Sampling India: Examining Cultural Appropriation, Intercultural Exchange, and the Othering of Indian Music in Hip-Hop and Reggaeton

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ABSTRACT

Since Edward Said's *Orientalism* (1978), scholars have continued to expound upon Said's binary analysis of 'Orient and Occident'. In popular music studies, India is primarily explored through its influence on psychedelic rock (Lavezzoli, 2007; Bakrania, 2013), or the impact of bhangra in shaping diasporic South Asian identities (Sharma, 1996; Dudrah, 2002). However, the role of digital sampling in the Othering of Indian culture is relatively undertheorized.

In order to provide a fresh perspective, this thesis examines the sonic Othering of Indian music in hip-hop and reggaeton, with a key focus on cultural appropriation discourse and Orientalism in a globalised age. These genres make for an ideal study not only due to a proclivity for sampling and interpolations (the reuse of portions of existing musical works), but also the increased interest of American producers in Indian sounds through the 2000s.

In addition to drawing from academic theory, music industry journalism, copyright law, and original interviews, this thesis comprises case studies examining 2000s hip-hop and reggaeton works through concepts of cultural exchange, exploitation, dominance, and transculturation. My goal in this process is to explore the scope for cultural appropriation whilst acknowledging the possibility for both exploitation and exchange, thereby driving the debate forward.

Through these studies, I observe both overt and inferred forms of appropriation. Moreover, certain works exhibit a paradoxical duality, demonstrating elements of appropriation

and exchange through hybridised identities. These findings enhance our understanding of not only the scope for intercultural exchange amongst postcolonial cultures, but also the role of sampling and interpolations in lending or denying subordinated cultures agency.

Additionally, I identify new mediums of appropriation such as 'brownfishing' (the South Asian equivalent of blackfishing) as well as resistance (such as versioning and signifying politics by Indian artists), and examine the role of self-exoticisation in reclaiming sonic agency.

ACKNOLWEDGEMENTS

TABLE OF CONTENTS

CHAPTER 1: INTRODUCTION

Re-examining 'Orientalism'

In his seminal 1978 work, *Orientalism*, author Edward Said defines Orientalism as a binary opposition borne of ideological distinctions between the West (the Occident) and the East (the Orient). Through a series of academic and literary examples ranging from Aeschylus' *The Persians* to the works of Gustave Flaubert and Rudyard Kipling, Said highlights the role of cultural hegemony in enabling the conception and durability of Orientalism as a patronising Occidental perception of Asian and Middle Eastern cultures, and the relegation of the Orient and Oriental as the 'Other'. This Othering is manifested through essentialist cultural representations that seek to exoticise and differentiate Orient from Occident. Said ascribes this exoticisation of non-white cultures to a Eurocentric ideological creation, describing 'the relationship between the Orient and Occident [as one of] power, of domination,' and of 'European superiority over Oriental backwardness' (2003, pp. 5-7).

While Said concentrates chiefly on the French and British Orientalism of the nineteenth and early-twentieth centuries, I argue that his analysis can also be applied to present-day occurrences such as cultural appropriation within popular music, which, similar to Said's observations of the Orient and Occident, is commonly referred to as an act that is rooted in an imbalance of power (Chakravartty and Zhao, 2008; Young and Brunk, 2012; Mueller, 2018). This interpretation is owed to the fact that appropriating artists often profit from marginalised

cultures, exhibiting markers of exoticisation and Othering that are typically entrenched in Orientalist perceptions.

In musicological terms, author Timothy D. Taylor describes exoticism as 'manifestations of an awareness of racial, ethnic, and cultural Others captured in sound' (2007, p. 2). While these musical manifestations of Othering have previously been explored in relation to Indian music, this discourse has traditionally been limited to the relationship between classical Indian music and Beatles-era genres such as psychedelic rock, or the role of Black musics in shaping diasporic South Asian identities in the UK and USA. While the aforementioned subjects are significant to understanding the history and hybridity of global South Asian musical influences, there is little discussion on the subject of Indian influences on contemporary Western popular music genres, or the nature and scope for intercultural exchange between India and Afro-Caribbean musics in a globalised age. This thesis seeks to redress this by exploring the use of Indian-inspired samples and interpolations by hip-hop artists in the United States and reggaeton artists in the Caribbean.

In the 1995 afterword to *Orientalism* (2003, p. 333), Said explains that the 'construction of identity … involves establishing opposites and "others" whose actuality is always subject to the continuous interpretation and re-interpretation of their differences from "us"'. In popular music, this disparity is often highlighted through cultural appropriation, or instances in which dominant artists exercise unequal power relations to exoticise, Other, and capitalise upon comparatively marginalised cultures. This thesis will explore Said's analysis of societies recreating and reinterpreting perceptions of Otherness through a series of case studies involving Indian-inspired instrumentation, samples, and interpolations in hip-hop and reggaeton. Given that the years spanning 2001-2005 were pivotal in establishing Indian music as a staple in American hip-hop, I will concentrate chiefly on music produced during this period. In order to provide a more well-rounded analysis, I will examine the Othering of Indian music through a

dual 'diasporic' and 'home' perspective,[1] investigating questions pertaining to digital sampling as an extension of contemporary Orientalism by way of recreating one's Other. This exploratory analysis will be developed through a range of sources including academic theory, music journalism and cultural critique, original interviews, and in-depth case studies.

Professor Mark Katz describes the art of digital sampling as 'a method in which sound is converted into highly manipulable data' (2004, p. 46). However, it should also be noted that this manipulable data can occasionally engage in cultural appropriation by playing into Orientalist tropes through exoticisation, erasure, or misappropriation of culture. Thus, given that digital sampling and interpolations enable the recontextualisation of an existing recording, it could be argued that songs that incorporate unlicensed samples from subordinate cultures can be viewed as acts of cultural appropriation. Genres such as hip-hop make for a compelling study in this regard, not only due to hip-hop's proclivity for sampling Indian music (particularly through the 2000s), but also due to the fact that the appropriating artists are often African-American, or people of colour. This racial dynamic makes for an interesting study whereby communities of colour bearing shared histories of oppression – albeit in different manners – engage in forms of both cultural appropriation and exchange.

In 'Orientalism Reconsidered', Said describes the cultural division between Orient and Occident as the result of human production ('imaginative geography'), reasoning that Orientalism must thus be examined via a social perspective (1985, p. 90). This division is often highlighted in Said's work as the East (Asia and the Middle East) being imperialised by Anglo-French forces. However, Said also clarifies that the Occident is not limited to Europe alone. In a 1998 interview with Professor Sut Jhally of the University of Massachusetts, Said explains the difference between American and European Orientalism, referring to Britain and France as

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[1] Postcolonial theorist Lisa Lau makes the distinction between diasporic authors and home authors: 'Home' author implies that 'the writer resides within South Asia, or is a national of a South Asian country' (cited in Lau, 2005).

countries that have encountered direct colonial experience through their occupation of regions such as India and North Africa (and thereby serving as an archive of actual experiences), while 'the American [experience of Orientalism] is much more indirect; it is much more based on abstractions' on account of having no direct occupation of the Near East (Jhally, 2012). Additionally, he describes American Orientalism as a phenomenon that is 'very politicised by the presence of Israel, for which America is the main ally', alluding to an anti-Islamic sentiment that Said claims was 'imported' into the USA from Israel. Although Said was referring to the bilateral political relationship between Israel and the USA in 1998 (the time of this interview), through the research presented in this thesis, I argue that the same view can be applied to American Orientalism post-9/11, with South Asian and Middle Eastern musics serving as the sonic Other in 2000s hip-hop. Through the case studies presented in this thesis, I propose that this politicised perspective, magnified by rapid information exchange, created opportunities for both appreciation and appropriation across cultures, and the resultant intercultural exchange would serve as fuel for hybridised identities and subgenres.

Popular music demonstrates a long and well-documented history of intercultural exchange, and technological advances such as access to the internet, affordable recording technology on laptops, tablets and mobile phones, and widespread access to cellular devices in countries like India have greatly enabled the acceleration of this exchange. Given the global flow of information and the consequent amalgamation of cultural influences, I will investigate questions pertaining to the existence (or lack thereof) of cultural appropriation in an increasingly globalised age, in which deterritorialization serves as 'a central force creating new markets' (Appadurai, 1990, pp. 301-302).

Since *Orientalism*, scholars have continued to expound upon Said's original theory, establishing auxiliary concepts such as ethno-Orientalism (Carrier, 1992), self-Orientalism (Dirlik, 1996), internal Orientalism (Schein, 1997), neo-Orientalism (Boehmer, 1998),

(Mitchell, 1998), Black Orientalism (Mazrui, 2000), reverse Orientalism (Mitchell, 2004), re-Orientalism (Lau, 2009), counter-Orientalism (Wahab, 2014), and anti-Orientalism (Sulaiman, 2019), among others, to examine the complex processes of Othering and cultural erasure in light of socio-economic and political conditions affecting Asian and African communities.

Aside from highlighting more contemporary examples of Orientalism through hip-hop and reggaeton artists' incorporation of Indian-inspired samples and interpolations in their music, of the aforementioned theories, I will also briefly explore the concepts of self-Orientalism, counter-Orientalism, and re-Orientalism. Re-Orientalism focuses on the role of the Oriental in self-defining the processes of Orientalism, or, as postcolonial theorist Lisa Lau explains: 'They are not just being Othered any more by western powers, they are in the process of self-Othering' (2011, p. 6). Counter-Orientalism adopts a similar form of self-Othering, yet with an emphasis on 'counter-narratives' (Wahab, 2014) that seek to destabilise what Said characterised as the 'complex series of knowledgeable manipulations' that both contain and represent notions of the Orient (2003, p. 40). Self-Orientalism, on the other hand, is defined as a form of self-Othering that involves a wilful appropriation of Orientalist stereotypes in order to succeed within Western-dominated structures, yet is still affected by a degree of Western domination. My goal in examining these theories is to explore the possibility of self-exoticism as a form of assimilation by source communities, or, according to Richard A. Rogers, the adaptation of elements of a dominant culture by subordinated groups to enact a form of resistance through appropriation (2006, pp. 480-485).

Cultural Appropriation: Who Can Appropriate?

Cultural appropriation has been embedded in popular entertainment forms for centuries, tracing its roots to 19th century minstrelsy (Johnson, 2012). Specific to a musical context, appropriation is often viewed in an exploitative light when source cultures are excluded from social and artistic exchange (Goodwin, 2017). This exclusion can be found in many forms, be

it through the capitalistic harnessing of a particular culture, motif or racially-associated symbol without any reference to its origins or cultural significance, or the overt exoticisation of a race, language, or cultural artform.

Cultural appropriation has been described as a 'pervasive' and 'multidirectional phenomenon', and is often viewed as an exploitative practice, particularly in the case of 'white' artists adopting elements of a minority culture without giving any indication of understanding or respect to the original culture and context (Rao and Ziff, 1997, pp. 4-5). Its deeply subjective nature is further underlined when it is the source communities (those whose culture is being appropriated) that set boundaries and conditions for what could be conceived as appropriation, making the notion that appropriation is a solely 'white against coloured' phenomenon a commonly-held assumption (Nittle, 2018). More often than not, popular music consumers appear to perceive cultural appropriation as a phenomenon that involves 'white' artists using a distinctly 'non-white' sound or visuals to promote their music (see Nittle, 2019), '"Western musicians" sampl[ing] "non-Western" musicians' (Hesmondhalgh, 2000, p. 280), or the representation of marginalised cultures through the eyes of more privileged groups (Malik, 2017).

Some have even gone so far as to claim that 'people of colour' cannot participate in appropriation. For instance, in an article in *Afropunk*, author and activist Hari Ziyad defines appropriation as an act that is 'about benefiting from other cultures while simultaneously dehumanizing them', attributing global 'anti-Black culture' as a means to absolve Black individuals from blame in cultural appropriation. He explains: 'It is important to understand that Black peoples' interactions with other cultures are not based on a historically violent relationship of taking from and benefiting from those cultures, which is what appropriation consists of … while Black folks can definitely perpetuate violence against non-Black people, Black people adopting other cultures or customs is *not appropriation*' (Ziyad, 2017). However,

the assertion that people of colour cannot engage in cultural appropriation inadvertently perpetuates the very notions that seek to invisibilize these source communities.

Acts of cultural appropriation in popular music can range from visual to rhythmic, instrumentative, linguistic (this can range from 'linguistic blackface' to cases such as Selena Gomez's use of Indian music in 'Come and Get It' (2013), which Gomez referred to as 'Middle Eastern' (Kishwer, 2013) but was in fact South Asian),[2] and stylistic (such as in the case of white musicians composing and/or playing jazz or blues music in the early 20th century: Young and Brunk, 2012, p. 302). More recently, the debate has centred on visual and stylistic issues arising from popular music works such as Gwen Stefani's Harajuku girls, which actress Margaret Cho likened to 'blackface' and 'minstrelsy' (Cho, 2005); Avril Lavigne's 'Hello Kitty' song and music video in 2013 (Beauchamp, 2014); the accessorising of cultural symbols such as bindis, bridal maang tikkas, and mehendi (henna) by non-South Asian artists (Sundaresh, 2013; Guha, 2015); rapper Iggy Azalea's unwillingness to 'comment on "black issues" despite capitalising on the appropriation of African American culture in her music' (Tan, 2014); and public backlash in response to Miley Cyrus 'appropriating hip-hop culture' in 2017 (Cowen, 2018).

Markers of visual Orientalism specific to India can be found in music videos such as Iggy Azalea's 'Bounce' (2013) and Coldplay feat. Beyoncé's 'Hymn for the Weekend' (2015). The two cases are similar in that neither Coldplay nor Azalea incorporate lyrical or musicological references to India in their respective songs, yet their corresponding music videos demonstrate heavily exoticised representations of India including wild animals, impoverished children dancing and playing with Holi colours through a Mumbai slum,[3] and saffron-clad

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[2] The opening refrain, accompanied by a tabla, is sung in a blend of Urdu-Punjabi by a Qawwali (Sufi devotional) singer.

[3] This can be viewed as reinforcing the "slumdog" stereotype. While *Slumdog Millionaire* (2009) is not the first film to have been critiqued as engaging in what Ananya Roy (2011) refers to as 'poverty pornography' for Western viewers (see Louis Malle's *Phantom India,* 1969), the themes mentioned in this section have received more scrutiny in the years following *Slumdog Millionaire*'s release.

Hindu ascetics, among others. While the visual imagery in both videos could be viewed as either anachronistic or nostalgic in nature, what is of particular interest to this study is the fact that Iggy Azalea, a white Australian rapper, appeared to have received widespread criticism (Robinson, 2013; Eberhardt and Freeman, 2015) despite her justification of 'Bounce' as 'a celebration of Indian culture' on account of having filmed the video in India (Thomas, 2013), whereas some viewers defended Coldplay's 'Hymn for the Weekend' on account of Beyoncé's involvement, 'remind[ing] critics that Beyoncé is black and therefore "immune" from such accusations' (Pathan, 2016).

According to author James O. Young, 'Appropriation is often particularly controversial when the insiders are indigenous and the outsiders are not' (2008, p. 30). While it is true that cases of cultural appropriation in music are often labelled as such when the entity that is adopting these symbols, artefacts, or genres is decidedly 'white' (Nicholas, 2018) and plays into the notions of exoticisation and Orientalism – particularly when engaged in capitalistic pursuits – the case studies presented in this thesis suggest that acts of appropriation in music are not restricted to or monopolised by white artists.

