures, instruments, and instrumentations become associated with particular time-spaces, or accumulate, to some degree, sonic chronotopes: listeners associate the quality of a recording with an era, or a musical style with a particular place. This is to say that particular songs, sounds, and sonic qualities and textures become chronotopic references, which find their referents in history. To cover, or more pertinently here, to sample a song, is to engender a relationship between one composition and another, or between one performer and another. In turn, this means that to sample a song is to reference the historically particular time-space, the chronotope, that the sampled work may have acquired, and to place it into conversation with the new work, in the new era and cultural context. Bakhtin writes that "chronotopes are mutually inclusive, they co-exist, they may be interwoven with, replace or oppose one another, contradict one another or find themselves in ever more complex interrelationships...The general characteristic of these interactions is that they are *dialogical*."¹¹⁴ In music, these chronotopes, as sites, are revealed by the critical practice of lingering on specific elements of the songs and, in the case of *Lemonade*, the audio-visual synthesis.

Josh Kun describes the sonic dimensions of time-space in terms of "audiotopias,' small, momentary, lived utopias built, imagined, and sustained through sound, noise, and music."¹¹⁵ The audiotopia is an especially apt frame for considering the sample's strength as a mode of commentary and of reminiscence. Kun writes that "music creates spaces in which cultures get both contested and

¹¹⁴ Bakhtin 252.

¹¹⁵ Kun 21.

consolidated and both sounded and silenced—double acts of delinquency that question both the geopolitical boundaries of the modern nation-state and the disciplinary boundaries that govern its study in the academy.”¹¹⁶ I add to this that sample-based music can enact a rupture into the containment of eras, establishing irruptive, associative historical continuities between eras and places, continuities that may have been forgotten, or more specifically, are actively disavowed and erased by the dominant socio-political ideologies and cultural regimes. Of course, audiotopias do not rely on sampling to be constructed. As amalgams of affect and historical referents, they are evoked through a combination of lyric, tempo, genre, vocal style (inflection and accent), sonic texture, instrumentation, progression, and melody. Crucially for this project, audiotopias are also portrayed through the audiovisual, crystalizing the multi-sensorial quality of the audiotopic space.

In *Cruising Utopia* (2009), José Muñoz writes this:

utopia is not about simply achieving happiness or freedom; utopia is in fact a casting of a picture of potentiality and possibility. This casting or imagining is also an act of negation. What is negated is the present in lieu of another time or place. Thus, utopia has a positive valence, that of a projection forward, and a negative function, which is the work of critique.¹¹⁷

This means that in order to ascertain the potentialities and possibilities created in and by the audiotopia, we must listen for the multiple valences of its critique, trying to hear the aspects and moments that both project forward *and* recall the past, in order to remediate our relationship to the narratives of the past and present that we consume, digest, come to embody, and bring with us into the future. by lingering on specific

¹¹⁶ Kun 22.

¹¹⁷ José Esteban Muñoz, *Cruising Utopia: The Then and There of Queer Futurity* (New York: New York University Press, 2009), 12.

details and gestural moments, we can recognize the various referents, tensions, and paradoxes that arise through them, and in doing so, we can hear the multiple valences of the audiotopian critique.

The “Freedom” Audiotopia

The structure of “Freedom” is important because the temporal sequence sets up a series of closely related affective spaces that bleed into one another and form the dynamics of the audiotopic space. “Freedom” begins with two bar “pre-pre-verse,” with a breakbeat, and an organ sample. In the following eight-bar pre-verse section, the first four bars are drenched in distorted bass, the organ and the guitar hanging on a d minor triad. The last four bars ascend through the III, IV, and V chords, and throughout the eight bars, a heavily reverbed, widely panned sample of Alan Lomax’s 1959 recording from Reverend R.C. Crenshaw’s Baptist church in Memphis plays out. The space that this sets up is crunchy, distorted, and fills the stereo spectrum with a multitude of voices, heavily effected by reverb, some buried by a high pass filter, and singing roughly in unison, with particular shouts and vocalizations standing out for brief moments before being engulfed again. The section feels like mourning, electrified and energetic, a powerful lament; it is almost recognizable as a recording of a preacher with a singing congregation.

The first part of Beyoncé’s first verse is set to percussion that conjures a march, or even an army. This is echoed in Beyoncé’s second line: “I’ma march, I’ma

walk on the regular, painting white flags blue.”^{118,119} Just Blaze, the producer, says this of “Freedom” in a 2016 interview: “I want this to feel like I’m going to war.”¹²⁰ In the move from the pre-verse section to the verse, a powerful revolutionary space is conjured out of the wailing sample from the Baptist church. The reverberation from Beyoncé’s vocals and from the massive clap set up a physically expansive space that is filled by Beyoncé’s voice, as a leader and a preacher.

Josh Kun fuses together arguments from James Baldwin and Roland Barthes to conceive of the beat as an “audible hieroglyph” that not only animates the body, but works as a “point of contact between the signifying field of music and the body of the listening agent.”¹²¹ The beat is a bodily sensation that establishes one of the most powerful transitive connections that a song can: draw the listener’s body into the space that the audiotopia constructs. It engages the listener’s body. This works with the demands that Beyoncé iterates in the chorus: “Freedom, Freedom, I can’t move. Freedom cut me loose! Freedom, Freedom, where are you? ‘Cause I need freedom too.”¹²² This resonates with what Just Blaze articulates: “It’s almost like, in a weird way, the civil rights movement is happening all over again.”¹²³ This, along with the line “I break chains all by myself” conjures into the space a history of the literal chains of slavery, along with the metaphorical chains latent in emancipation, and

¹¹⁸ Beyoncé. “Freedom.” *Lemonade*, Parkwood Entertainment, 2016.

<www.beyonce.com/album/lemonade-visual-album/>

¹¹⁹ The full lyrics to “Freedom” can be found in Appendix I.

¹²⁰ Just Blaze. “Just Blaze (Full) – Rap Radar.” *YouTube*, uploaded by Play.It, 12 May 2016. Web. 12 April 2017: 9:30.

<www.youtube.com/watch?v=mkdzy9bWW3E>

¹²¹ Kun 96.

¹²² Beyoncé, “Freedom.”