In his review on the theory of cultural appropriation, communication theorist Richard A. Rogers explains that cultural appropriation is 'inescapable when cultures come into contact', characterising appropriation as an active process that can be found not only 'in the assimilation and exploitation of marginalized and colonized cultures', but also 'in the survival of subordinated cultures and their resistance to dominant cultures' (2006, p. 474). Rogers identifies four categories of appropriation: cultural exchange (reciprocal exchange between cultures with relatively equal levels of power), cultural exploitation (in which a dominant culture takes from subordinate cultures without reciprocity or compensation), cultural dominance (wherein subordinated cultures adopt or reject elements of imposed cultures, often as forms of integration or resistance), and transculturation (the amalgamation of various

cultures and appropriations, such that identifying a single originating culture is difficult). While this thesis does not aim to limit occurrences of cultural appropriation to the aforementioned categories alone, Rogers' classifications are useful in mapping and investigating the questions: How does cultural appropriation operate in a globalised age? Can sampling function as a site of both cultural inequality and reciprocal exchange? Can marginalised and/or colonised cultures engage in cultural appropriation, and if so, is there still room for mutually beneficial exchange?

In the chapters that follow, I will investigate these questions through a legal, social and aesthetic lens, examining cultural exchange and the consequent 'inescapable' nature of cultural appropriation through concepts of exploitation, resistance, and transculturation in hip-hop, reggaeton, and Indian musics. Chapter 2 will briefly chronicle the origins of both American and Indian hip-hop, identify key historical events between South Asian and Afro-Caribbean genres, and provide a socio-historical overview of the role of media and technology in facilitating intercultural exchange amongst postcolonial cultures. Chapter 3 will comprise five case studies that examine exploitative instances of cultural appropriation in American hip-hop, investigating the sonic Othering of Indian culture through the processes of digital sampling and interpolations, copyright law, and the role of post-9/11 Orientalism in enabling this Othering. Chapter 4 will continue this study of sampling and interpolations in American hip-hop, analysing the phenomenon of cultural dominance through the harnessing of self-Orientalism and international copyright law by subordinated cultures. Finally, Chapter 5 will deviate from American hip-hop to focus on reggaeton and the Caribbean. The case study presented in this chapter will draw on a number of theories, both new and existing, in order to examine the concepts of transculturation and hybridisation through Indian and Caribbean musics.

Throughout these chapters, I will draw upon existing theories in Orientalism, exoticisation, and cultural appropriation discourse, as well as three of anthropologist Arjun Appadurai's (1990, pp. 296-300) five classifications of global cultural flow – namely,

ethnoscapes (migration and flow of people across boundaries), technoscapes (the manner in which technology, both mechanical and informational, 'now moves at high speeds across various kinds of previously impervious bodies'), and mediascapes (the scope, impact and dissemination of media images, which are often predicated on technoscapes and ethnoscapes). According to Bruce Ziff and Pratima V. Rao (1997, p. 3), 'The meaning of "appropriation" is also open-ended.' The case studies that follow will explore this open-ended nature by chronicling key events of musical exchange between India and the West,[4] and examine cases of perceived appropriation through a series of in-depth studies.

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[4] While this thesis primarily focuses on popular music associations between India and the United States (including Puerto Rico, an unincorporated territory of the USA), a significant portion of my study also covers Indo-British relations. This is why I use the broader term, 'Western'.

CHAPTER 2: CULTURAL EXCHANGE

In order to provide a more comprehensive study of cultural appropriation in South Asian-American hip-hop relations through the 2000s, one must first examine the underpinning cultural exchange that propels this appropriation. This chapter will briefly chronicle the origins of both American and Indian hip-hop through the 1970s-1990s, examining the evolution of digital sampling, early cross-genre fusions authored by South Asian artists in India and Britain, and the role of language and mediascapes in facilitating musical exchange and localised resistance.

The Origins of Hip-Hop

Hip-hop began as a countercultural underground movement, tracing its roots to inner-city block parties in New York. With restrictive rent control laws, gang violence and mass unemployment, the early 1970s marked a period of social, political and economic struggle for minorities living in the Bronx. It was during this stage that what became known as the 'four elements of hip-hop' arose in the South Bronx: graffiti, breakdancing, DJing, and MCing (Brewster and Broughton, 1999). These forms of musical and cultural expression channelled the struggles of disenfranchised African-American, Caribbean and Latino residents in the region, creating 'a next-generation civil (human) rights movement sparked by ostracised, marginalised, and oppressed inner-city youth' (Price, 2006, pp. 2-5).

By the mid-1970s, this underground movement was dominated by acts such as Afrika Bambaataa, Grandmaster Flash and the Furious Five, and DJ Kool Herc, who would help create

the sonic elements of what would come to constitute early hip-hop (Hebdige, 2000, pp. 126-129). In addition to the aforementioned core elements, versioning (or the process of producing alternate variations and interpretations of a song) and DJing techniques such as turntabling formed the basis for what would later come to be known as sampling.

Unlike other forms of musical reproduction such as cover songs, versioning has been described as 'an explicit production created with recorded materials that preceded sampling'; a process that is rooted in 'democratic principle' (Hebdige, 2000, p. xv). Cultural historian Siva Vaidhyanathan (2003, p. 136) observes a clear link between the processes of 'American sampling with Caribbean versioning', noting how Jamaican DJ Kool Herc fused the traditions of 1960s versioning with instrumental breaks and varied beats and produced an amalgamation of different sounds for an American audience. Herc's unique approach rose to popularity amongst inner-city youth, and other DJs would expand upon this style, incorporating elements such as 'scratching' and 'dubbing' to create a hybridised form of American versioning – one that would later be adapted to digitised spaces in the form of sampling.

The Evolution of Sampling in Hip-Hop

Sampling is a form of musical borrowing in which a portion of one recording is integrated into another, and has been a prevalent component of hip-hop since the late 1980s to early 1990s. Author Mark Katz (2004, pp. 138-139) expounds:

> Digital sampling is a type of computer synthesis in which sound is rendered into data, data that in turn comprise instructions for reconstructing that sound. Sampling is typically regarded as a type of musical quotation, usually of one pop song by another, but it encompasses the digital incorporation of any prerecorded sound into a new recorded work … on the simplest level sampling works like a jigsaw puzzle: a sound is cut up into pieces and then put back together to form a digitized 'picture' of that sound. A sample can be a fraction of a waveform, a single note from an instrument or voice, a rhythm, a melody, a harmony, or an entire work or album.

As digital sampling technology evolved through the late 1970s-early 1980s, the creation of these digitised pictures became more sophisticated. In 1976, the first monophonic digital sampling synthesiser was made available. By 1979, hip-hop had entered the mainstream consciousness in the form of the genre's first commercially-released records: 'King Tim III (Personality Jock)' by The Fatback Band, and 'Rapper's Delight' by the Sugarhill Gang. Films such as *Wild Style* (1983) and *Beat Street* (1984) would also help promote hip-hop music, fashion and dance beyond the block parties of New York.

During the 1980s, portable digital samplers made the technology and artform more accessible to a wider range of performers, engendering what Vaidhyanathan describes as 'a powerful democratizing effect on American popular music' (2003, p. 138). Early hip-hop DJs primarily relied on turntablism to cut, scratch and mix a variety of pre-recorded sounds before a live audience. Portable samplers with greater memory and processing power not only facilitated new sampling techniques for DJs, but also enabled musicians and producers to create tracks without the need for a studio.

As more artists began releasing music that incorporated unauthorised samples, however, copyright litigation revealed, in the words of Henry Self (2002), 'a broader tension between two very different perspectives on creativity: a print culture that is based on ideals of individual autonomy, commodification and capitalism; and a folk culture that emphasizes integration, reclamation and contribution to an intertextual, intergenerational discourse' (cited in Hesmondhalgh, 2006, p. 54).

Legal Disputes and Fair Use

While it is likely that sampling and remixing was propelled chiefly by artistic motivations during the late 1970s-early 1980s, it should also be noted that copyright practice with regards to sampling had not yet been systemised (Katz, 2004, pp. 137-138), thus enabling the practice of sampling to flourish and endure.

In 1979, hip-hop's first commercial hit record, 'Rapper's Delight', also spawned the genre's first legal dispute. The foundational bassline in the song was a sample of disco group Chic's 'Good Times' (released three months prior to 'Rapper's Delight' in 1979). In an interview, 'Good Times' co-writer Nile Rodgers (2007) briefly highlights the complex nature of sampling ethics, explaining that a producer's efforts 'to record it and not put our names on it and make a lot of money' was deemed unethical. As the authors of 'Good Times', Rodgers and Bernard Edwards threatened legal action, eventually leading to an out-of-court settlement that resulted in the track being co-credited to Rodgers and Edwards.

Some of the earliest lawsuits involving unauthorised samples in hip-hop include Schoolly D's 'Signifying Rapper' (1989), which employed the African oral tradition of 'signifying' against a sample of the guitar riff in Led Zeppelin's 'Kashmir' (1975);[6] 2 Live Crew's 'Pretty Woman' (1989), which sampled Roy Orbison's 'Oh, Pretty Woman' (1964); and Biz Markie's 'Alone Again' (1991), which sampled 'Alone Again (Naturally)' by Gilbert O'Sullivan (1971).

Three years after its original release, 'Signifying Rapper' was included in the *Bad Lieutenant* (1992) film soundtrack, leading Led Zeppelin frontmen Jimmy Page and Robert Plant to sue for copyright infringement, seeking removal of the song from *Bad Lieutenant* as well as an injunction that would result in the destruction of any unsold copies bearing the 'Kashmir' sample (Jeffrey, 1994).[7] Similarly, in the case of 'Alone Again', the presiding Judge Duffy (in)famously began his six-page ruling with, 'Thou shalt not steal', granting an injunction against further sales of the song and album (Vaidhyanathan, 2003, p. 142). While the 'Signifying Rapper' and 'Alone Again' lawsuits may be read as setbacks for concepts of 'fair

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[6] 'Signifying' is an oral tradition that involves a form of wordplay and quoting from subcultural vernacular.

[7] In 1998, Jimmy Page and producer Tom Morello collaborated with rapper P. Diddy on the *Godzilla* soundtrack song, 'Come With Me'. Like 'Signifying Rapper', the song is constructed around the 'Kashmir' riff.

use' and free speech in popular music, conversely, the 'Pretty Woman' case upheld the notion that parody can be viewed as fair use (based on individual cases). In this particular case, the US Supreme Court accepted the defendants' fair use defense and ruled in favour of 2 Live Crew. While some critics such as hip-hop A&R Dan Charnas argued that copyright litigation and the US legal system would 'kill hip hop music and culture', others, such as Mark Volman of the Turtles, claimed: 'Sampling is just a longer term for theft' (Philips, 1992). Additionally, it could be argued that copyright litigation encouraged samplers to either compensate original authors, seek more obscure samples, or become more creative in their usage of unlicensed samples.

In many ways, all three of the examples listed above employ the oral technique of 'signifying', fusing metaphors, satire, and hyperbole with social commentary, and reinforcing the notion that sampling, like signifying and versioning, are not only markers of a musical genre, but rather, markers of African-American culture. With globalisation and rapid information exchange, these cultural markers would expand beyond the USA.

As rappers and producers continued to innovate and encounter sampling-based legal repercussions in the USA through the 1980s-1990s, hip-hop had begun to grow beyond a solely American phenomenon. Other marginalised communities around the world, such as young diasporic British-Indians, had begun to identify with hip-hop and distinctly 'Black' (African-American/Caribbean) genres, and had begun to express this amalgamation of various cultural influences through music. One example of this British-Asian hybrid sound is 'bhangra remix'.

The Origins and Development of Bhangra

Bhangra originated as a form of folk song and dance in the late fourteenth to early fifteenth centuries to serve as a form of celebration during the spring harvest festival of Baisakhi in Punjab, India (Nadeau and Murray, 2016, p. 58).[8] While the music and dance of bhangra has

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[8] The term bhangra itself is derived from the Hindi word *bhang*, which is a concoction of cannabis leaves and flowers that was used by followers of the Sikh religion to boost spiritual consciousness.

remained largely within India (and Pakistan following the Partition of India), by the 1970s, bhangra musicians such as Amar Singh Chamkila, A.S. Kang, and Malkit Singh were able to expand its reach beyond audiences within South Asia, achieving widespread success amongst diasporic Indians and Pakistanis in the UK and USA.

In 1983, bhangra music group HEERA released their debut album, *Bhabi Te Nanaan Nachdi*, in which they fused traditional Punjabi instrumentation with elements of Western music. It was one of the first bhangra albums to have done so and achieved crossover success. This sparked a renewed interest in South Asian music, particularly amongst the Indian diaspora. Consequently, UK-based artists such as A.S. Kang, The Saathies, and the Bhujhangy Group began experimenting with fusing Punjabi folk sounds with Western influences and modern production tools. Bands like Apna from Birmingham and Alaap from Southall demonstrated that bhangra was no longer exclusive to the region of Punjab, blending traditional elements like the dhol, tumbi, and Punjabi lyrics with genres such as dancehall and reggae. This wave of bhangra-inspired music that was developed by English-speaking first and second-generation South Asians in the UK has been referred to as 'post bhangra' and 'bhangra remix' (Oren and Petro, 2004; Bakrania, 2013; Chatterji and Washbrook, 2014), the latter of which would go on to define all instances of 'East and West hybrid bhangra' (Taylor, 2007, p. 149). Thus, for the sake of clarity in this thesis, I will refer to music derived from traditional Punjabi folk music (including its contemporary Hindi-language derivatives) as 'bhangra', and the hybridised form of music that originally developed in the UK as 'bhangra remix'.

Like hip-hop, bhangra is historically rooted in hybridity. Originally developed by Punjabi Sikhs in pre-Partition India, bhangra would continue to be practiced in post-Partition India, Pakistan and parts of Bangladesh, evolving as both music and dance-form through independence, postcolonial social and economic struggles, migration to other countries, and newly formed first-generation identities. Neiyyar's description of bhangra (cited in Sharma *et*

al., 1996, p. 35) as 'both a form of cultural resistance and an affirmation of the lives we lead' continues to remain pertinent in hybridised subgenres such as bhangra remix, bhangramuffin, and bhangraton.

Cultural Duality through Music

The late 1970s to early 1980s marked a period of rapid growth for Indian-influenced music in the West. South Asian artists – particularly second-generation Punjabi youth within the UK – had begun to construct a hybrid form of self-identity and expression through music. With acts such as HEERA and Kang having achieved crossover success amongst South Asian communities in India and the UK, independent record labels dedicated to promoting this new form of music came into being. Founded by first and second-generation South Asian immigrants in Britain, these labels were responsible for some of the most well-known Asian Underground acts during this period. In a similar vein to the music they were promoting, the label names referenced an element of Otherness as well as cultural duality, such as Oriental Star Agencies, Multitone Records (originally Savera Instruments), Outcaste Records, and Nation Records (co-founded by Fun-Da-Mental's Aki 'PropaGandhi' Nawaz).