¹²³ Just Blaze, “Just Blaze.” 18:30.

especially, the hegemonic gender hierarchy under which much of the world operates. Especially because this album has been widely conceptualized as a singular narrative about a woman dealing with a cheating husband, it is important to notice that in the critique this song puts forth, blackness and womanhood are inextricably linked in their victimization, and in their power.

After the chorus and the bridge, the pre-pre-verse section returns. This time, the samples from Prisoner 22's "Stewball" are overlaid on the beat. This is the crux of the audiotopia's evocation of time and space. Whether or not the listener recognizes these sounds, they evoke pain, suffering, and lament; in relation to the lyrics, the samples specifically evoke the sound and affect of a chain gang or a group of slaves, singing while they labor. These samples bring the memory of the chain gang and the plantation rushing forth to confront the listener, as "sonic hieroglyphs that make audible what for too long has been swallowed up in an oppressive hush."¹²⁴ This is exemplary of the power that sampling holds to evoke historical particularity, and to selectively and artfully call the past into the present. Beyond that, the samples are layered and pitch-shifted, an appropriative move that marks their reanimation in modernity as a transformative gesture.

Joshua Clover writes that "collage, one might say, puts mediation—generally so busy concealing its presence while holding everything else in order—on parade. It shatters the illusory coherence with which modern commodity-consumer capitalism

¹²⁴ Kun 96.

presents itself, an illusion sometimes named ideology.”¹²⁵ The reanimation of southern slavery and incarceration enacted by the sampled sonic texture of Benny Will Richardson’s voice and the others at the Parchman Prison Farm work with the dynamics of the beat, Beyoncé’s reverberant, deity-like voice, and her lyrics to construct a vibrating, reverberating, utopian chronotope. One possibility this chronotope offers is a critique of the mediation of the history of racial and gendered oppression in this country.

In relation to the sample from Parchman Farm, I point to Clover’s idea that “collage achieves a political possibility, beyond cultural self-reflexivity... insofar as the *placement* (the form) succeeds in allegorizing the *taking* (the activity of making).”¹²⁶ This works in two ways in “Freedom,” and each of these modes of allegorizing the taking can be thought of as representing how, according to José Muñoz, utopia may be regarded as both critique and forward projection.

In one sense, Beyoncé and Just Blaze allegorize the sample, to show the way that slavery and the empty promises of emancipation (especially empty for Black women) extend into the present moment. For Beyoncé to claim, “I’m a riot, I’m a riot through your borders, call me bulletproof” conjures into the audiotopic space the deaths of Black people at the hands of the police that sparked the #BlackLivesMatter movement. The mothers of Trayvon Martin, Oscar Grant, and Eric Garner appear in the music video, which I will regard in a later section. This nexus of lyric, spatiality,

¹²⁵ Joshua Clover, “Ambiguity and Theft,” *Cutting across Media: Appropriation Art, Interventionist Collage, and Copyright Law*, Ed. McLeod, Kembrew, and Rudolf E. Kuenzli (Durham: Duke University Press, 2011), 85-86.

¹²⁶ Clover 87.

and revolutionary utopian energy works to allegorize, concretize, and justify the continuity between southern history and the present that is expressed by the use of the Parchman sample. It registers as a political critique of the “disappointing underachievement/s of emancipation” at the level of formal arrangement.¹²⁷ This critique transcends cultural self-reflexivity especially because of its flipside as a positive utopian character, as a piece of the audiotopia’s embodiment of the possibility of the revolutionary future.

But more to the point, Beyoncé and Just Blaze’s ‘taking’ of the Parchman sample is really a ‘taking back’ from the archive. Much of sampling is thought of as theft, and in Clover’s formulation, sampling-as-theft can be allegorized by the sample’s placement to affect dissidence and antiestablishmentarianism. But Beyoncé’s mode of antiestablishment action is, as we have seen, loaded with affective reanimation and reclamation. The audiotopia is living, dynamic proof that the archive, and capital’s control over access to the archive (by way of copyright and ownership), can not fully contain history and enforce hegemonic narrative. Beyoncé’s gesture breaches the capitalist archive, even while participating in it, and does battle against the narrative that slavery and the empty promises of emancipation should be regarded as locked in the past, a narrative that, as we have seen, the colonial-capitalist state must peddle and enforce in order to reify its phantasmagorical sovereignty and authority. This meditation on the allegorical function of the ‘taking back’ of the sample harmonizes with the way that “Freedom” as an audiotopia is inflected by pain, struggle, darkness, and Black feminine power and determination.

¹²⁷ Moten 242.

Josh Kun helps to elucidate the stakes for such a compounded, dynamic, gestural work, in his discussion of James Baldwin's relationship to Bessie Smith:

From the age of sixteen...up until the final weeks of his life, Baldwin consistently turned to the audiotopias that saved him, over and over again, to the songs of Bessie Smith. He continually identified with her fierceness, her toughness, her celebration of her body, her open bisexuality, her pain, her triumph over poverty, and ultimately...her freedom—her ability to escape the world's definitions and be that rare, unattainable thing: herself.¹²⁸

This resonates with Moten's claim that "perhaps constant escape is what we mean when we say freedom."¹²⁹ I would argue that one of the fundamental irruptive qualities of the "Freedom" audiotopia is that it not only speaks of and enacts freedom by animating the body of the listener, but it also articulates and realizes in the utopian sense a "radical flight" from constraint.¹³⁰ Beyoncé marshals the force of history through her invocations of oppression, darkness, and suffering in order to amplify her flight from it; she sings over the changes of real history, challenging the reified and mythological narratives of colorblindness and equality that pervade this country. While she animates the historical narrative of oppression, her audiotopia also enacts the opposing truth of the specifically Black, feminine power to escape, to tell "these tears, go and fall away, fall away...may the last one burn into flames..." When the beat drops immediately after these words, a sheer wall of power propels her voice, like it's surfing on the shockwave of an explosion, into an embodiment of the future that she is fighting to realize: "Freedom..." But as the chilling force of the chorus moves forward, the lyrics continue "Freedom! I can't move."¹³¹ This is the

¹²⁸ Kun 99.

¹²⁹ Moten 242.

¹³⁰ Moten 242.

¹³¹ Beyoncé, "Freedom."

paradoxical nature of utopia: Beyoncé escapes, at the very same time that she expresses the impossibility of her escape.

Kun articulates that James Baldwin relied on his identification with Bessie Smith's audiotopias as a mode of survival; this is where the stakes and the power of the "Freedom" audiotopia lie. Judith Butler argues that "identifications belong to the imaginary; they are phantasmatic efforts of alignment, loyalty, ambiguous and cross-corporeal cohabitation; they unsettle the 'I'; they are the sedimentation of the 'we' in the constitution of any 'I,' the structuring presence of alterity in the very formulation of the 'I.'"¹³² Audiotopias offer spaces which invite the listener to situate themselves in relation to the affect, gestures, rhythms, and animated narratives that come to coexist in the audiotopic space. Music demands identification; in Beyoncé's Grammy acceptance speech, she articulates that her project was to construct a body of work in which (her own) children could have a way to identify themselves as beautiful and powerful, especially in a world where the media, the White House, and the Grammys themselves are empty of this mode of Black feminine visibility. When listeners recognize emotions, narratives, and bodies in which they find themselves implicated, there is a powerful transference from the performer to the listener. Beyoncé's speech articulates that she intends for this song, and this project, to function as that survival mechanism, as a body to identify with, draw power from, and in doing so, realize a mode of freedom through escape, into and through the music.

¹³² Judith Butler, *Bodies that Matter: On the Discursive Limits of Sex* (New York: Routledge, 1993), 105.

Time and Space in *Lemonade*

Lemonade divides itself into eleven different segments; the song “Freedom” makes its way into the world of the film in the tenth segment, entitled “Hope.” This is the segment in which I wish to linger, but my meditation will rely on certain elements of the *Lemonade* audiotopia that accumulate throughout the film by way of audio and visual motifs, settings, elements of the film’s form (use of slow motion, video quality, etc.), bodily performance, dress, and lyric. I will focus on several specific elements of the film that are crucial lead-ins to the “Hope” segment.¹³³

Lemonade was filmed predominantly in and around New Orleans, and features several plantation houses prominently. “Hope” is set on the Madewood Plantation, which is now a National Historic Landmark.¹³⁴ The National Park Service describes the Madewood house:

Madewood represents one of the finest and purest examples of the Greek Revival style architecture in a plantation home. In a grove of oaks and magnolias, facing Bayou Lafourche, Pugh and his architect, Henry Howard, constructed a house whose classical splendor would surpass that of the neighboring plantations. Madewood was the manor house for the group of plantations that Pugh acquired in the 1830s and 40s, which eventually totaled some 10,000 acres.¹³⁵

The National Parks Service description of the house is, unsurprisingly perhaps, devoid of any mention of the slave labor that actually built and maintained such an estate. A 1993 article in *The Times-Picayune* recalls that “one report showed two

¹³³ *Lemonade* can be viewed on Tidal.com with a free trial subscription.

¹³⁴ Lauren Laborde, “Mapping the Louisiana Locations in Beyonce’s ‘Lemonade,’” *Curbed New Orleans*, Vox Media, 3 June 2016. Web. 12 April 2017. <<http://nola.curbed.com/maps/beyonce-lemonade-louisiana-filming-locations>>

¹³⁵ “Louisiana,” *National Park Service*. U.S. Department of the Interior. Web. 17 April 2017. <<https://www.nps.gov/nr/travel/louisiana/text.htm#mad>>

hundred and fifty-one enslaved Black people at Madewood in 1852, including many old people and children.”¹³⁶

The Madewood plantation house figures prominently throughout *Lemonade*. Édouard Glissant recounts that “each plantation was defined by boundaries whose crossing was strictly forbidden; impossible to leave without written permission or unless authorized by some ritual exception.”¹³⁷ *Lemonade* uses the space of the Madewood plantation to construct important relationships with space and time. Crucially, throughout the film, Beyoncé and the other Black women that form the rest of her ensemble appear both within and outside of the plantation setting, enacting a fundamental mobility that manifests affectively as a dominance over containment. The use of the plantation setting works much in the same way as the Parchman Prison Farm sample does in “Freedom.” It draws a continuity between the Black woman’s position in the antebellum south and her position today; but more importantly, the mobility that the film enacts by having the ensemble move in and out of the plantation, as well as occupy it entirely by themselves, without any men or white people depicted, enacts a radical transformation of that space.

José Muñoz uses the term ‘disidentification’ to describe “a mode of *recycling* or re-forming an object that has already been invested with powerful energy.”¹³⁸ This is exactly what Beyoncé does by incorporating the plantation into the film as a central

¹³⁶ Coleman Warner, “The Heirs of Slavery: Two Families Remember Madewood Plantation,” *The Times-Picayune*, 14 June 1993, Web, 12 April 2017. <http://www.nola.com/politics/index.ssf/1993/06/madewood_two_families_remember.html>

¹³⁷ Édouard Glissant, *Poetics of Relation*, 1997 (Ann Arbor: University of Michigan Press: 2010), 64.

¹³⁸ Muñoz, *Disidentifications* 39.

space from which her narrative irrupts and continuously escapes. Another (crucial) example of Beyoncé's enactment of disidentification is demonstrated in this anecdote from Marni Senofonte, the stylist behind *Lemonade*'s costumery:

When we started we were thinking about antebellum South, and Bey was talking about going back to these plantations. There was a question of, "Do we do authentic vintage or is it about wearing couture on these plantations?" And I was like, "It's about wearing couture on these plantations!" You have 50 amazing women in there and Bey was in couture Givenchy up in the tree. It's a juxtaposition of what historically black women on a plantation were: Here they all are in couture. It's also about not knowing where you are. Are you present? Are you past? Because that's what the story is about.¹³⁹

The image of Beyoncé in a Givenchy dress is one worth lingering on. Marcia Ochoa reminds us that "glamour, beauty, and femininity are technologies with specific practices that result in social legibility, intimate power, and, potentially, physical survival in a hostile environment."¹⁴⁰ Beyoncé and her team use couture and costume to enact a radical disidentification with the plantation space.