By the late 1980s, the UK was home to several second-generation British-Asian artists who were channelling the duality of their identity by fusing the music of their ancestors with that of their Western upbringing, which in itself was diverse, bearing musical influences from America and the Caribbean in addition to Britain. British-Asian bhangra remix in particular epitomised this duality, with origins that can be traced back to the daytime discos of the 1980s (Housee and Dar, 1997, p. 84) – a form of cultural resistance in response to orthodox families, as well as an affirmation and celebration of one's 'desi' (South Asian) roots – where pioneering artists such as HEERA and Alaap would cement bhangra remix as part of a transnational youth culture (Dudrah, 2002).

In 1990, British-Indian reggae DJ Apache Indian released his debut single titled 'Movie Over India', in which he fused Jamaican raggamuffin music with traditional Indian musical elements such as the dhol and tabla.[10] Singing mainly in Jamaican Patois (with the occasional Punjabi-language lyric), Apache Indian makes references such as 'Who sing the song Lata Mangeshkar / Who play the music a Ravi Shankar', creating a unique blend of Jamaican and Indian influences. His debut album, *No Reservations* (1993), is credited with having pioneered a hybrid form of bhangra and raggamuffin called 'bhangramuffin' (Duncombe, 2002, p. 231). Sociologist George Lipsitz (2002) highlights the cultural connection between the two marginalised communities through Apache Indian's music by referencing the shared victimisation and politicisation of Asians and Afro-Caribbeans as 'black' in the UK. Conversely, journalist Ahmed (1996) rejects this notion of cultural fusion, referring to Apache Indian's chiefly raggamuffin style as having 'dominated his identity' and causing 'racial confusion' amongst other British-Indian artists. Ahmed's dismissal is not wholly ill-considered: Apache Indian is, after all, a British-Indian dancehall DJ with a Native American-inspired stage name, a debut album whose title alludes to Native American reservations (as well as the transnational nature of his music and identity), and is credited with having pioneered a fusion of two seemingly contrasting genres. Rather than 'racial confusion', however, I argue that Apache Indian is an example of transculturation: of a musical representation of merging and converging cultures.

The case studies that follow in this thesis aim to explore both sides of this argument – of hybridised genres and artists appearing to exhibit a form of 'dominated' identity, as well as Lipsitz's observation of musical exchange between marginalised communities with a shared

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[10] Frequently abbreviated as 'ragga', Jamaican raggamuffin is a subgenre of reggae and dancehall music, accentuated by Jamaican Patois, rapping, and versioning (including sampling).

background of oppression. Through these case studies, I will explore the scope for transcultural exchange through the lens of digital sampling and modern-day modes of appropriation.

The Beginnings of South Asian Hip-Hop

Similar to Apache Indian's integration of Afro-Caribbean musical influences as a form of transcultural expression, South Asian rap group Fun-Da-Mental found a medium of cultural and political expression through the fusion of Bollywood samples and South Asian musical elements with American hip-hop and British dancehall. Fun-Da-Mental was the first South Asian hip-hop group to have combined elements of Indian music with rap verses and samples (Hesmondhalgh, 2006, pp. 284-285). Formed in 1991, the British-based multi-ethnic band gained notoriety for their controversial lyrics and political activism, and were consequently branded 'the Asian Public Enemy' (cited in Sharma *et al.,* 1996), perceiving Fun-Da-Mental as a menace to society whilst equating their controversial lyrics with that of the American hip-hop group of the same name.

Fun-Da-Mental's lyrical content is similar to early politically-driven hip-hop, in that it is focused on social issues affecting minorities. With repeated allusions to political figures such as Malcolm X and Mahatma Gandhi, Fun-Da-Mental juxtapose the bold, uninhibited aspects of rap with the devotional nature of Qawwali (a musical form of Sufi Islamic poetry) and the mellifluous, carefully crafted nature of Bollywood songs to express their sense of cultural detachment in society. Similarly, other British-Asian hip-hop groups such as Hustlers HC (also signed to Nation Records) fused subtle Indian instrumentation with socially-conscious rap. According to author Sanjay Sharma (1996, p. 43), this 'signif[ied] a potentiality in the disruption of essentializing racial/ethnic boundary formation and identification, and mark[ed] the possibility of a transcendence in the normative representations of both "blackness" and "Asianness."'

Sociologist Dick Hebdige (2000) explains that '"Versioning" is at the heart not only of reggae but of all Afro-American and Caribbean musics'. As has been illustrated through the examples in this chapter, the same can be said for Afro-Caribbean influenced musics such as South Asian diasporic hip-hop. However, given the correlative focus of this thesis, I would also like to extend this study to what Lau regards as 'home' South Asians.

Indian music (specifically, Hindustani and Carnatic classical musics, as well as Qawwali music), is rooted in its own traditions of versioning. Historically, Indian classical music has been transmitted through oral and aural traditions from teacher to student, emphasising the call-and-response format as a medium of learning and compositional improvisation. Given the subcontinent's long and varied history of colonist/settler rule, the very nature of classical Indian music today is rooted in hybridity, as both North and South Indian music styles have assimilated and adopted regional folk music elements, and Hindustani music demonstrates a rich history of influences from Persia and Arabia following the Delhi Sultanate rule.

While Carnatic music is more rhythmic and composition-based than Hindustani music, and Qawwali singing concentrates on poetry and the art of performance, all three artforms are embedded in an element of improvisation, with performers often expounding upon preceding versions with an added emphasis on variation. This tradition can similarly be found in more contemporary, commercialised genres such as Bollywood film music, which incorporates classical, Qawwali, as well as regional and folk influences, primarily composed in the Hindi language. With media and technology enabling rapid information exchange, Bollywood composers have incorporated elements of disco, pop, and in many cases, have plagiarised (or versioned) the works of Western composers, borrowing, recontextualising, and recycling popular trends and musics from other countries. Like diasporic artists, Indian composers fused traditional elements with new forms of music, such as in the case of Baba Sehgal, who rapped

over a sample of the driving bass riff from American rapper Vanilla Ice's 'Ice Ice Baby' in the

lead single from Sehgal's album, *Thanda Thanda Pani*. Sehgal's success and the integration of

hip-hop within mainstream Indian culture was partly propelled by the emergence of MTV in

India in the early 1990s.

The Advent of MTV in India

Until thirty years ago, Indians only had access to one television network: Doordarshan,

a public service broadcasting network founded by the Indian government and operated by

Prasar Bharati (India's largest public broadcasting agency). Prasar Bharati held a relative

monopoly in Indian broadcast media until economic liberalisation in the early 1990s (Mathai,

2015). The broadcasting agency disseminated information via two chief divisions: while

Doordarshan served as the country's sole television network provider, All India Radio operated

as the (only) national public broadcaster on radio.[11] During the late 1980s, Doordarshan

broadcasted public service announcements, news bulletins, and television re-enactments of

Hindu mythology and literature, with (animated) American television programmes on Sundays.

Music on the network involved devotional, classical, and film (Bollywood) soundtracks.

However, this monopoly ended in 1991 when private television channels were authorised for

the first time in India. Indian viewers with televisions now had access to a wider, increasingly

diverse range of broadcast entertainment, from Indian subscription channels such as Zee TV to

international entertainment channels.

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[11] Television broadcasting first began in 1959 as part of All India Radio (which was launched during the British Raj). This was separated from the radio network to form Doordarshan in 1976. This is not to say that India did not have access to international radio stations during this period: BBC radio was popular in India at the time (with the exception of censorship bans from 1970-1972 for the broadcast of Louis Malle's *Calcutta* and *Phantom India* documentary films, which were perceived as racist representations of Indian life, and again in 1975 during Prime Minister Gandhi's new regulations restraining freedom of press). Radio Ceylon's weekly Hindi film song countdown show, *Binaca Geetmala,* was one of the most popular radio programmes in India at the time. The show was broadcast on Radio Ceylon from 1952 to 1988, after which it was acquired by Prasar Bharati and broadcast on the All India Radio network until 1994.

When a joint venture between Star and Viacom enabled the transmission of MTV to Indian televisions, listeners in urban India were exposed to Western popular music genres that had not been previously broadcasted in the subcontinent, such as hip-hop. However, this music was still somewhat restricted to English-speakers and upper middle-class viewers with access to MTV.[12] Professor Shanthi Mathai (2015, p. 263) describes this as 'the liberal-minded urban and rural middle class accepting the cultural changes and moving to a homogenized "modernity" with the other parts of the modern world', explaining that exposure to a range of international television programmes had a globalising influence on young Indians, particularly within the new, 'upper' middle class post-liberalisation.

At the time, Baba Sehgal had released two Hindi-language albums under the independent label, Magnasound.[13] Sehgal's style was not vastly different from the Bollywood norm of the time, featuring lovelorn lyrics and instrumentative elements characteristic of disco and pop. In 1992, however, Sehgal shot to fame with his single, 'Thanda Thanda Pani' – which, although arguably a direct lift of Vanilla Ice's hit single, presented a fresh new sound that was previously unheard of in India.

In an interview with *The New York Times*, Sehgal links the origins of *Thanda Thanda Pani* to the advent of MTV in India, explaining: 'It all began with TV … I started watching MTV. A new kind of music came up. People here didn't know about rap. So I thought about producing something very unique and new' (Gargan, 1992). While 'Thanda Thanda Pani' replicates the driving bass riff and chorus melody from 'Ice Ice Baby', lyrically, Sehgal narrates an original story. Where Vanilla Ice's hit single features lyrical content typical of the braggadocio rap style, Sehgal on the other hand raps about how if one has spent a lot of money

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[12] In 1996, the channel was relaunched as 'MTV India' with a goal to appeal to a wider range of Indian viewers, as opposed to an exclusively English-speaking audience (Jha and Chaudhuri, 2009). Following this, MTV India was broadcast in public spaces such as the MGF Metropolitan mall (Gurgaon), which was built in 1997.

[13] 'Independent label' in this context and time refers to any label that operated independently of the Bollywood industry.

at an expensive hotel, one must be sure to get one's money's worth, referencing India's relatively new segment of urban consumerism whilst appealing to the average, middle-class Indian's propensity for frugality post-economic reforms. Where Vanilla Ice postures with lyrics such as: 'The girlies on standby, waving just to say "Hi" / "Did you stop?" / No, I just drove by!', the bridge and final verse in Sehgal's rendition talks of having forgotten to ask an attractive woman for her name, and frantically running back to the hotel to find her again. In this manner, Sehgal's conversational Hindi-language rap transcended the more affluent, English-speaking households to appeal to a wider Indian audience.

Thanda Thanda Pani sold 100,000 copies within the first three months (Gargan, 1992). This number is significant considering that mass-produced popular music in India at the time was wholly restricted to Bollywood soundtrack music. Sehgal's success is noteworthy in that it broke from the conventional Bollywood mould of the time and allowed for lesser-known, independent artists (frequently categorised as 'indipop') to achieve both critical and commercial acclaim.[15]

Given the subject of this study, it is interesting to note the multiple and complex layers of appropriation nestled within Vanilla Ice and Baba Sehgal's breakout hits: 'Ice Ice Baby's prominent bass riff was sampled from Queen and David Bowie's collaborative single, 'Under Pressure' (1981), which was co-written by Queen frontman Freddie Mercury, who was British-Indian (Parsi). It is also worth highlighting that Queen's bassist, John Deacon, was influenced by Black music. The driving bass riff in 'Another One Bites the Dust' (which was released only a year before 'Under Pressure') is heavily influenced by Chic's 'Good Times', which was also sampled in hip-hop's first commercial hit, 'Rapper's Delight'. One year after the release of 'Another One Bites the Dust', Grandmaster Flash and the Furious Five – a group that has been

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[15] Indipop, or Indian pop, was a popular genre through the 1990s in India. Early indipop artists exhibited a range of musical and stylistic influences, but were categorised as 'pop' to differentiate from the dominant genre of Bollywood, or Hindi film soundtrack music.

credited as one of the originators of hip-hop (Hebdige, 2000, p. 131) – sampled Queen's Chic-inspired bassline in 'The Adventures of Grandmaster Flash on the Wheels of Steel' (1982).

Language and Localised Resistance

Although Bollywood film music was primarily composed in the style of Hindi/Urdu ghazal poetry or Qawwali (comprising classical Hindustani instrumentation with lyrics written by poets) during the 1980s, Western genres such as disco and pop had garnered widespread popularity in India, with hits such as the disco-inspired 'Aap Jaisa Koi' (*Qurbani*, 1980) marking the first time that a Pakistani recording artist would sing for a Bollywood film. Other elements of Western influence can also be observed in the way that Bollywood music directors (who served as both composer and producer by creating original works for a film as well as securing pre-existing music for the film) would choose to forego the use of traditional classical instrumentation in favour of synthesisers.

By the mid-1990s, indipop was at the height of its popularity, with artists such as Baba Sehgal and Alisha Chinai operating relatively independently of Bollywood and relying chiefly on MTV airplay in India. One consistent commonality between all mainstream music released in India (both Bollywood and indipop alike) during this period, however, was easily discernible: language. According to anthropologist Irna Qureshi (2013): 'Part of Bollywood's appeal is its universal language, which traverses religious and regional boundaries to make films accessible to a broad multilingual audience. Bollywood films tend to use a colloquial blend [of Hindi and Urdu] ... which makes the films intelligible to speakers of several languages and dialects'.

Three years after the success of Baba Sehgal's 'Thanda Thanda Pani', the Indian popular music market began to witness a marked shift in demand: while mainstream listeners had begun to embrace independent fusion acts such as indipop, it was Punjabi singer Daler Mehndi's debut album, *Bolo Ta Ra Ra* (also released on Magnasound), that would pioneer the beginnings of a new subgenre for bhangra music in Bollywood. Sung entirely in Punjabi, the

album is the first well-documented instance of a non-Hindi language album achieving crossover success in India.[16] Mehndi would go on to perform at sold-out concerts in the UK and USA, while the title song is still the best-selling non-soundtrack single in the history of Indian music.

Artists like Mehndi and Sehgal are noteworthy in that they mark the first instances of Indian artists operating free of the mainstream norm (in this case, Bollywood) and still achieving commercial success. This is why, although Mehndi's *Bolo Ta Ra Ra* is not an example of bhangra remix per se (i.e., a fusion of East and West), it still serves as an interesting site of what Leyshon *et al.* refer to as 'localised resistance': of regional-language, non-Bollywood soundtrack music achieving mass appeal (1998, p. 15).

This localised resistance is further exemplified in Sehgal's socio-economic background: Baba Sehgal is a Jatt from Lucknow, in the north Indian state of Uttar Pradesh. At the time, agrarian-caste Jatts from Uttar Pradesh were stereotyped as 'backward' by the English-speaking elite.[17] In many ways, Sehgal's very existence – his non-anglophone roots, genre of music, and consequent commercial success in an industry and city (Bombay) characterised by film music and a historically close-knit film fraternity – challenges and subverts the status quo, lending weight to the argument that 'Thanda Thanda Pani', though originating in appropriative practices by way of an unlicensed sample, 'is transformed by Sehgal into a personal and socio-historic exploration of the social dynamics of urbanization in modern India' (Kvetko, 2013, p. 173). In this manner, independent artists such as Sehgal and Mehndi broke genre and linguistic barriers by pioneering new processes of intercultural exchange.

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[16] India has two official languages: Hindi and English. The former is the 'primary' official language and is a medium of instruction in Indian education, while the latter is considered an 'associate' official language. At the time of *Bolo Ta Ra Ra's* release, bhangra music was composed exclusively in Punjabi, which is a regional language spoken by Punjabis from India and Pakistan.