Senofonte also alludes to the temporal ambiguity that the portrayal is supposed to evoke. Present and past become powerfully blurred, enacting another type of refusal of containment, a mode of remembrance that Édouard Glissant touches upon when he writes that

memory in [Black] works is not a calendar memory; our experience of time does not keep company with the rhythms of month and year alone; it is aggravated by the void, the final sentence of the Plantation...when in the end it all began to shift, or rather collapse, when the unstoppable evolution had emptied the enclosure of people to reassemble them in the margins of cities, what remained, what still remains, is the dark side of this impossible memory,

¹³⁹ Marjon Carlos, "Beyoncé's Stylist Spills the Juice on the Fashion Behind *Lemonade*," *Vogue.com*, Vogue, 25 April 2016. Web. 12 April 2017. <<http://www.vogue.com/article/beyonce-lemonade-stylist-interview-fashion-marni-senofonte>>

¹⁴⁰ Marcia Ochoa, *Queen for a Day: Transformistas, Beauty Queens, and the Performance of Femininity in Venezuela* (Durham: Duke University Press, 2014), 89.

which has a louder voice and one that carries farther than any chronicle or census.¹⁴¹

The ‘impossible’ cultural memory of the plantation, the memory that must be subjugated by the white capitalist state, is one that Beyoncé is reanimating and remixing in *Lemonade*; the voice that Glissant alludes to is one that Beyoncé is amplifying with her disidentificatory practice. These practices of disidentification run parallel to the practice of sampling and its power to “[shatter] the illusory coherence with which modern commodity-consumer capitalism presents itself” and the reified and reifying ideology that that coherence projects.¹⁴² If, per Marxist thought, the ideas of the ruling class become dominant ideology, then Beyoncé’s deft disidentifications with, within, and through the plantation do not just renovate the state-maintained narratives that deny any continuity between slavery and contemporary conditions of systemic racism; they completely explode those narratives by conjuring, transforming, and owning those spaces.¹⁴³ Time does not work chronologically in *Lemonade*, which is not to say that it is without logic; rather, it is to say, that its traditional linear logic is supplanted by a nonlinear notion of time that embraces antinomy and paradoxical coexistence of history, present, and the utopian future. Time dilates and contracts in the film form. A large portion of *Lemonade* is portrayed in slow motion. The film reels also run in reverse at times, to show water falling upward, for example. Changes in aspect ratio indicate different diegetic temporalities for the source footage; grainy images of couples on what looks like 16 millimeter film

¹⁴¹ Glissant 72.

¹⁴² Clover 85-86.

¹⁴³ Karl Marx and Friedrich Engels, “The German Ideology: Part 1,” *The Marx-Engels Reader*, Ed. Robert C. Tucker, 2nd ed. (New York: Norton, 1978), 172.

are juxtaposed with high-definition widescreen shots. These elements of the film format work with the different settings and the costumery to double down on *Lemonade*'s disidentificatory stance in relation to time itself. Time is malleable. It is a fantasy mode of containment, one that can be escaped through deft invocations of memory and used to posit critique and forbidden possibility.

The other settings that occur and reoccur in *Lemonade* include the ruins of Fort Macomb, a Confederate fort; the Royal Parking garage in downtown New Orleans; the Destrehan Plantation, and various neighborhoods throughout New Orleans.¹⁴⁴ The cutting between these settings provides a paradoxical and powerful answer to Beyoncé's stylist's question, "Are you present? Are you past?"¹⁴⁵ The answer is both. The audience has to contend with the past in the present; this is how utopia works. The film is infused with chronotopes that seem to conflict with one another, but their juxtaposition demands that they be regarded as contemporaneous. This pushes the audience to consider the separation of slavery and racist, violent, state-sanctioned abuses of Black people from the present socio-political landscape as a fallacy. For some, the falsity of this narrative may be readily apparent at all times, because its falsity may be a lived experience; for others, and particularly for the white audience, the juxtaposition of chronotopes forces a re-mediation of history that challenges hegemonic narratives about American progress beyond racial inequity.

¹⁴⁴ Laborde, "Mapping."

¹⁴⁵ Carlos, "Beyoncé's Stylist Spills the Juice."

Utopian Projection and Critique in “Hope”

One of the most striking parts of *Lemonade* is the series of shots of women holding photographs of loved ones that occurs during the “Resurrection” segment, just before the commencement of the “Hope” section of the film. Among these women are Sybrina Fulton, holding a photo of her son, Trayvon Martin; Gwen Carr, holding a photo of her son, Eric Garner; and Lesley McSpadden, holding a photo of her son, Michael Brown. This moment brings an immense dose of sadness and anger, and it crystalizes the contemporaneity of the violent realities of state-sanctioned racial oppression and the present moment. These images viscerally present the audience with a type of wound that does not simply heal and go away, and this is importantly connected to the non-linear and generational healing process that is depicted in “Hope.”

“Hope” begins with Beyoncé reciting a poem by Warsan Shire that depicts a fantastical scene of childbirth.¹⁴⁶ It is accompanied by shots of Black women preparing a feast; then, the film cuts to several shots of a tented outdoor theater, under the Spanish mosses hanging from the oak trees on the plantation. The setting is immediately reminiscent of the common performance venues for early Black vaudeville, minstrel, and blues groups and singers, who, in the absence of integrated theaters, almost always performed in outdoor tents, or on temporary stages.¹⁴⁷ Several shots later, a large group of Black women sits in the audience, and as the song begins,

¹⁴⁶ A full transcription of this poem can be found in Appendix II.

¹⁴⁷ “Wild Women Don’t Have the Blues,” Directed and produced by Christine Dall, California Newsreel, 1989. Web. 19 February 2017.