[17] Remnants of this casteism can still be found today. While Bollywood often promotes the Hindu-Punjabi ideal of (fair-skinned) masculinity, it simultaneously paints these individuals (specifically, Jatts) as primitive. This stereotyping was arguably exacerbated following the Jatt community's struggle for OBC (Other Backward Class) classification and affirmative action benefits.

It is also important to note that there was a vacuum to be filled in the market during this period: in the early 1990s, film producers in Bollywood found that they could no longer sustain the increasing financial expense that came with music directors. At the time, music directors held a relative monopoly on Bollywood music (Booth, 2013, p. 29). This can likely be attributed to the rise and eventual crash of a World War II-engendered black market that had fuelled the industry and allowed for enormous production budgets until the 1990s (Ganti, 2004, pp. 19-20). Film producers thus began looking to independent artists and composers, creating a surge in popularity for genres such as indipop and bhangra. However, it is also worth mentioning that, in less than a decade following this, Bollywood would eclipse these independent artists and begin producing its own (Hindi-language) bhangra and hip-hop.

While Mehndi and Sehgal exposed the mainstream Indian listener (i.e., listeners of predominantly Hindi-language film music) to Punjabi lyrics and hip-hop rap verses and beats, in the UK, artists such as Bally Sagoo introduced Bollywood film music to Western popular music listeners through a fusion of Bollywood film songs with Jamaican dancehall influences. Sagoo's reworking of the Asha Bhosle-sung 'Chura Liya Hai' in 1994 garnered him mainstream radio presence in the UK (the song was played heavily on BBC Radio 1 and marked the first time that an Indian artist was playlisted on mainstream British radio), and his 1996 single, 'Dil Cheez', became the first Hindi-language single to have charted in the British Top 40, peaking at #12 (Biswas, 1996). Of the British-Asian artists mentioned thus far in this chapter, Sagoo is the most popular artist to have achieved crossover success not only amongst Western and South Asian diasporic listeners in the UK, but also Indians residing in India. It is important to acknowledge the role that language played in this success.

India is home to over 19,500 spoken languages, and although Hindi is certainly not spoken by all Indians (the imposition of Hindi is widely disputed in some southern and north-eastern states), it does serve as a unifying factor in terms of language. As per the latest 2011

census, the population of India was recorded as 1,210,193,422. Of these 1.2 billion registered Indians, 43.6% (i.e., 528,347,193 individuals) cited Hindi as their primary language (Office of the Registrar General & Census Commissioner, India, 2011). Bearing this in mind, it is possible that Apache Indian's bhangramuffin music (which was predominantly sung in Jamaican Creole), or Fun-Da-Mental's politically-charged English rap verses, may not have appealed to the predominantly Hindi-speaking listener in India. British-Asian artists such as Bally Sagoo, on the other hand, appear to have appealed greatly to the mainstream Indian audience. Sagoo's third album, *Bollywood Flashback* (1994), was celebrated as 'the most bootlegged album ever' in India at the time (Nickson, 1997). With remixes such as 'Chura Liya' and 'Mera Laung Gawacha', he became one of the most popular non-soundtrack artists in India during the early 1990s (Gitanjali, 1998). It is likely that this success was owed not only to Sagoo's more direct use of Indian music and popular culture (a fusion of Western genres with popular Hindi-language Bollywood music, as well as the inclusion of Indian actors and models in his music videos), but also his collaborations with Indian classical musicians such as revered Qawwali singer, Nusret Fateh Ali Khan (*Magic Touch*, 1991).

These experimental fusions continued in India, with Indian composers such as AR Rahman fusing hip-hop with Tamil music. Two years after Sehgal's 'Thanda Thanda Pani', Rahman released 'Pettai Rap' as part of the Tamil film, *Kadhalan* (1994). Not only is 'Pettai Rap' one of the first Tamil rap songs, but it also marks one of the first conscious, recorded instances of hip-hop in Indian film.[18]

The subject of regional resistance to "Hindi imposition" is a long-documented struggle in India, and the domination of Bollywood as a Hindi-language film industry plays a prominent role in this regard. Bearing this in mind, 'Pettai Rap' serves as another example of localised

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[18] I say 'conscious' in order to differentiate from instances of spoken-word rhythmic Bollywood songs such as 'Ek Chatura Naar' (1968) and 'Rail Gaadi' (1968), which are more in line with spoken-word performances within the context of specific films. 'Pettai Rap', on the other hand, marks the first recorded instance of a film song that was intentionally written within the genre of hip-hop.

resistance, wherein lyricist (and *Kadhalan* film director) Shankar subverts linguistic expectations by writing a Tamil film song in the working-class dialect of Madras Bashai (often analogised to the Cockney dialect of English). The word 'pettai' means "neighbourhood" or "block" in Tamil, articulating a sense of belonging whilst evoking a 'street' aesthetic characteristic of American hip-hop. Singer Suresh Peters adopts a high-energy rap style interspersed with Carnatic-style vocalisations, while the beat – a simple kick, snare, and high-frequency percussion sounds – is characteristic of the early 1990s hip-hop sound it seeks to emulate. Both sonic and visual elements in 'Pettai Rap' are indicative of hip-hop, and the *Kadhalan* soundtrack was subsequently dubbed in a number of Indian languages. Although 'Pettai Rap' did not achieve international success, it bridged a number of regional markets in India, making this another compelling instance of musical fusions enabling cultural exchange and resistance. One year later, bhangramuffin pioneer Apache Indian collaborated with AR Rahman on the Tamil film song, 'No Problem' (*Love Birds*, 1995), in which he raps in a blend of Jamaican Patois, Tamil, Hindi and Punjabi, delivering lyrical callouts to a number of Indian cities and languages. The soundtrack was subsequently dubbed in two languages, including Hindi.

Crossover Exchanges Beyond Hip-Hop

Another popular (albeit subtle) example of a fusion of Bollywood influences with Western popular music is British alternative rock band Cornershop's single, 'Brimful of Asha' (1997). While 'Brimful of Asha' does not bear any explicit Hindi-language lyrics, it effectively captures the attention of the Hindi-speaking listener through its title and subject matter. The song references moments in Indian film and radio history, incorporating call-and-response lyrical callouts to influential Bollywood singers (such as Asha Bhosle, whom the song was intended as a tribute to). The lyrics and instrumentation are structured to evoke an atmosphere of hopeful nostalgia, making for a multi-layered experience as the word 'asha' in Hindi means

"hope". With lyrics such as 'Everybody needs a bosom for a pillow / Mine's on the 45', the band references the escapism of music (and, by extension in the Indian context, film culture). Cornershop's hybridised approach provides an aurally and contextually pleasing balance between the occasional Punjabi-language lyric (the opening verse begins with lead singer Tijinder Singh referring to Bhosle as 'saadi rani', which in Punjabi means "our queen") and its Bollywood-centric subject matter.[19]

Additionally, other Indian-origin British artists during this period such as Talvin Singh and Nitin Sawhney received critical acclaim for their classical-oriented fusions of Indian and Western musical elements. For instance, Singh's Mercury award-winning debut, *OK* (1998), fused dub and jazz rhythms with classical Indian elements such as the sitar, flute, tabla, and Qawwali singing, while Sawhney's fourth album, the South Bank Show Award-winning *Beyond Skin* (1999), combined elements of soul, rap, jazz and electronica with his classical (Hindustani and Western) music training. The critical success of these albums enabled Indian-inspired music to cross over from an Asian underground movement to mainstream listeners.

While Cornershop was not strictly viewed as an Asian Underground act, given the band's alternative/indie rock origins, 'Brimful of Asha's crossover success was similarly significant. At the time of the song's release, Cornershop's primary audience comprised alternative rock and riot grrrl listeners in the UK.[20] With 'Brimful of Asha', the band received critical acclaim across Europe and North America. This success would also partly aid in generating increased Western interest in Indian music and culture through Cornershop's appearances on major networks such as MTV America, during which the band would expound

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[19] Incidentally, the album, *When I Was Born for the 7th Time,* also included a Punjabi-language cover of 'Norwegian Wood' – the 1965 Beatles song that is widely credited with having pioneered psychedelic rock and mainstream Western interest in Indian music – marking the closing of a proverbial circle in terms of musical borrowing and cultural exchange that spanned over twenty years.

[20] In addition to launching indie rock bands such as Cornershop and Silverfish, Cornershop's then-label, Wiiilja, was notable for its association with the early UK riot grrrl subculture (an underground feminist punk movement). Cornershop was thus frequently promoted alongside riot grrrl label-mates Huggy Bear and Blood Sausage.

upon the origins of their stage name (a satirical take on the derogatory use of "cornershop" for South Asians in Britain) and the lyrical inspiration behind 'Brimful of Asha'. When Fatboy Slim (Norman Cook) remixed the song in 1998, 'Brimful of Asha' received renewed radio interest as well as crossover success amongst dance/electronic music listeners. Following the Fatboy Slim rendition, both original and remix were broadcasted frequently on a newly launched MTV India through 1999-2000.

The Beginnings of Sampling as a Site of Reciprocal Exchange

Soon after the release of Cornershop's 'Brimful of Asha', Birmingham-based Panjabi MC released 'Mundian To Bach Ke' (MTBK) in November 1998. Where other bhangra remix songs at the time may have been perceived as subtle in their Indian/Punjabi influences, MTBK's roots would seem bold in comparison. The song opens with an energetic tumbi riff that is looped throughout the duration of the song, followed by Punjabi-language vocals by Labh Janjua and lyrics written by Channi Singh.[21] While it may sound as if Janjua's layered vocals are inviting the listener to join a celebration in MTBK, the Punjabi lyrics are in fact alluding to a young woman who has just come of age, warning her to "beware of the boys". Punjabi lyrics and a bhangra beat are underlined by a sample of the bass groove and part of the beat from 'Turn It Up (Remix)/Fire It Up' by Busta Rhymes (1998). The Busta Rhymes remix samples Don Peake's 1982 *Knight Rider* television theme song, which had in turn been sampled from Harry Thrumann's 'The Sphinx' (1982), illustrating another example of the multiple layers of borrowing and creative variations that often occur in popular music.

'Mundian To Bach Ke' would serve as the first well-known case of a bhangra remix song by a diasporic Indian that sampled a Western song, and achieved chart success not only

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[21] Channi Singh is the founder of the bhangra remix group, Alaap, and has been referred to as the 'Godfather of Punjabi Bhangra music in the West' (Cumber, 2012).

in the UK, but also in countries such as Germany and Italy.[22] Given that early bhangra remix music sales relied heavily on bootlegs, an accurate estimate of sales and reach is difficult. However, MTBK's cultural impact in India is palpable even today.

In order to gain a better understanding of the song's success in India, I interviewed DJ Anoop Absolute, who first began DJing in 1993, and is currently regarded as one of Bangalore's most popular DJs. In an email conversation with me (2021), Anoop attributed MTBK's success to 'a fresh sound that fused the East with the West', explaining: 'Back then in India, we were used to Indian songs being structured a certain way, thanx [*sic*] to Bollywood and an emerging Indipop scene'. MTBK broke from the mainstream mould by fusing traditional Punjabi folk music with the driving groove of its *Knight Rider* sample. This fusion would also bear additional significance through MTBK's seemingly universal appeal in India: At the time, Punjabi was restricted to Punjabi-origin Indians (which is a small percentage when compared with other regional languages),[23] and Bollywood's popularisation of Punjabi lyrics and instrumentation in mainstream film music would not occur until the mid-2000s. With MTBK, DJs across the country, spurred by consumer demand, were playing a bhangra remix track. Similar to Daler Mehndi's *Bolo Ta Ra Ra*, the Panjabi MC track transcended borders and languages in India, whilst also achieving crossover success in the West. According to DJ Anoop:

> Unlike Delhi or Bombay, Bangalore DJs didn't play Bollywood or Bhangra at Clubs and parties.[24] … Mundian to Bach Ke, though it had Punjabi refrains, was structured in a style that was on par with international Hip-Hop/Rap. It blew the minds of DJs and party people alike. … It was recently included in the

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[22] Although the song's success was initially fueled through internet downloads and bootlegs, MTBK debuted at #2 on German charts and peaked at #1 in Italy.

[23] As per the 2001 census (the most recent census conducted since MTBK's 1998 release), Punjabi was spoken by 33,124,726 individuals (2.83% of a total population of 1,028,610,328). It should be noted that, while Punjabi was predominantly restricted to native speakers in 1998, by the time of the census in 2001, Punjabi was declared an official second language in Delhi and the state of Haryana.

[24] Bangalore audiences primarily spoke Kannada (the regional language) and English.

soundtrack of a Bollywood film, which only speaks of it's [*sic*] popularity in the current times.

The majority of music produced during the first wave of bhangra remix drew chiefly from other cultures, with bhangra influences usually only serving as background instrumentation in songs. MTBK, on the other hand, marked a powerful reversal in that it incorporated an increased presence of the 'Indian' element (such as the single-stringed tumbi loop and Punjabi lyrics). Moreover, while samples are usually effective in rediscovering old sounds and generating traction for forgotten music, in this instance, sampling functioned as a form of reciprocal exchange: of Indian producers demonstrating clear influences of American hip-hop in their music, thereby drawing from a genre that would in turn borrow from them. Although this exchange will continue to serve as an underlying theme throughout my thesis, in the chapters that follow, I will proceed to examine various forms of appropriation in hip-hop and reggaeton, and Orientalism in both musical and visual formats.

CHAPTER 3: CULTURAL EXPLOITATION

The Exoticisation of Indian Culture in Hip-Hop

The genre of hip-hop makes for an intriguing study due to its recurring use of pre-existing works. In addition to aesthetic and artistic motivations, some scholars argue that financial and copyright concerns resulted in an increased interest in (to the American hip-hop listener) a wider range of non-Western sounds, including Bollywood film music. As Marshall and Beaster-Jones note, hip-hop producers had begun to incorporate 'more putatively foreign sounds around the turn of the millennium – indeed, of recordings produced outside the United States – [that] evoked cosmopolitan chic while also attempting to keep the producers' efforts off the radar of copyright cops hunting for lucrative settlements' (2012, p. 252).

By the early 2000s, Indian-inspired samples and instrumentation were frequently being incorporated into American hip-hop. In addition to seeking more obscure sources for samples, producers would also resort to interpolations, which in this context entails the re-recording of a melody or lyric without digitally extracting portions of a pre-recorded song. According to global music rights clearance expert Deborah Mannis-Gardner (2018), interpolations may serve to 'cut your budget by two-thirds' as it eliminates the need to obtain a sound recording license, requiring only composition rights clearance.

However, a number of Indian-inspired samples and interpolations during this period involved unlicensed and uncredited usage, and often relied on heavily exoticised portrayals of Indian and Middle Eastern cultures, thus prompting questions of cultural appropriation. In order

to explore these instances of perceived appropriation, this chapter will examine case studies including 'Get Ur Freak On' by Missy Elliott (2001), 'Addictive' by Truth Hurts feat. Rakim (2002), 'The Bounce' by Jay-Z (2002), 'Beware of the Boys' by Panjabi MC feat. Jay-Z (2002), and 'React' by Erick Sermon feat. Redman (2002). Through these studies, I will investigate questions pertaining to cultural appropriation amongst communities of colour, and the scope for a 'reciprocal exchange with roughly equal levels of power' (Rogers, 2006) in the midst of an exploitative form of appropriation. Given that the songs covered in Chapters 3-5 occur between 2001-2005, I will also factor in the political and social ramifications of the September 11th (9/11) attacks in New York City, manifested as an extension of Said's interpretation of American Orientalism.

3.1 'GET UR FREAK ON' (2001)

Polycultural Pioneers and the Timbaland Sound

In 2001, rapper Missy 'Misdemeanour' Elliott and producer Timbaland released 'Get Ur Freak On', the first single from Elliott's hip-hop and contemporary R&B album, *Miss E… So Addictive*. The song was the first commercially successful hip-hop single to have incorporated Indian instruments such as the tabla and tumbi, and was praised by critics as 'polycultural' and a 'triumph of hybrid vigour' (*T.I.M.E,* 2011). 'Get Ur Freak On' was certified platinum in the United States, earned Elliott a Grammy award under the Best Female Rap Solo Performance category, and peaked at #7 on the Billboard Hot 100 Chart, and #2 on the Billboard Hot R&B/Hip-Hop Singles & Tracks charts (Goldsmith and Fonseca, 2019, p. 216). Although the tumbi riff that is featured throughout the song is not a sample, its inclusion is pertinent to this study in light of 'Get Ur Freak On's impact on hip-hop songs that would follow, as the single appears to have been instrumental in spurring a wave of Indian-inspired sounds and samples (whether bhangra, Bollywood, or even classical instrumentation such as that of the sitar and harmonium) in hip-hop.

However, to consider Timbaland's fusion a "brand new sound" would entail discounting the influence of preceding artists, who had been consistently producing critically and commercially acclaimed work since the 1990s. For instance, Panjabi MC's remixes – most notably, 1995's 'Jogi' and 1998's 'Pyar Wich Planet Rock' – secured R&B, hip-hop and dance chart positions in countries across North America, Australia and Europe. Other pioneering artists of this hybridised sound include Bally Sagoo and Rishi Rich. Following the success of 'Chura Liya' and *Bollywood Flashback* (1994), Sagoo continued releasing commercially successful British-South Asian remixes. He also appeared on Britain's *Top of the Pops* (1996),

performed as part of Michael Jackson's Indian leg of the HIStory tour (1996), and continued producing Indian-inspired albums such as *Bally Sagoo Presents The Dub Factory - Revolution (Qawwali Meets Roots Reggae)* (2000), *Bollywood Flashback 2* (2000), and *Dub of Asia* (2001).

In her review of Rishi Rich's *The Project*, Guardian feature writer Sophie Heawood (2006) suggests that it was Rishi Rich's 'Mary J Blige remix [that] apparently inspired Timbaland to spice up Missy Elliott with the tabla.' While I was unable to verify the authenticity of this claim (the only Mary J Blige song remixed by Rishi Rich is Blige's 2003 hit, 'Love @ 1st Sight', whereas Timbaland's 'Get Ur Freak On' was released in March 2001), Heawood's suggestion is relevant in that it recognises the contributions of Rishi Rich and other Asian Underground artists such as Jay Sean and Juggy D (whose debut studio album, *Juggy D*, was the first Punjabi-language album to have entered the UK albums chart). By the early 2000s, Rishi Rich had become a fixture in the UK music scene with a number of successful hits including 'Nahin Jeena' featuring Juggy D and Bally Sagoo (2002) and 'Dance With You' alongside Jay Sean and Juggy D (2003).[27]

It should be noted that this fusion of influences was not limited to South Asian-origin hip-hop artists alone, as can be observed in songs such as One Self's 'Be Your Own' (1994), Tricky's trip-hop/experimental 'Ponderosa' (1994),[28] and the acclaimed Coldcut remix of Eric B and Rakim's 'Paid in Full' (1987), which sampled Israeli singer Ofra Haza's rendition of the Hebrew poem, 'Im Nina'lu' (1987).[29]

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[27] Rishi Rich would also go on to produce Jay Sean's debut album, *Me Against Myself* (2004), which achieved crossover success in the USA with prominent Bollywood samples in songs such as 'Stolen' and 'One Night'.

[28] 'Ponderosa' samples Jagjit Singh's 'O Maa Tujhe Salaam' (*Khalnayak*, 1993), which was recently sampled again in Lil Ugly Mane's hip-hop remix, 'Opposite Lanes/Numb' (2015).

[29] While the 'Paid in Full' remix does not incorporate Indian elements, it is relevant to this section due to its correlation with American Orientalism, which tends to conflate Indian and Middle Eastern cultures.

While 'Get Ur Freak On' may not have been the first to explore Indian sounds, modes and samples, it was the first well-known instance of a hip-hop song incorporating an aurally discernible sound that encouraged curiosity for South Asian music. Thus, it cannot be denied that it was instrumental in popularising the use of Indian-inspired music and instrumentation specific to American hip-hop and R&B. In 'Bolly'hood Re-mix', Miller (2004) credits the single as one of hip-hop's first and defining forays into exploring distinctly 'Indian' sounds, inspiring a wave of Bollywood and Middle Eastern-inspired songs. This can be observed in songs such as 'Call Me' by Tweet (2002), 'Get in Touch With Us' by Lil' Kim feat. Styles P (2003), 'Baby Boy' by Beyoncé feat. Sean Paul (2003), 'Give It to Me' by Mobb Deep feat. Young Buck (2006), as well as bhangra remixes of 'The Power' by SNAP (2003), 'Rise & Fall' by Craig David (2003), and 'Walou' by multi-ethnic hip-hop group, Outlandish (2004).

With 'Get Ur Freak On', Timbaland and Elliott successfully demonstrated commercial and aesthetic potential in fusing bhangra and Bollywood with hip-hop and R&B. Additionally, by the early 2000s, Timbaland had come to be associated with a distinct sound of his own, which can be observed in 'Get Ur Freak On' and subsequent works.

Origins of this 'Timbaland sound' (Frere-Jones, 2008) can be traced as far back as 'Up Jumps da Boogie', the lead single from Timbaland and Magoo's debut album, *Welcome to Our World* (1997). The song incorporates a contrasting sonic palette comprising light, airy beats, abrupt, syncopated drum patterns, staccato rap verses, and the harmonic texture of Aaliyah's interpolated melody.[30] Timbaland's work on albums such as *Ginuwine… the Bachelor* (1996) and Aaliyah's *One in a Million* (1996) further illustrate the distinctive sound and production mode he had begun to cultivate. Towards the end of the 1990s, Timbaland began fusing these elements with Asian and Middle Eastern samples, as can be observed in 'Big Pimpin' feat. Jay-

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[30] The song's primary hook is an interpolation of 'Boogie Nights' by Heatwave (1976).

Z (1999), or Aaliyah's 'More Than a Woman' (2001), whose primary riff is an uncredited sample of Mayada El Hennawy's 1993 Arabic song, 'Alouli Ansa'.

Aside from samples, markers of this 'Timbaland sound' can also be found in a creative juxtaposition of quick melodic stabs and vocoded basslines accentuated by short musical rests, syncopated rhythms, and unconventional sounds (such as cartoon slide whistles, or a baby cooing). Music critic Sasha Frere-Jones (2008) explains:

> When you hear a rhythm that is being played by an instrument you can't identify but wish you owned, when you hear a song that refuses to make up its mind about its genre but compels you to move, or when you hear noises that you thought couldn't find a comfortable place in a pop song, you are hearing Timbaland, or school thereof.

'Get Ur Freak On' exemplifies this sonic defiance of genre. Aside from the novelty associated with what Zuberi (2008, p. 53) characterises as 'musical "South Asianness" and "blackness" in both music and dance', it is the synergistic juxtaposition between Timbaland's production style and aurally identifiable bhangra elements, that makes this a compelling study.

'Get Ur Freak On's driving riff implements a six-note bhangra-esque tumbi loop with a close-intervaled use of the Phrygian mode, a quivering synth underpinning the chorus, and a Japanese-language voiceover at the beginning and end of the song, all whilst Missy Elliott raps authoritatively about switching her style, being unstoppable, and making good on the intro's promise of 'some new shit'. Elliott's signature aggressive style is further elevated by an 'exotic' undercurrent in the form of not only the tabla and tumbi, but also a sample of 'Solitude' (2000) by Karunesh: a song which in turn incorporates Qawwali singer Master Dilbahar's vocals from the song 'Urdu Sher' ("Urdu poetry") as he sings the words, 'maut mujh ko'.[31] Dilbahar's original vocals can be found on a CD set titled *Deepest India* (1997) as part of a sample

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[31] The complete lyric ('maut mujh ko gawara hai') in the original song's context translates to: "death is acceptable (even pleasing) to me".

collection sold by Zero-G, a digital content provider that specialises in licensed sample libraries. Aside from the sonic and linguistic contrasts engendered by the juxtaposition of this lyric with Missy Elliot's energetic 'Go, get your freak on', the inclusion of 'Solitude' highlights another element of this East-West exchange: one of recurrence and, as will be highlighted in case studies that follow, reciprocity.

Sonic Borrowings and Inferred Orientalism

'Solitude's original artist, Karunesh, was a German-born musician named Bruno Reuter, who travelled to India in 1979 and embraced spirituality at Pune's Osho ashram. Whilst under Osho's tutelage, Reuter changed his name to Karunesh (Sanskrit for "lord of compassion") and began creating what he describes as 'world fusion music' that goes 'beyond the limits and barriers separating different cultures' (Karunesh Music, n.d). An incomplete Urdu lyric ('maut mujh ko') in his 2000 single, 'Solitude', was then sampled in 'Get Ur Freak On'. In 2002, the original song ('Urdu Sher') was sampled again and can be heard at the beginning of Jamaican dancehall artist Sean Paul's single, 'Shout (Street Respect)', further demonstrating the global nature of digital sampling in hybridised genres such as hip-hop and dancehall, whilst still recognising the scope for cultural inequality through the cutting and mixing of South Asian sounds into culturally ambiguous samples sold as part of pre-cleared, low-cost sample libraries.

In the years following 'Get Ur Freak On', global mainstream music charts observed a marked increase in the number of Indian-inspired singles and remixes. Several of these songs incorporated samples from *Deepest India.* Tracks such 'Sufani', which features a prominent verse by Sufi vocalist Sohan Lal, have been sampled and versioned by a number of artists including dub/electronica producer Gaudi ('Sufani', 1999),[32] Italian producer duo Shamur ('Let

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[32] Gaudi's 'Sufani' was subsequently featured in the 2005 Bollywood film, *Rog.*

the Music Play', 2005),[33] rapper M.I.A ('Come Around' feat. Timbaland, 2007), as well as independent artists such as Quasamodo ('Bollywood Man' feat. MC Coppa, 2012) and Axel Thesleff ('Bad Karma', 2014).

Although the primary focus of this thesis is in investigating cultural appropriation in the context of India and the West, through my pursuit of these questions, I have found it essential to similarly highlight the cyclical nature of global music, which in turn fuels potential for intercultural exchange. From Grammy award winners M.I.A and Gaudi to Soundcloud artists Thesleff and Quasamodo, in the case of *Deepest India*, this 'global cultural flow' (Appadurai, 1990) of sonic information across boundaries has facilitated the transitioning and recontextualisation of traditional Sufi voices into the framework of newer genres such as hip-hop and electronic music.

On the practice of sampling, ethnomusicologist Kevin Miller explains that 'sonic borrowings in hip-hop can be further contextualized as a part of the larger phenomenon of Western popular culture's fascination with the Indian aesthetic' (2004, p. 7). While Timbaland and Elliott's collaboration can be credited with having facilitated the popularisation of bhangra rhythms and instruments in hip-hop and R&B through the 2000s, on a closer analysis, 'Get Ur Freak On' (and by extension, Timbaland and his works) appears to exhibit a broader fascination with the 'exotic' Orient.

For instance, in reference to the song's prominent tumbi loop, Missy Elliott said: 'Tim was playing some new stuff one day; he'd picked up all kinds of music while traveling—and overseas they have the hot, different flavor. I was like, man, that Japanese sound or Chinese, whatever—it's hot. Let's put a beat up under it' (cited in Hankins, 2011). While 'Get Ur Freak On' does not demonstrate an overt form of cultural appropriation, I argue that it participates in

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[33] Shamur sample two songs from *Deepest India*: 'Beparwa' (Sohan Lal) and 'Sufani' (Bibi Swaran Nooran, Master Dilbahar and Sohan Lal). 'Let the Music Play' was recently sampled in the Bollywood film *Roohi's* 'Nadiyon Par (Let the Music Play Again)' in 2021.

an inferred form of erasure by engaging in a generalisation of cultures. This can be observed in the dissonance between the Japanese-language intro and outro, the Punjabi instrumentation and sample, and Elliott's conflation of cultures. In this manner, 'Get Ur Freak On' can be viewed as an example of implicit appropriation in the same way that Selena Gomez's 'Come and Get It' has been read as culturally exploitative.

Through this generalisation of cultures – both sonically as well as through Elliott's statements referenced above – 'Get Ur Freak On' places two differing, diverse cultures under the same generalised category of 'Oriental', situating them in a homogenised model of the 'unfamiliar' or the 'peculiar', exotic Orient.[34] However, despite these Orientalist markers, one must also investigate the scope for aesthetic and cultural appreciation.

In an interview with *Village Voice* (Chadha, 2003), Timbaland claims that he spends $5,000 on Indian albums 'every time he steps into Tower Records'. The producer goes on to explain his motivation behind Indian-inspired sounds: 'People getting into the beats now don't know the history. They play-toy with it … These people have a voice that needs to be heard. We're trying to make "world hip-hop."' This stance indicates a desire to not only cut and mix Indian-inspired sounds into his music, but to understand and articulate the social and cultural context of these sounds. In his autobiography, Timbaland describes his musical endeavours with Missy Elliott as such: 'We wanted to make music that felt both instantly familiar but also one step ahead', going on to describe 'bhangra beats' (among others) as one of the 'favorite entries in my catalog of sounds' (2015, p. 126). The reactions of 'insiders' or source communities are crucial to a study of cultural appropriation, and as such, it is worth mentioning that South Asian artists had taken note of this 'catalog'. These reactions are demonstrated, for instance, in The Rishi Rich Project collaborative single, 'Stomp' (July 2006).

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[34] According to Edward Said (2003, p. 102): 'Because it is made into a general object, the whole Orient can be made to serve as an illustration of a particular form of eccentricity. Although the individual Oriental cannot shake or disturb the general categories that make sense of his oddness, his oddness can nevertheless be enjoyed for its own sake.'