<<http://wesleyan.kanopystreaming.com/video/wild-women-dont-have-blues-0>>

Beyoncé sings the opening lines of “Freedom” a capella. There is a clear identification here between herself and the early pioneering blueswomen, Ma Rainey, Ida Cox, and Bessie Smith. In a conversation with filmmaker and cultural critic dream hampton, scholar Regina Bradley remarks that this is a key to what makes (white) folks uncomfortable about this performance:

Blueswomen in the south traveled and wandered and did not censor their existence. They made people uncomfortable...*Lemonade* wasn't just a curation of the blueswoman aesthetic but an active reckoning with it as it manifested in southern spaces. Pair the blueswoman tradition with the traditional memory of the south as traumatic and backwards and you get a ripe space for unpacking the multiple layers of black women's healing and existence that Beyoncé tackles in this project.¹⁴⁸

Bradley's words resonate with the utopian nature of the space that *Lemonade* sets up through its many spatial and temporal transversals and transformative gestures. Beyoncé use of this specific historical referent works as both a recognition of “the historical and cultural horrors of Black womanhood” and as a reclamation of “the survival techniques passed down over time.”¹⁴⁹ Beyoncé enacts another significant mode of disidentification that constructs a narrative continuity of oppression and of uncensored, “collective call-to-arms for black women.”¹⁵⁰

The reverb on her voice mixed with the sounds of crickets and of the southern night marks the song as initially diegetic. Beyoncé stands rooted to the center of the stage, and as she reaches the chorus, the full wall of sound in the original “Freedom”

¹⁴⁸ Regina Bradley and dream hampton, “Close to Home: A Conversation About Beyoncé's ‘Lemonade,’” *NPR Music*, National Public Radio, 26 April 2016. Web. 17 April 2017. <<http://www.npr.org/sections/therecord/2016/04/26/475629479/close-to-home-a-conversation-about-beyonc-s-lemonade>>

¹⁴⁹ Bradley and hampton, “Close to Home.”

¹⁵⁰ Bradley and hampton, “Close to Home.”

explodes behind her, shattering the diegesis. Beyoncé cannot move; she is rooted to the spot, even as she belts out the lyrics, “Freedom, Freedom, I can’t move; freedom, cut me loose!”¹⁵¹ For the final two lines of the chorus, the music cuts out, leaving Beyoncé singing a capella again. This move back and forth blurs the very framework of diegesis. This is yet another way in which the *Lemonade* audiotopia so deftly works as a paradoxical, performative remix of history and present.

As the Parchman Farm samples play, a Black ballerina, Michaela dePrince, dances by herself on the stage. The cut between Beyoncé’s immobility and dePrince’s ballet dance (a form that has historically been associated with whiteness and plagued by profound discrimination) in the same place on the stage again contemporaneously juxtaposes constraint with escape, and affects disidentification.¹⁵² The film then cuts from her dancing at night, to her dancing in the same place during the day, and then back to the original night setting, playing with the already-broken laws of narrative time in a gesture that performs a sort of infinity and limitless agency, a gesture that doubles down on the disidentification immanent to the figure of the Black ballerina, and further links the past to the present through the melding of the Parchman Farm sample’s audiotopic evocations with the cinematic form.

As the song progresses into the second verse, the women who started the episode preparing food are shown to be sitting down to a feast, underneath the giant

¹⁵¹ Beyoncé, *Lemonade*, directed by Kahlil Joseph and Beyoncé Knowles-Carter. Parkwood Entertainment, 2016. Web. 19 April 2017. <<https://listen.tidal.com/artist/1566/videos#>>

¹⁵² Laurie A Woodard, “Black Dancers, White Ballets,” *New York Times*, 15 July 2015. Web. 18 April 2017. <https://www.nytimes.com/2015/07/15/opinion/black-dancers-white-ballets.html?_r=0>

oak tree. This scene is juxtaposed with images of a solitary woman inside the plantation house, who Regina Bradley regards as a potential depiction of a house slave; the specific juxtaposition of the images of the women sitting down to feast with the solitary woman sitting down to her own meal intimates a fantasy relationship between the two.¹⁵³ Bradley goes on to articulate a crucial facet of *Lemonade*'s significance when she writes that *Lemonade* pulls "the viewer through multiple lenses, historical periods and vantage points to complicate southern Black women. It demonstrates healing as messy, non-linear and generational...the responsibility of remembering is not only a collective, but it's collective for multiple generations of Black women."¹⁵⁴ *Lemonade*'s articulation of healing as a collective, non-linear, paradoxical process is a form of re-mediation that is enacted in the film's performance and presented as a process open to identification.

With Kendrick Lamar's distorted vocals chanting in the background, the final shots of this segment of the film are of Black women of all ages, posing in a mixture of Victorian, antebellum, and contemporary couture dress, under, around, and in the massive oak tree. In the final shot of the segment, the camera slowly tracks back, while aiming up at Beyoncé, sitting high in the tree in her Givenchy dress.

To distill this scene down into a single narrative would be a gross dishonor of the multiple spaces that Beyoncé creates. It almost demands not to be unpacked as such, inviting a more affective reading of the power that Beyoncé's voice, the samples from Benny Will Richardson's song, dePrince's dance, the women's feast,

¹⁵³ Bradley and hampton, "Close to Home."

¹⁵⁴ Bradley and hampton, "Close to Home."

and the disidentificatory relationship between the work, the southern plantation, and the antebellum era. This segment resists narrative structure, and especially the specific broken-record repetition of the narrative of “the trauma of slavery” as what pushes “the images of black women in undeniably southern spaces forward.”¹⁵⁵ As Bradley points out, healing, and not trauma, is what is articulated variously in this segment as a non-linear, non-containable process. Trauma is there, to be sure, as it always is; but in this sense, “Hope” and “Freedom” become a realization of strength and joy that *powers through* trauma, a utopia that resembles the particular healing process that Beyoncé opens up for identification.

Here again are the two strands of utopian significance that José Muñoz cues us to. Of the various critiques that could be heard here, perhaps the most important is a challenge to “the heavy assumptions of southern black women and girls as hopeless.”¹⁵⁶ The foregrounding of Black women’s agency, joy, and talent, along with the negations of men and whiteness that inflect “Hope” (and the entire world of *Lemonade*) all set up an intensely affective paradox of “Antebellum [femme] blackness as joyous and fruitful.”¹⁵⁷ Beyoncé expressed that she made this body of work for young Black women to identify with, and she presents a body that is infused with hope, and not with hopelessness.

¹⁵⁵ Bradley and hampton, “Close to Home.”

¹⁵⁶ Bradley and hampton, “Close to Home.”

¹⁵⁷ Bradley and hampton, “Close to Home.”