In 'Stomp', Rishi Rich fuses traditional bhangra elements with a driving electro groove and low-range horns that are characteristic of Timbaland-produced songs such as Missy Elliott's 'Work It' (2002), and Nelly Furtado's electro-hip hop hits, 'Promiscuous' (April 2006) and 'Give it to Me' (2007; recorded in 2005). While rapper Mr. Philips encourages listeners to 'jump up and down and stomp', Jay Sean delivers wry lyrics such as: 'Is it true that they don't play certain music on the radio? / I won't say which one had a problem with this drum / You know, the tabla, the one that Timbaland loves using / But it's cool in his music / But it's typical and tacky if we use it', indicating that Indian artists may not have viewed Timbaland's exploration of South Asian music as entirely appreciative in nature. On the other hand, some South Asian producers viewed the bhangra-hip hop fusion as a form of musical validation, echoing Timbaland's desire to articulate Indian voices. For example, in an article commemorating 'Get Ur Freak On's 20-year anniversary (Haider, 2021), BBC radio presenter and former club DJ Nihal Arthanayake recalls:

> Certain sections of the press had leaned towards an esoteric orientalism when it came to Asian music … Then this guy [Timbaland] was African-American, and one of the biggest producers in the world, along with one of the most exciting rappers on the planet, and they incorporated the beats in a way that was commercially viable, not just exotic. It kind of gave Asian producers, and people who used Asian beats, a validation.

These insider perspectives indicate the possibility for both appreciation and appropriation to subsist in a recording. While Timbaland and Elliott's focus (or lack thereof) on Indian-inspired sounds demonstrates a subtle, inferred form of Orientalism in 2001's 'Get Ur Freak On', other works, such as Truth Hurts' 'Addictive', are indicative of a more overt form of cultural appropriation.

3.2 'ADDICTIVE' (2002)

Written by Steve Garrett, produced by DJ Quik, and featuring a rap verse by Rakim, 'Addictive' (2002) narrates the experiences of a woman who is infatuated with a man she describes as 'so contagious'. The song's defining groove rests on an unauthorised 35-second sample that incorporates the chorus and (what can loosely be categorised as) the bridge of 'Thoda Resham Lagta Hai' (*Jyoti*, 1981), a Bollywood song that features Indian playback singer Lata Mangeshkar.[35] The sample is looped for the entire duration of the 3-minute and 45-second song and has been high-pass filtered to dramatize high and mid-range frequencies, creating an otherworldly, distinctly 'Othered' texture to Mangeshkar's vocals (Miller, 2004). The music video further emphasises an element of exoticism, and some have accused 'Addictive' of participating in Orientalist stereotypes. In 'The Elusive Truth: Intercultural Music Exchange in *Addictive'*, Tamara Roberts describes the song as having resorted to 'a generalised, faux-Asian aesthetic by using [composer] Lahiri's song and using Orientalist imagery in its video' (2004), while another critic accused its producers of 'pillaging the Third World for material' (Fitzpatrick, 2003).

While samples are often constructed in response to shifts in aesthetic trends, copyright law as a legal narrative also plays a significant role in the evolution of digital sampling. In the case of African-American hip-hop producers neglecting to license usage of Bollywood songs

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[35] I use the words 'loosely categorised' here due to the difference between Hindi-language song structure (specifically, early Bollywood film song format) and Western popular music structures. This is owed primarily to the incorporation of fluid *ragas* through traditional (Hindustani or Carnatic) music, thus making it difficult to accurately identify song structure in Western terminology. In 'Thoda Resham Lagta Hai', for example, the refrain 'kaliyon ka chaman jab banta hai' ("a flower garden is then made") contrasts with the 'thoda resham lagta hai' ("it takes a little silk") section rhythmically, melodically, as well as through Mangeshkar's open-throated vocal style; yet 'kaliyon ka chaman' is neither (strictly) bridge nor pre-chorus. The best way to gauge structure here in my opinion is through lyrical translation, which would roughly categorise 'kaliyon ka chaman jab banta hai' as the bridge.

and credit the original composers, one must consider whether this is an example of one community's recreation of its Other (Said, 2003, p. 332).

The 'War' for the Indian Composer

Similar to 'Get Ur Freak On', 'Addictive' was commercially successful, and was both a radio and club favourite in several countries (Takahashi, 2003). It peaked at #9 on the Billboard Hot 100 chart and #2 on the Billboard R&B chart, and was praised as being 'somehow both avant garde and bang on the commercial money' (Needham, 2005). In an interview with Corey Takahashi, DJ Quik (who was responsible for the sample) claims to have stumbled upon 'Thoda Resham Lagta Hai' on an Indian cable network called Zee TV (2003, p. 95). However, Quik and record label Aftermath Entertainment (a subsidiary of Universal Music Group's Interscope Records) had neglected to clear the rights to sampling 'Thoda Resham Lagta Hai'. Aftermath was subsequently sued by India-based Saregama India Ltd., the film and music company that had produced the music for *Jyoti*, alongside Bollywood musician Bappi Lahiri, the original composer of 'Thoda Resham Lagta Hai'.

Claiming that the entirety of the song was built around the Bollywood sample,[36] Lahiri and Saregama India Ltd. filed the lawsuit in a Los Angeles District Court and charged not only singer Truth Hurts, producer DJ Quik, and parent company Universal Music, but also executive producer Dr. Dre (who founded Aftermath) for having engineered the song without paying royalties or providing due credit. The lawsuit generated considerable media attention, and Lahiri called it 'the war for the Indian composer' (Roberts, 2004). Additionally, his lawyers noted that a similar version of 'Addictive' with credit to the songwriter had been marketed by Universal Music in India (Lahiri v. Universal Music and Video Distribution, [2002]). An official statement declaring: 'Since Universal does give the credit when selling into the Indian

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[36] 'They literally superimposed their own drum track and lyrics over the beat,' said Lahiri's legal representative. 'It's not just a small loop.' (Zumkhawala-Cook, 2008).

market where Mr. Lahiri is hugely popular, and then fails to give credit on U.S. sales, it appears to us that Universal is only interested in providing the appropriate musical credit if Universal perceives a financial advantage', was issued after a federal judge in Los Angeles barred further sales of 'Addictive' until Lahiri was listed on the song's credits (but denied punitive damages).

Aside from the legal definition of crediting source creators, given the subject of this thesis, it is also worth examining the concept of "credit" on a deeper level, as appropriation is often most visibly manifested in the form of cultural erasure.

The music video for 'Addictive' demonstrates multiple markers of erasure through exoticism. For example, while the (non-India distributed) single did not credit the original composers of the song or acknowledge its Indian roots, the music video is rife with stereotypical imagery meant to evoke a specific aesthetic, such that it appears to monetise "brownness" without having to include any South Asian or Middle Eastern representation. Marshall and Beaster-Jones (2012) explain: 'From the choreography (especially certain head/neck and hand gestures, and torso movements suggesting belly dance), to the henna-stained hands and vibrantly-colored silk and sequins, to the harem-like backdrop, the video [demonstrated] vivid but flatly conflated imagery from South Asia and the Middle East'.

The 'Addictive' lawsuit is especially significant in that it was the first time that an Indian composer had sued a foreign music company for plagiarism, let alone won (Bhattacharya, 2018). Despite the ironies surrounding the fact that it was Bappi Lahiri who had won a copyright infringement lawsuit (the composer is notorious in India for having based the bulk of his work off plagiarised content), it was a landmark judgement that would set a new precedent for musical exchange between India and the USA. American hip-hop producers would 'look to the East' (Said, 2003) for new sonic possibilities, while record labels and copyright litigators in both India and the USA would reconsider the constraints of permissible use of artists' material

(Rule, 1992). Thus, in addition to a musicological analysis, it is also important to consider the legal circumstances surrounding this transnational exchange.

India has been a signatory to the Berne Convention for the Protection of Literary and Artistic Works since April 1928, which – as of September 2020 – is an international agreement between 179 parties. The Berne Convention is responsible for having harmonised (to some degree) copyright legislation amongst member countries by having first introduced the concept of automatic copyright registration. As per the treaty, copyright exists the moment a work is created within a signatory nation. Following the US Berne Convention Implementation Act of 1988, the United States officially joined the Berne Convention in March 1989. However, it continued to make statutory damages and attorney's fees available only for registered works.

The Berne Convention only applies to the musical composition element of sampling; it does not apply to the sound recording. Sound recordings are instead covered by other agreements, such as the World Intellectual Property Agreement (WIPO)'s 1996 Performers and Phonograms Treaty, which the US signed in 2002, but India only acceded to in December 2018 (16 years after the release of 'Addictive').[37] Given that the registering of copyright materials is a requirement of US law but is not generally a feature of other Berne or WIPO Treaty countries such as India, one could argue that there is considerable room for legal ambiguity – and consequently, plagiarism.

Tamara Roberts notes, 'while standard cultural critique would focus on Orientalism in "Addictive", Lahiri and the others are not going to court over representation. Rather, money is of primary concern, with issues of representation employed only as a means to financial winnings' (2004, p. 83). Lahiri was denied punitive damages: the Court observed that the composer had registered the work with the US Copyright Office 'well after' the defendants had

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[37] While India is not a signatory to the Rome Convention, it is a signatory of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), and the Geneva Phonograms Convention.

ceased manufacturing and selling the album containing the song, and that allowing Lahiri to retroactively recover damages would 'encourage other similarly situated plaintiffs to follow suit' (Banerjee, 2015). However, given that the work originated in India, per Indian legislation, the concept of automatic registration holds true.

Rather than condemn 'Addictive's use of 'Thoda Resham Lagta Hai' entirely as an act of 'cross-cultural poaching' (Sponsler and Chen, 2000, p. 3), or, in Lahiri's words, 'cultural imperialism', this thesis also aims to address the song's social and cultural significance. It is thus worth investigating the economic motivations and social repercussions of the 'Addictive' lawsuit.

Copyright and Cultural Politics

In the case of 'Lahiri v. Universal Music', composer Bappi Lahiri alleged a case of both moral and economic harm (amplifying the 'moral' basis in his press release), revealing a deeper issue beyond sample clearance. During the lawsuit, legal issues of sampling were overshadowed by sensational media coverage and tangential accusations, with Dr. Dre's representatives claiming that Lahiri – a virtual unknown in the USA who had suddenly become the first Indian composer to have entered the UK and US Top 10 charts – was trying to capitalise on Dre's celebrity (Bhattacharya, 2018). While it is likely that this was constructed as a legal strategy, Roberts explains that Lahiri and his use of the word 'war' as a metonym is particularly detrimental to intercultural exchange in this case (2004).

A closer inspection also reveals instances of exaggerated misrepresentation on Lahiri's part. According to the press release issued by his attorneys, 'Addictive's lyrics were construed as 'obscene and offensive', and risked causing extreme offense to the song's owners and to the sensibilities of 'many Hindu and Muslim people' (Roberts, 2004). It is worth mentioning that Lahiri did not request the withdrawal of the sample from 'Addictive', and was instead suing for financial compensation. While it is possible that Truth Hurts' sexualised moaning over Lata

Mangeshkar's soprano could have caused some measure of offense (the Bollywood singer is revered in India), the original song is not related to religion — whether lyrically, musically, or visually. Nonetheless, Saregama successfully capitalised on the interplay between copyright and cultural politics at a time when tensions ran especially high.

'Addictive' was released six months after the 9/11 attacks in New York City, and some – including DJ Quik himself – claim that the timing of the song's release was not entirely coincidental. In an interview with DJ Quik, journalist Takahashi (2003) highlights this concurrence:

> In the wake of 9/11, the racial profiling of Indian- or Arab-American air passengers has become a strange, new take on "driving while black."[38] These tensions weren't lost on the rap artist [DJ Quik], who says the timing of the track was partly political. "It's like, y'all, let's make some music, so motherfuckers don't have to think about this shit. And, no, Habib at 7-Eleven is not your enemy.

According to Marshall and Beaster-Jones (2012), 'Addictive' bore a 'symbolic complicity with the War on Terror', while Roberts (2004) accuses Lahiri's team of having invoked the language of religious difference by capitalising on 'Islam vs. West' tensions. This aligns with Said's description of American Orientalism as 'very politicised [and] based on abstractions' in its propensity to propagate Islamophobic sentiments (Jhally, 2012), explained in an interview four years prior to the release of 'Addictive'.

Composer Lahiri likened the unauthorised use of his music without providing the necessary credit to a form of 'cultural imperialism against Third World artists', and issued a lawsuit seeking $500 million in damages (Kaufman, 2003). In a public statement, his attorneys announced: 'It's our opinion that the label simply took it for granted that Hindi music was something they didn't need pay for – that it could be used simply at will' (cited in Roberts,

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[38] Takahashi is alluding to the prejudicial racial profiling of African-Americans in the USA.

2016, p. 160). The fact that Dr. Dre responded to Lahiri's accusations by belittling Mangeshkar – a woman in her (then) seventies and the recipient of several international awards and accolades – by saying, 'It's just a drum track, bassline and this Indian girl singing' (Roberts, 2004), seemed to further reinforce the inferior 'Other' stereotype, making the case against 'Addictive' all the more political.

Although Lahiri's accusations of cultural imperialism were criticised by his peers (Lahiri is known to have plagiarised some of his most successful Bollywood hits from English-language popular music), it should also be recognised that the debate surrounding 'Addictive' involved more than a case of copyright infringement alone. When sampling with an Orientalist view, the rapper can be perceived as the active entity: present, compelling, and the driving force behind the narrative. The sample, on the other hand, is a passive voice in this case – an unfamiliar, primitive sound that allows listeners a controlled glimpse into a culture, thereby rendering the subaltern without agency (see Spivak, 1988). In this case, the sample becomes analogous to Said's description of Europe's relationship with the Orient: a 'silent Other' as opposed to interlocutor (1985, pp. 93-94).

One critic argues that it is the juxtaposition of Truth Hurts' salacious lyrics against the original song's 'innocence' that makes 'Addictive' a case of exploitative appropriation. According to writer Raj Bains (2015):

> The success of this song lies not only in the DJ Quik beat, but the juxtaposition of such a raunchy set of lyrics – the song is essentially one entirely unoriginal extended metaphor comparing drugs and sex – and the innocence of the Bollywood sample. At the time this was released, sex in the Indian film industry was still being alluded to by a suggestive skip behind a shaking bush for 10 seconds and a hasty costume change. It's not Shakespeare, but more than one or two eyebrows will have been raised at lyrics such as "My back is achin' / From our love makin'".

While the case can certainly be made that 'Addictive' reinforced the hypersexualised, exotic Other (particularly in the case of Indian and Middle Eastern representations in Western visual media), what is interesting to note here is that, although Bains is correct in assuming that the Indian film industry was comparatively conservative about its allusions to sex at the time, it was not quite as innocent as he indicates. In fact, the song 'Thoda Resham Lagta Hai' was written for a scene involving a *tawaif* (courtesan) in a *kotha* (brothel) for the film *Jyoti*. The courtesan lip-synchs to the words, "It takes a little silk; it takes some mirrors. Diamonds and pearls are strung in; it takes a little gold … that's how this fair body is made". In the film, the scene depicts the courtesan dancing erotically to seduce the rich protagonist and steal his inheritance, and ends with her stripping the protagonist of his jewellery after he has fallen into a drugged stupor. Marshall and Beaster-Jones (2012) observe: 'Even as the association made by Truth Hurts in the video for 'Addictive' circumscribes Orientalist representations of a conflated India/Middle East in a post-9/11 era, the [Bollywood] video's stereotypes are not so far from eroticized *tawayaf* representations in Hindi films, hardly the site of chaste representations claimed by Bappi's lawyer'.

Indian music critics also noted how 'Addictive' had brought Bappi Lahiri's song out of relative obscurity. Prior to the Truth Hurts single, 'Thoda Resham Lagta Hai' had been neither popular nor successful. Lata Mangeshkar herself confessed to not having even remembered singing the song,[39] while Indian music critic Narendra Kusnur claimed that neither he nor any other music directors (including Lahiri himself), singers or musicologists could identify the song for several hours (Marshall and Beaster-Jones, 2012). With this in mind, music director Bali Brahmbhatt criticised the composer's accusations of cultural imperialism, writing: 'What is the point squabbling about a little tune here and there? It doesn't make sense when the music

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[39] This could be attributed to the sheer volume of music produced by the Bollywood industry, where playback singers are employed to sing on numerous songs across multiple projects.

scene has become like a tennis match — while we are taking from them, we are also lending them our music!' (Bhattacharya, 2018). This is particularly telling as the Bollywood industry maintained different notions of borrowing to the West: a considerable number of Bollywood songs ranging as far back as the 1960s (such as RD Burman's 'Aao Twist Karein' and 'Chura Liya Hai') have been recreated from other (Western) works. To the Bollywood composer and their unassuming audience, however, this is merely viewed as a case of musical borrowing. Thus, the reverse can also be considered in the case of hip-hop music sampling Bollywood music for Western audiences, to whom the sounds of Lata Mangeshkar and Bappi Lahiri are all but alien – that is, until they are incorporated into samples.

In an interview on NPR (National Public Radio), Dean Garfield, former Vice-President of Legal Affairs at the RIAA (Recording Industry Association of America), described digital sampling as a medium for individuals to interact with each other across great distances, likening its ability to connect people with that of social media (2011). However, it must also be said that this medium is riddled with uncertainty in light of copyright law and unpredictable legal outcomes; some critics have even referred to sampling as 'stigmatized by statute' (Garfield, 2011). While this threat of legal controversy is more economic than aesthetic, in some cases, it can also lead to the creation of new forms of music via a desire to circumvent these economic implications, as will be observed in subsequent case studies below.

3.3 'THE BOUNCE' (2002)

In November 2002, Jay-Z collaborated with producer Timbaland to release 'The Bounce' as part of his seventh studio album, *The Blueprint 2: The Gift and the Curse*. 'The Bounce' features what has been described as 'a funky instrumental that beats at your eardrums' (Pemberton, 2003), self-aggrandising lyrics, and a reworking of the 1993 Bollywood song, 'Choli Ke Peeche Kya Hai' (*Khalnayak*).

Interpolations as Faux Samples

Throughout the years preceding 'The Bounce's 2002 release, Timbaland had been developing the 'sound' Frere-Jones (2008) referred to.[41] A key feature of this 'Timbaland sound' involves the sampling of Asian and Middle Eastern music. One of these songs, 'Big Pimpin' (1999), samples the Arabic classic, 'Khosara Khosara' (1957), composed by the late Baligh Hamdi. Although the underlying melody and groove in 'Big Pimpin' rests on 'Khosara Khosara', the sample was not cleared in 1999 since – as would later be testified in court – Timbaland believed 'Khosara Khosara' to be a public domain song (Fahmy v. Jay-Z, [2018]). One year after 'Big Pimpin's release, the producer paid EMI Music Arabia $100,000 to license use of the original song, and the liner notes would credit Baligh Hamdi. However, given that Timbaland and Jay-Z had not explicitly sought permission from the composer's family to sample the Arabic original in a song that was characterised by sexually explicit motifs and lyrics, Hamdi's nephew, Osama Fehmy, filed a lawsuit on the grounds that 'Big Pimpin' violated his moral rights as upheld by Egyptian law. The United States Court of Appeals

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[41] Some examples include 'More Than a Woman' (Aaliyah), 'Raise Up' (Petey Pablo), and 'All Y'all' (Timbaland feat. Magoo). It is worth mentioning that each of these songs was released in 2001 alone.

dismissed the lawsuit before it went to a jury on the grounds that Fahmy did not own the economic rights to the song, and thus could not claim infringement.[42]

Similar to 'Big Pimpin', 'The Bounce's underlying hook relies on unlicensed usage of a song that, given its release date, reinforces Said's commentary on 'American Orientalism' (Jhally, 2012) in ways that will be explored further in this section. However, what makes this case different from preceding studies is that the Bollywood song that forms its 'exotic' hook was not sampled from the master recording: instead, it constitutes an interpolation.[43] This was achieved through Hindi-language vocal imitations of a sample sung by Timbaland's then-protégé, Indian-American singer Rajé Shwari. According to Rajé, she had just finished recording a demo in July 2002 when Timbaland approached her and convinced her to collaborate with him on his endeavours in 'world hip hop', a hybrid genre he claims to have created (Frere-Jones, 2003). 'The Bounce' would mark the first well-known instance of this collaboration between the two.

Peter Dicola (2011, p. 249) explains that interpolations 'are "faux samples" in which would-be samplers record their own versions of small snippets of a song'. While both samples and interpolations constitute as 'derivative works' under US copyright law (17 US Code 115, Scope of Exclusive Rights in Nondramatic Musical Works), an interpolation is essentially a re-performance or re-recording of a section of an original work as opposed to, as Katz (2004) suggested, direct digital incorporation of a pre-recorded sound into a new recorded work (i.e., samples). Given that sound recording copyrights do not extend to 'sound-alikes', as per this approach, one would not be infringing upon the sound recording copyright, and would only

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[42] Fahmy had transferred his economic rights to Mohsen Mohammed Jaber in a 2002 agreement under Egyptian law. Thus, while Fahmy retained the moral rights to 'Khosara Khosara', the Ninth Circuit appellate court ruled that those rights were not cognizable per the infringement suit under US law. While the Berne Convention, of which Egypt has been a signatory since 1977, recognises the moral rights of authors, it views moral rights to be independent of authors' economic rights.

[43] With songs such as 'Big Pimpin' receiving public scrutiny, it is possible that Timbaland's decision to interpolate was motivated by legal/economic concerns.

need to obtain appropriate permission to use (or risk infringing) the underlying composition, potentially making the decision to recreate a portion of a song more cost-effective than a direct sample of the master recording.[44]

Aside from the interpolation, 'The Bounce' makes for a compelling study due to the combination of Timbaland's involvement and Jay-Z's use of potentially Orientalist stereotypes to deliver politically controversial lyrics. In this case, the lyrics reference Jay-Z's preceding album, *The Blueprint* (2001), which was released mere hours before the September 11th (9/11) attacks on the World Trade Towers in New York City. *The Blueprint 2: The Gift and the Curse* serves as a follow-up in more than just a chronological sense as Jay-Z continues to capitalise upon *The Blueprint's* coincidental 9/11 release in 'The Bounce'.

Post-9/11 Rap and the Musical Destabilisation of Boundaries

Jay-Z elaborates upon the controversy surrounding his preceding album's release date by rapping: 'Rumor has it "The Blueprint" classic couldn't even be stopped by Bin Laden, so September 11th marks the era forever of a revolutionary Jay Guevera'. American Studies Professor Jeffrey Melnick, who has written extensively on the cultural impact of 9/11, describes Jay-Z's lyrics as an effort 'to plot his self-promotion onto a national map. Breaking from the common "hood"-based landscape of hip hop music, Jay-Z here competes with Bruce Springsteen as he nominates himself as America's most important post-9/11 musical artist' (2009, p. 217).[45] While Jay-Z was not the only hip-hop artist to have addressed the events of 9/11 that year,[46] *The Blueprint 2* was certainly one of the most prominent cases in this regard.

Miller (2004) partly attributes the popularity of Bollywood samples in hip-hop at the time to 'curiosity about a region of the world stirred up by the invasions of Afghanistan and

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[44] In some cases, however, it could be argued that the cost of recreating a song is as (or more) expensive as clearing a sample.
[45] Melnick is referring to Springsteen's 2002 album, *The Rising*, which features a number of 9/11-themed songs such as 'My City of Ruins' and 'Worlds Apart'.
[46] See Wu-Tang Clan's 'Rules' (2001).

Iraq, and the resignification of brown-skinned peoples in the United States'. Given that racial tensions had heightened in a post-9/11 USA and that Orientalist stereotypes (such as Indian music being perceived as "Arab") influenced the perception of American consumers at the time, it could be argued that Jay-Z's decision to rap about Osama Bin Laden to the deliberately spatially distant sounds of Rajé Shwari's vocals – while aesthetically engaging – can be observed as the capitalistic harnessing of Indian culture, thereby qualifying in some part as an example of cultural exploitation (Rao and Ziff, 1997, pp. 4-5). However, these lyrical decisions also mark a powerful symbolic shift on account of a high-profile artist electing to use Indian-inspired music to frame a political statement, as opposed to limiting this sound to operate solely as a sexualised, exoticised Other. This is especially thought-provoking when one considers the fact that the original song, 'Choli Ke Peeche Kya Hai', had been at the centre of mass controversy at the time of its release in India.

Bollywood songs are inextricably linked to their corresponding film's narrative, with songs often assigned and written for specific scenes and characters.[47] 'Choli Ke Peeche Kya Hai' involves a scene in which the female protagonist is attempting to seduce and thereby entrap the male antagonist. While this setting is thematically similar to 'Thoda Resham Lagta Hai', the two differ in that 'Choli Ke Peeche Kya Hai' does not rest entirely on the "feminine" high notes of a delicate seductress. Rather, its driving hook centres on an unabashed, recurrent question put forth by a distinctly deeper-toned female voice: 'Choli ke peeche kya hai?' ("What's behind your blouse?"), to which the protagonist responds, 'Choli mein dil hai mera' ("My heart is behind my blouse").

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[47] Advertisements often credit Bollywood film songs to the actors lip-synching the performance as opposed to the singer or composer (unless their fame outweighs that of the actor, such as in the case of AR Rahman). During a Bollywood-themed panel at MIDEM 2019, Tarsame Mittal of TM Talent Management explained: 'If you ask any Indian, "What is your best music which you like?" … And if they close their eyes, they'll visualise the actors … that played those songs, rather than the singer and the composer who wrote it' (Khimani and Mittal, 2019).

The song is characterised by the contralto-soprano interplay between two singers, Ila Arun and Alka Yagnik: a call-and-response of sorts that posits one voice as bold and almost audacious, and the other as coy, modest, and in line with patriarchal expectations of Indian women. Soprano Alka Yagnik voices the "good" Indian girl whose lyrics express fear and uncertainty at being alone in the city without a man to love, invoking Lord Ram and asking to be married off lest she become someone's mistress; conversely, Ila Arun's verses ask the more provocative, "What's behind your blouse? What's beneath your veil?"

While the Bollywood song intends to be read as bold yet bearing a palpable air of secretive, faux-unintended sexuality, in 'The Bounce', Rajé Shwari's vocals are soft and knowing in their seductive nature. Where singers Arun and Yagnik collaborate through confident vocals and content that was forward-thinking for Bollywood industry standards of the time, Rajé Shwari's voice harks back to the past through low-filter passes and temporal dissonance. And yet, the two versions bear one crucial similarity, in that the original 'Choli Ke Peeche Kya Hai' was meant to function and grant power to female players within the bounds of a male narrative, just as Rajé Shwari's rendition operates and provides the melodic backbone to a male-dominated production.

The original song serves as one of the earliest examples of female vocalists and actresses destabilising normative, patriarchal boundaries in Bollywood. Rajé Shwari's rendition follows in this regard by serving as the only female voice on the record, thereby overturning the traditionally passive Indian female voice to sonically active entity in 'The Bounce'. Where Lahiri's use of '"war" as a metonym' (Roberts, 2004) was viewed as having a damaging effect on the scope for intercultural exchange, conversely, in 'The Bounce', Jay-Z's juxtaposition of The War on Terror with Indian music, coupled with the assimilation of Indian-American Rajé Shwari's voice (as opposed to a dissociated sample), could be viewed as having had a more

constructive effect. This is further highlighted in Jay-Z's performances following the initial release of *The Blueprint* album in 2001.

The Blueprint's coincidental but controversial 9/11 release date was the result of financial concerns – the rapper has had longstanding, public struggles with the distribution of bootlegged recordings, and has made numerous attempts to circumvent bootleggers in the past by mixing or making last-minute song additions to albums.[48] As such, the release date for *The Blueprint* was changed several times, and was eventually expedited from September 18th to September 11th.

Five days after 9/11, on September 14th, 2001, Jay-Z delivered an improvised performance titled '9/11 Freestyle' during his Blueprint Lounge Tour. Through '9/11 Freestyle', Jay-Z expresses his frustration with (and triumphant defeat of) both bootleggers and Bin Laden in the same lyric ('Bootleggers, bombing, Bin Laden / I'm still crackin' / I will not lose, I simply refuse / I dropped the same date as the Twin Towers / I show power'), exercising the braggadocio nature of rap to imply *The Blueprint's* 9/11 release was intentional. When Jay-Z articulates his disdain for 'bootleggers, bombing, Bin Laden' – entities that would seek to harm the rapper's home and legacy – the lyric is delivered conversationally, with characteristic flair. Following a brief but palpable pause, however, he then proceeds to distinguish these personal points of contention from larger issues at hand, delivering lyrics such as: 'So I'm a walking contradiction / On one hand I love my position / But easily I could have been in that prison'. Jay-Z's emotional approach draws attention to the shared struggles of Black, Asian and Middle Eastern minorities in America, voicing his inner conflict at the realisation that these communities are confined to the same 'prison': as the "foreign", dangerous Other. In this

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[48] The process of unlicensed reproduction by bootlegged recording has been ingrained in hip-hop culture since its origins in the 1970s. Bootlegging is also prevalent in India.

manner, Jay-Z's performance departs from the standard, dichotomous interpretation in Orientalist studies.

Although the rapper continues to conflate Middle Eastern countries with other cultures on a surface level, in the case of '9/11 Freestyle', I argue that the generalisation has a unifying rather than alienating effect, as Jay-Z aligns himself with the Other as opposed to exercising his privilege to reinforce the 'Self versus Other' narrative. Given that these verses were delivered as part of *The Blueprint*'s promotional tour, one must consider this performance and its implications alongside Jay-Z's seemingly capitalistic (yet political) juxtaposition of 9/11 themes with Indian music in *The Blueprint 2*'s 'The Bounce'.

Following 'Addictive's 'Lahiri v. Universal Music and Video Distribution' controversy, *Khalnayak* film director Subhash Ghai threatened to sue Jay-Z and Timbaland over their use of 'Choli Ke Peeche Kya Hai', stating: '[It's] more than just a line, it is an entire concept they've taken' (cited in Powell, 2020). However, given that Rajé Shwari's vocals were an interpolation and not a sample, 'The Bounce' did not technically violate the film director's copyright (while Bollywood film directors can hold sound recording copyright, in the case of 'Choli Ke Peeche Kya Hai', the musical composition rights belong to composer duo Laxmikant–Pyarelal). Ghai's claims are relevant to this study in that it illustrates, firstly, that Indian copyright holders had begun to deviate from the role of passive, unseen Third World to be 'pillag[ed] ... for material' (Fitzpatrick, 2003) by emerging as active bodies with the financial resources to assert musical copyright in cases of infringement; and secondly, that these entities had begun to take note of American hip-hop's fascination with Indian music.