Conclusion

bell hooks has argued that *Lemonade*'s "radical repositioning of black female images does not truly overshadow or change conventional sexist constructions of black female identity."¹⁵⁸ She goes on to qualify this statement: "though Beyoncé and her creative collaborators daringly offer multidimensional images of black female life, much of the album stays within a conventional stereotypical framework, where the black woman is always a victim."¹⁵⁹

Lemonade considered as an audiotopia, is formally challenging. hooks's characterization of *Lemonade* as beginning with "a story of pain and betrayal highlighting the trauma it produces" is only part of the story, if you can even call it a story in itself.¹⁶⁰ In my analyses *Lemonade* is thoroughly a utopian enactment and animation of pain, betrayal, trauma, hope, healing, beauty, rage, history, identification, performance, love, transformation, agency, and more. It must include trauma because trauma is not in the past; it is always an emotion that registers, whether by memory or otherwise, in the present moment. hooks also claims that "images of violence undercut a central message embedded in *Lemonade* that violence in all its forms, especially the violence of lies and betrayal, hurts."¹⁶¹ Here, hooks appropriates the broken notion of violence that lies in the U.S. penal code: "an offense that has as an element the use, attempted use, or threatened use of physical

¹⁵⁸ bell hooks, "Moving Beyond Pain." *bell hooks Institute*. Berea College. 9 May 2016. Web. 14 April 2017.

<<http://www.bellhooksinstitute.com/blog/2016/5/9/moving-beyond-pain>>

¹⁵⁹ hooks, "Moving Beyond Pain."

¹⁶⁰ hooks, "Moving Beyond Pain."

¹⁶¹ hooks, "Moving Beyond Pain."

force against the person or property of another.”¹⁶² Immanent to that definition is a glossing of the stark difference between the use of physical force on another and the use of physical force on property. I contend that equating Beyoncé’s smashing of cars with a baseball bat in an early segment of the *Lemonade* video is an absurd conflation of the term ‘violence’ with the meaning of the term ‘rage;’ however, this is not necessarily hooks’s personal view. This is a window into hooks’s position in relation to Beyoncé and the cultural power of the commodity. It is implicit in her argument that hooks is concerned with how mass consumers will view this work as staying within the bounds of what they are used to consuming: images and narratives of the Black female body as hopeless victim.

I have positioned these excerpted arguments from bell hooks’s critique of *Lemonade* at the beginning of the concluding section of this essay because hooks’s critique does make an incredibly cogent point about musical commodity that has hitherto gone unmentioned in this essay’s reckoning with *Lemonade*. hooks argues that it is not accurate to say that *Lemonade* is an album made exclusively for Black women. She expresses the undeniable fact that *Lemonade* was created as a commodity, and she argues that “commodities, irrespective of their subject matter, are made, produced and marketed to entice any and all consumers. Beyoncé’s audience is the world.”¹⁶³ This important recognition helps to frame the standpoint from which she mounts her critique, and an analysis of this standpoint necessarily launches us

¹⁶² “18 U.S. Code § 16 - Crime of Violence Defined,” *Legal Information Institute*, Cornell University Law School. Web. 14 April 2017.

<<https://www.law.cornell.edu/uscode/text/18/16>>

¹⁶³ hooks, “Moving Beyond Pain.”

into a discussion of popular culture, ideology, consumption, and their relationships to the musical commodity.

In Theodor Adorno's famous essay "On Popular Music" he quips that "in popular music, position is absolute. Every detail is substitutable; it serves its function only as a cog in a machine."¹⁶⁴ This implies that the actual experience of listening to popular music is "not likely to influence, to any great extent, the reaction to the details, except to give them varying degrees of emphasis."¹⁶⁵ Adorno puts forth the proposition that "the frame of mind to which popular music originally appealed, on which it feeds, and which it perpetually reinforces, is simultaneously one of distraction and inattention. Listeners are distracted from the demands of reality by entertainment which does not demand attention either."¹⁶⁶ This is all to say that he conceives of a listening body that does not engage intellectually with the musical commodity; the listener-popular musical commodity relationship is a relation of 'pure' consumption. Adorno's theoretical angle here can still be appreciated in some respects; much of modern music could certainly be said to be standardized and built for an intellectually inattentive mode of consumption, on the basis of standardized song structures, beats, lyrical and narrative tropes, and lyrical styles (i.e. the meteoric rise of 'mumble rap,' a blanket term coined by rapper Wiz Khalifa in June of 2016 to describe the style of lyricism that is employed by artists such as Desiigner, Lil

¹⁶⁴ Theodor Adorno, "On Popular Music," 1941, *Essays on Music*, Trans. Susan H. Gillespie (Berkeley: University of California Press, 2002), 440.

¹⁶⁵ Adorno 439.

¹⁶⁶ Adorno 458.

Yachty, Young Thug, and Future).¹⁶⁷ However, a highly valorized value of the popular musical commodity today, valorized especially by the blogosphere and the thinkpiece culture of social media, is the dual function of the musical commodity as conducive to both attentive and inattentive consumption. One of the reasons why *Lemonade* has become such an iconic work is precisely because its important political messages and critiques are made in music that truly *slaps*. This music bumps. You can dance to it. You can sing to it. You can identify with it. You can think with it.

Karl Marx wrote that “the class which has the means of material production at its disposal, has control at the same time over the means of mental production, so that thereby, generally speaking, the ideas of those who lack the means of mental production are subject to it.”¹⁶⁸ Barthes derives from this (and augments it) when he writes that “it is an illusion to reduce the dominant culture to its inventive core...there also is a bourgeois culture which consists of consumption alone...everything, in everyday life, is dependent on the representation which the bourgeoisie *has and makes us have* of the relations between man and the world.”¹⁶⁹ These are the mechanics by which Georg Lukács says that consciousness becomes reified. Commodity fetishism, the mystification of the labor that constitutes all commodities, becomes an ideology that is reinforced by the totally consumptive nature of bourgeois culture, which is to say capitalist culture, which is to say, dominant American culture.

¹⁶⁷ Kathy Iandoli, “The Rise of 'Mumble Rap': Did Lyricism Take a Hit in 2016?” *Billboard.com*. Billboard, 21 December 2016. Web. 14 April 2017. <<http://www.billboard.com/articles/columns/hip-hop/7625631/rise-of-mumble-rap-lyricism-2016>>

¹⁶⁸ Marx and Engels 172.

¹⁶⁹ Barthes, *Mythologies* 140.

The frame of mind that Adorno's popular musical commodity demands is passive consumption; this becomes immanent to popular culture, and is one of the the very mechanisms that works to reify American consciousness, obscure race, gender, and class relations, and protect capitalism. Bourgeois consumption culture increases the intensity with which our attachment to the very same passive capitalist consumer culture manifests in the collective consciousness of our society.¹⁷⁰

bell hooks argues that it is not enough to say that *Lemonade* is an album made exclusively for Black women; the corrolary to that statement is that we must understand it from the perspective of the reified consciousness, from the perspective of the passive consumer who will invariably regard it from the hegemonical ideological position. This hegemonical ideological position is one that that, as we have seen demonstrated in so many different instances but most particularly in the images of Sybrina Fulton, Trayvon Martin, Gwen Carr, Eric Garner, Lesley McSpadden, and Michael Brown, is an ideological position that wants to maintain the Black woman's position as, in the words of Malcolm X, "the most disrespected...unprotected...[and] neglected person in America."¹⁷¹

In hooks's critique, she expresses the undeniable fact that *Lemonade* was created as a commodity, and then argues that "commodities, irrespective of their subject matter, are made, produced and marketed to entice any and all consumers."¹⁷²

I am in agreement with hooks in that *Lemonade* is capitalism at its apotheosis. I

¹⁷⁰ Lukács 198.

¹⁷¹ Malcolm X, "Who Taught You to Hate Yourself?" Funeral Service of Ronald Stokes, 5 May 1962. Los Angeles. Speech, qtd in Beyoncé, *Lemonade*, 13:35.

¹⁷² hooks, "Moving Beyond Pain."

regard it as both an enjoyable, danceable commodity, as well as an exceedingly important political work that, by way of being widely consumed, has taken on multiple meanings for many different people. This is not to erase the fact that Beyoncé dedicated this work, first and foremost, to her own children; *Lemonade* has also become widely recognized, as one viral article put it, as a “Love Letter to Black Women.”^{173,174} But hooks is right that this commodity has been widely consumed by many different social groups from the start. Beyoncé was referenced in 1.8 million different tweets on the day of *Lemonade*’s release, and sold around half a million copies in the first week following its release.¹⁷⁵ This issue is related to Dick Hebdige’s thinking about hegemony when he writes that “the crucial question has to do with which specific ideologies, representing the interests of which specific groups and classes will prevail at any given moment, in any given situation...it should be obvious that access to the means by which ideas are disseminated in our society (i.e. principally the mass media) is *not* the same for all classes.”¹⁷⁶ There is a tension that hooks is highlighting implicitly; *Lemonade* has been written about widely by Black women in the musical blogosphere, producing readings that certainly make primary hooks’s point that “what makes this commodification [of the black female body]

¹⁷³ Knowles-Carter, “Grammy Acceptance Speech.”

¹⁷⁴ Blue Telusma, “Beyoncé’s ‘Lemonade’ Is the Love Letter to Black Women We’ve Been Thirsting For.” *The Grio*. Entertainment Studios, LLC. 24 April 2016. Web. 14 April 2017. <<http://thegrio.com/2016/04/24/beyonces-lemonade-is-the-love-letter-to-black-women-weve-been-thirsting-for/>>

¹⁷⁵ Dan Rys, “How Beyonce Shook Up the Music Industry (Again) With ‘Lemonade,’” *Billboard.com*, Billboard, 28 April 2016. Web. 14 April 2017. <<http://www.billboard.com/articles/business/7348533/beyonce-lemonade-tidal-streaming-music-industry-jay-z>>

¹⁷⁶ Dick Hebdige. *Subculture: The Meaning of Style* (London: Routledge, 1979), 14.

different in *Lemonade* is intent; its purpose is to seduce, celebrate and delight – to challenge the ongoing present-day devaluation and dehumanization of the black female body.”¹⁷⁷ As hooks points out, this is a commodification of the body, but seeing these strong models is a reminder of the paucity of that representation in popular culture in media, and therefore, of the paucity of images with which young Black women can identify and feel empowered by.

hooks’s critiques of *Lemonade*’s content emanate from a position that is unwilling to forget the dominant power of mass passive consumption. It is implicit in her argument that many of the profound transformations and the plethora of gestures and affects that are performed in *Lemonade* are subsumed and hidden because, to many consumers, “ultimately *Lemonade* glamorizes a world of gendered cultural paradox and contradiction. It does not resolve.”¹⁷⁸ Essentially, hooks makes the important point that passified consumption, inflected by dominant white norms of heterosexuality and victimization, is always inextricable from any mass commodity consumption in this country. But I regard *Lemonade* as capitalism at its apotheosis precisely because, with its massive acclaim, it has been so successful in creating demand for its *critical* consumption. The challenging visual album format; the intense social buzz around its political significance; it is popular culture, but it invites critical listening, too.

hooks writes, as a centerpiece of her critique, that “no matter how hard women in relationships with patriarchal men work for change, forgive and reconcile,

¹⁷⁷ hooks, “Moving Beyond Pain.”

¹⁷⁸ hooks, “Moving Beyond Pain.”

men must do the work of inner and outer transformation if emotional violence against black females is to end. We see no hint of this in *Lemonade*.”¹⁷⁹ I would argue that with this totalizing notion of feminism, hooks’s implicit idea that in order for a work to constitute some sort of feminist ‘truth’ then it must have *as its critical focus* a “call for an end to patriarchal domination” is at odds with the very medium that hooks is contending with. As we have seen, the unity of *Lemonade* as a text is totally internally destabilized. In rebuttal to hooks, blogger LaSha writes:

Black women are enthralled, moved to tears, and motivated to unpack baggage and trauma, dead set on seeking support within the sisterhood because of “*Lemonade*.” It is contrary to any stretch of feminist ideology to then issue us an edict that we have been duped, reducing our connection, a legitimate feeling of transcendent sisterhood and reclamation of our own selves substantiated by shared lived experiences, to our inability to recognize and reject imperialist propaganda.¹⁸⁰

hooks valorizes the idea of narrative coherence because she sees, perceptively, that consumers are attached to narrative coherence; indeed, when *Lemonade* was released, much of its virality could certainly be attributed to the rumors that Jay-Z had cheated on her. However true or false that claim may be, I hope that my reading of “Freedom” has shown that any objectively coherent narrative is not imperative for analysis, or by any means, for identification. As Roland Barthes has expressed, “to interpret a text is not to give it a (more or less justified, more or less free) meaning, but on the contrary to appreciate what *plural* constitutes it.”¹⁸¹ The *Lemonade* audiotopia is a collection

¹⁷⁹ hooks, “Moving Beyond Pain.”

¹⁸⁰ LaSha. “bell hooks vs. Beyoncé: What This Feminist Scholarly Critique Gets Wrong About ‘Lemonade’ and Liberation.” *Salon.com*. Salon Media Group. 17 May 2016. Web. 14 April 2017.

<http://www.salon.com/2016/05/17/bell_hooks_vs_beyonce_what_the_feminist_scholarly_critique_gets_wrong_about_lemonade_and_liberation/>

¹⁸¹ Barthes, *S/Z* 5.

of affect, history, moment, and disidentification that, when lingered in critically, becomes immensely powerful, in plurality. When we, as critical listeners, engage with the pluralities, paradoxes, and dissonances of the audiotopias that surround us, we will be in a better position to understand social relations, how our world works, and perhaps most importantly and concretely, how the people around us feel.

Afterword

As an echo of the introduction, I wish to say that the process of amplifying and reamplifying the unquitable historical dynamics of the recording industry, so as to make them more readily audible, is an essential project that must continue. It must, however, be supplemented by a shift in industry practices themselves. I have faith that the young people that I am currently surrounded by recognize this, and I have faith that we will actively pursue concrete changes towards a more equitable industry, as we enter it. Still, I feel compelled to say here that social change is made when people act; change is made in practice. Those with privilege must sacrifice that privilege for those who are without it. This is as much a reminder for myself as it may be for the reader. And now, I cease to linger; this is where I leave you.

Appendix I

Lyrics to “Freedom” by Beyoncé ¹⁸²

[Verse 1: Beyoncé]

Tryna rain, tryna rain on the thunder
Tell the storm I'm new
I'ma walk, I'ma march on the regular
Painting white flags blue
Lord forgive me, I've been running
Running blind in truth
I'ma rain, I'ma rain on this bitter love
Tell the sweet I'm new

[Pre-Chorus: Beyoncé]

I'm telling these tears, "Go and fall away, fall away"
May the last one burn into flames

[Chorus: Beyoncé]

Freedom! Freedom! I can't move
Freedom, cut me loose!
Freedom! Freedom! Where are you?
Cause I need freedom too!
I break chains all by myself
Won't let my freedom rot in hell
Hey! I'ma keep running
Cause a winner don't quit on themselves

[Verse 2: Beyoncé]

I'ma wade, I'ma wave through the waters
Tell the tide, "Don't move"
I'ma riot, I'ma riot through your borders
Call me bulletproof
Lord forgive me, I've been runnin'
Runnin' blind in truth
I'ma wade, I'ma wave through your shallow love
Tell the deep I'm new

[Pre-Chorus: Beyoncé]

I'm telling these tears, “Go and fall away, fall away”
May the last one burn into flames

¹⁸² “Freedom Lyrics.” *Genius.com*. Web. 19 April 2017.
<<https://genius.com/Beyonce-freedom-lyrics>>

[Chorus: Beyoncé]
Freedom! Freedom! I can't move
Freedom, cut me loose!
Freedom! Freedom! Where are you?
Cause I need freedom too!
I break chains all by myself
Won't let my freedom rot in hell
Hey! I'ma keep running
Cause a winner don't quit on themselves

[Verse 3: Kendrick Lamar]
Ten Hail Marys, I meditate for practice
Channel 9 news tell me I'm movin' backwards
Eight blocks left, death is around the corner
Seven misleadin' statements 'bout my persona
Six headlights wavin' in my direction
Five-O askin' me what's in my possession
Yeah, I keep runnin', jump in the aqueducts
Fire hydrants and hazardous
Smoke alarms on the back of us
But mama, don't cry for me, ride for me
Try for me, live for me
Breathe for me, sing for me
Honestly guidin' me
I could be more than I gotta be
Stole from me, lied to me, nation hypocrisy
Code on me, drive on me
Wicked, my spirit inspired me
Like yeah, open correctional gates in higher desert
Yeah, open our mind as we cast away oppression
Yeah, open the streets and watch our beliefs
And when they carve my name inside the concrete
I pray it forever reads

[Chorus: Beyoncé]
Freedom! Freedom! I can't move
Freedom, cut me loose!
Freedom! Freedom! Where are you?
Cause I need freedom too!
I break chains all by myself
Won't let my freedom rot in hell
Hey! I'ma keep running
Cause a winner don't quit on themselves

[Outro: Kendrick Lamar]

What you want from me?
Is it truth you seek? Oh father can you hear me?
What you want from me?
Is it truth you seek? Oh father can you hear me?
Hear me out

[Spoken: Hattie White]

I had my ups and downs, but I always find the inner strength to pull myself up. I was served lemons, but I made lemonade

Appendix II

Poem by Warsan Shire, spoken at the beginning of the “Hope” segment of

*Lemonade*¹⁸³

[Spoken: Beyonce]

The nail technician pushed my cuticles back... turns my hand over, stretches the skin on my palm and says, “I see your daughters and their daughters.” That night in a dream, the first girl emerges from a slit in my stomach. The scar heals into a smile. The man I love pulls the stitches out with his fingernails. We leave black sutures curling on the side of the bath.

I wake as the second girl crawls headfirst up my throat, a flower blossoming out of the hole in my face.

¹⁸³ Michelle Toggia, “Transcript Of Beyoncé’s Lemonade Because The Words Are Just As Important As The Music,” *Bustle*. 24 April 2016. Web. 19 April 2017. <<https://www.bustle.com/articles/156559-transcript-of-beyonces-lemonade-because-the-words-are-just-as-important-as-the-music>>

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