3.4 'BEWARE OF THE BOYS' (2002)

Five years after its original release, 'Mundian To Bach Ke' would experience a resurgence in the form of a re-release with an additional verse from rapper Jay-Z on the album, *Beware*. Simply titled 'Beware of the Boys' (an English translation of 'Mundian To Bach Ke') and shortened to 'Beware', the November 2002 release would help facilitate a marked growth in bhangra remix-inspired hip-hop in the USA. Where previous examples incorporated elements of Indian music without adequate representation, conversely, Jay-Z appears as a featured artist on Panjabi MC's 'Beware', or, as Frere-Jones (2003) puts it: 'hip-hop is a guest at the Indian wedding'.

From Commodity to Collaborator

While the original MTBK was successful in its own right, debuting at #5 on the British Top 40 charts and becoming the first bhangra song to have entered the UK Top 10, Jay-Z's involvement appears to have helped elevate the song to greater popularity. At the time, Jay-Z was already being regarded as one of the most culturally influential and commercially successful rap artists in recent years (Bailey, 2014, pp. 44–46). With critically acclaimed albums such as *The Blueprint*, his involvement in the 'Beware' remix would help make Panjabi MC's tumbi riff and Labh Janjua's vocals a staple at both Indian and American venues alike.[49] This involvement, coupled with the timing of 'Beware of the Boys', appears to have been instrumental in promoting the song's success. Released only two weeks after Jay-Z's critically and commercially successful *The Blueprint 2: The Gift & The Curse*, the 'Beware' remix

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[49] Even today, 'Beware' continues to receive heavy radio airplay, is a staple at Indian weddings and events, and continues to be licensed for films as recent as *The White Tiger* (2021).

peaked at #33 on the Billboard charts in the USA. Following the Jay-Z release, several artists would sample and remix the original MTBK single, including a Triple X remix, a Moonbootica remix, a track titled 'Beware Breaks (Mundian Breaks)', and a version featuring rapper Twista.

Jay-Z's collaboration with Panjabi MC is noteworthy not only because of this commercial success –Wartofsky (2003) claims that ten million sales would be a conservative estimate for 'Beware' – but also because of the manner in which this collaboration was forged and facilitated entirely through digital mediums. The American rapper and British MC never met whilst creating 'Beware' (Melnick, 2009, p. 218), illustrating once again how technoscapes enable the global movement of culture and sonic information in popular music.

In an email conversation (2017) discussing the ongoing scope for cultural exchange between India and the West, Peter Lavezzoli, author of *The Dawn of Indian Music in the West*, shared his views on hip-hop's attraction to Indian music with me:

> To me, it seems that the attraction has always been the melody. Hip hop is a rhythmic and lyrical form, and it usually relies on outside sources for melody found in samples. Indian music of all kinds, as we know, is extremely rich in melody, and this is what I feel is the main attraction, because the samples of Asha [Bhosle] and others provide these hip hop recordings with melody, and also with a different style and sound that hip hop artists find new and fresh.

While Rajé Shwari's interpolation supplied the melodic backdrop to Jay-Z's lyrics in 'The Bounce', in 'Beware of the Boys', Labh Janjua's rich melodic source and Panjabi MC's rhythmic patterns operate alongside Jay-Z's rap verses as active collaborators. Similar to 'The Bounce', in 'Beware', Jay-Z continues to fuse politically-themed lyrics (in particular, the cultural impact of 9/11) with Indian melodies.[50]

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[50] Following 'Beware', Jay-Z continued to reference 9/11 in songs such as 'Thank You' (2009) and 'Empire State of Mind' (2009).

While 'The Bounce' alludes to 9/11 through boastful lyrics referencing the timing of *The Blueprint's* release, in 'Beware', Jay-Z demonstrates a bolder approach, juxtaposing former United States President Ronald Reagan with al-Qaeda leader Osama Bin Laden to Panjabi MC's grooving riff. With lyrics such as 'Before bin Laden got Manhattan to blow, before Ronald Reagan got Manhattan the blow',[51] Jay-Z successfully turns a bhangra remix song into an overt political statement. In this manner, although the original 'MTBK' may have served as a fitting example demonstrating cultural exchange, Jay-Z's involvement in the remixed 'Beware', while an evident demonstration of exchange by way of collaboration, could also be viewed as bordering on exploitation via its participation in American Orientalist tropes.

Orientalist Re-creations of the 'Other'

In his autobiography, Jay-Z (2010, p. 109) clarifies: 'I wanted to make a party song, but the international feeling of the track – which some people thought was Arabic – moved me into a different direction. So I dropped a line against the Iraq war'. Jay-Z's remarks exhibit a more contemporary, American form of Orientalism – one that was arguably exacerbated by the 9/11 attacks – which conflates several different Asian and Middle Eastern cultures. According to Edward Said, 'the differences between different kinds of Orientalism are in effect the differences between different experiences of what is called the Orient' (Jhally, 2012). Jay-Z's remarks are indicative of a growing post-9/11 form of American Orientalism: one that viewed Asian and Middle Eastern cultures through a singular lens in an unwitting attempt to 're-create its Other' (Said, 1985, p. 90).

In a *Village Voice* article, journalist Tina Chadha (2003) quotes a young South Asian's views on the intersection between this new American Orientalism and the sudden popularity of 'Beware of the Boys': 'Recently a radio DJ commented on how ironic it was that the Panjabi

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[51] 'Blow' in this context refers to cocaine (Jay-Z, 2010).

MC song's become so famous during the war … Clearly to her we're all the same.' The 'war' being referenced here is the war in Afghanistan, in which the United States and its allies sought to drive the Taliban out (and consequently, al-Qaeda). Following the 9/11 attacks, mainstream media would dub this the War on Terror. Aside from Jay-Z, other American hip-hop acts would continue assimilating elements of this juxtaposition between hip-hop and Islamic and/or Arabic influences, as can be evidenced through song lyrics in 'Rubber Band Man' by T.I. (2003), whose chorus incorporates the lines: 'Rubber band man / Wild as the Taliban / Nine in my right, forty-five in my other hand'; 'Bin Laden' by Immortal Technique feat. Mos Def and DJ Green Lantern (2005), which samples Jadakiss' 2004 single, 'Why' (which in itself had gained notoriety for the lyric, 'Why did Bush knock down the Towers?');[52] and 'Terrorist Threats' by Ab-Soul feat. Danny Brown and Jhene Aiko (2012), which sets lyrics such as 'I see an image of Hitler in the picture / When the Twin Towers dropped' against footage of the September 11th attacks.[53]

Given that hip-hop originated in a generation that was embroiled in the American "War on Drugs", it is not entirely surprising that rap music would continue to address contemporary, politically relevant issues, such as the War on Terror. The timing of 'Beware's release, coupled with the 'exotic' sounds that accommodated Orientalist perceptions of Arab cultures in a genre that is arguably rooted in politically-charged content, makes this remix a particularly noteworthy example.

Yet despite this seemingly Orientalist attitude, and despite the fact that Jay-Z's verses appear to dominate the collaboration, the melodic and harmonic presence of Janjua's vocals and the tumbi loop is unmistakable throughout the duration of the song. While songs such as 'Get Ur Freak On', for instance, might appear to thrive on sonic ambiguity through its tumbi

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[52] While 'Why' only references the September 11th attacks through the lyric, 'Why did Bush knock down the towers?', 'Bin Laden' focuses entirely on 9/11 and government conspiracies.
[53] I have not included counter-Orientalist works by South Asian-origin artists such as Riz Ahmed ('9/11 Blues') as this section is meant to cover American hip-hop acts adopting Orientalist views.

loop, in 'Beware', Janjua's voice and Panjabi MC's tumbi instrumentation stand in stark contrast to Jay-Z's comments by granting the subaltern agency through a measure of sonic visibility.[54] Similar to the original 'Mundian To Bach Ke's role in expressing a form of cultural duality through its English/Punjabi, hip-hop/bhangra fusion, 'Beware' retains and expands upon this hybridity in spite of Jay-Z's potentially Orientalist position. In the next case study, I will examine a song that exhibits the reverse, i.e. the role of language in revoking rather than facilitating agency.

3.5 'REACT' (2002)

Written by Erick Sermon and Reggie Noble, and produced by Just Blaze, 'React' featuring Redman was released in December 2002 as part of Sermon's fifth studio album, *React*. The driving hook in 'React' centres on a sample of the Bollywood song, 'Chandi Ka Badan' (*Taj Mahal,* 1963). It is this sample and the incongruity of Sermon's contextual dissonance with it that marks 'React' as a possible example of cultural exploitation wherein the active entity (in this case, Sermon) has mistaken the identity of its passive, sampled vocalist.

Cultural Erasure through Appropriation

While there are numerous recorded instances of artists misidentifying their sampled vocalists in hip-hop (and other genres, including Bollywood), it is what Powell (n.d.) refers to as a 'disinterested stance' to understanding a culture or language that is of significance here. 'React's chorus relies on a mournful refrain sung by Bollywood playback singer Asha Bhosle,

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[54] It could be argued that 'Beware' is a remix and therefore likely to bear more prominent elements of the original 'MTBK' as compared to an original work such as 'Get Ur Freak On' (though like sampling and other forms of versioning, a remix's resemblance to an original recording is meant to be open-ended). However, when compared with other songs in this study such as 'Addictive' (which loops a prominent Bollywood sample throughout), the argument that 'Beware' serves as a more representational work still holds.

which can be translated as: "If someone has a fondness for suicide, what can one do?". Sermon responds with: 'Whateva' she said, then I'm that', generating a bewildering case of contextual inconsistency for Hindi-speaking listeners. Cultural theorist Sunaina Maira (2000; cited in Miller, 2004) refers to such incongruities as 'crosscultural appropriations of commodities', describing it as the 'new Orientalism'.

Before I explore the possibility of this 'crosscultural appropriation' in 'React', it is important to establish the context and setting of the original song, which, given that it is a Bollywood film song, is viewed as part of its corresponding film's narrative. *Taj Mahal* is a fictional retelling of the relationship between a young Shah Jahan and Mumtaz Mahal. Composed by music director Roshan, 'Chandi Ka Badan' is rooted in the Qawwali style of music, and is set to occur after the protagonists Shehzada Khurram (later granted the regnal name Shah Jahan) and Arjuman Banu (later known as Mumtaz Mahal) overcome several obstacles, and are finally married. The song is positioned as both wedding celebration and a commemoration of Khurram and Arjuman's triumphs.

'Chandi Ka Badan' fuses the traditional call-and-response format of Qawwali music with the gendered, faux-competitive verse structure of Bollywood film music. The song is intended as a flirtatious exchange between male and female entities, with both parties uniting in the lyric 'ye haal hai deewano ka' ("this is the state of lovers"). As the male voice (Mohammed Rafi and Manna Dey) professes love, the female voice (Asha Bhosle and Meena Kapoor) rejects these advances, attributing the protagonist's affections to base desire. While the male performers remain seated in the traditional Qawwali *humnawa* (group performance) style throughout the duration of the song, the female protagonists, surrounded by chorus

dancers, often change position from the traditional *baithaki* (seated) kathak style to more vigorous dance variations to accommodate the shifts in tempo.[55]

The Asha Bhosle lyric that can be heard in Sermon's 'React' is sung in reaction to Rafi and Dey's verse, which laments that the protagonist is losing sleep and peace of mind, going on to say that if this is what being in love is like, he will soon lose his life. To this, Bhosle responds with: 'Kisi ko / khudkhushi ka / shauq ho to / kya kare koi?' ("If a person has a fondness for self-destruction (literal translation: suicide), what can one do?"). Producer Just Blaze transplants this lyric – including the three semiquaver rests that accentuate the lyric and melody – into 'React', with the only perceivable changes being a low-pass filter to emphasise a sense of temporal dissociation, and a decreased tempo to complement the hip-hop song's syncopated harmonium, strings and beat.

Zuberi (2008, p. 64) suggests that the sampled lyric in 'React' could be perceived as 'a nod for suicide bombing' considering 'React's post-9/11 release, but acknowledges that 'it is more likely that Sermon is clueless about Asha's words'. The fact that 'Get Ur Freak On' and 'React' – two popular hip-hop releases coinciding with the tragedy of September 2001 – utilise Urdu-origin lyrics which, when taken out of context, adapt darker themes of suicide and suffering, appears to be (much like Jay-Z's release of *The Blueprint*) entirely coincidental. This is illustrated by the musicological analyses presented in this thesis. In the case of 'React', the Asha Bhosle lyric serves not as a form of political statement, but rather, of the role of media and technoscapes in the facilitation of Orientalist attitudes.

Examining Hip-Hop's Hungry Aesthetic

'React' makes repeated references to an unseen Arabic woman with lyrics such as: 'Scoop up an Arabic chick before she close'. Similar to 'Addictive', Sermon's music video

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[55] Kathak dancing was characteristic of aristocratic entertainment in the Mughal era, which is the period in which this film is set.

features African-American women (yet fails to include visually identifiable South Asian women) demonstrating heavily exoticised, Orientalist imagery such as belly dancing, harems, wild animals, and Middle East/South Asian-inspired clothing. Maira describes this use of belly dancing as 'Arab face': 'a form of racial masquerade … imbricated with the "imperial feelings" generated by the War on Terror' (2008, pp. 334-335). At the time, several hip-hop songs that incorporated 'exotic' sonic signifiers (usually drawn from Asian and Middle Eastern sources) translated this cross-cultural appropriation through belly dancing in music videos. While the use of Arab face in 'React' furthers questions concerning cross-cultural appropriation (or contemporary forms of imperialism) amongst communities of colour, it should also be noted that belly dance as a form of 'hypervisible performance' (Maira, 2008, p. 328) conflating South Asian-Middle Eastern cultures did not originate in hip-hop. Early examples of this (mis)use of belly dancing by popular musicians can be traced as far back as the Beatles' documentary, *Help!* – which, incidentally, is also said to be the site at which George Harrison first discovered the sitar (Bose, 2018, p. 25).

Powell (n.d., pp. 3-4) goes on to argue that the juxtaposition between Bhosle's lyrics addressing suicide and Sermon's exhortations regarding Arabic women 'indexes Orientalist logic of difference that maintains East/Orient and West/Occident as mutually exclusive categories', and 'stifles an opportunity to forge bonds between African Americans and the South Asian and South Asian American community'.

Rogers defines cultural exploitation as a form of appropriation in which a dominant culture (in this case, English-language American hip-hop) appropriates elements of a subordinated culture 'without reciprocity, permission, or compensation' (2006, p. 477). Although a generalised economic and political view of India may not estimate Indian culture to be wholly subordinated considering the colonial histories of both Black and Indian peoples, in this instance, it could be argued that Sermon (and by extension, 'React') functions as a

representation of the dominant culture as Western (American) popular music. Hip-hop songs that incorporate lengthy samples without compensating the original song's creators serve as examples of Rogers' characterisation of exploitative appropriation. 'React' can thus be viewed as a form of cultural exploitation by way of its unlicensed and uncredited usage of 'Chandi Ka Badan', as Sermon, Noble and Just Blaze neglected to credit the original composers. This is striking when considering the fact that 'React' was released three months after Saregama India Ltd. became engaged in a public legal battle over the 'Addictive' sample, reinforcing Lahiri's attorneys' allegations of American labels 'simply [taking] it for granted that Hindi music was something they didn't need to pay for' (cited in Roberts, 2016, p. 160). Additionally, the 'ostensible incongruity' (Powell, n.d., p. 3) in Sermon's interactions with the sampled lyric can be viewed as exploitative, as it represents the sampling artist's failure to identify or acknowledge the originating culture.

Thus, where Jay-Z's 'The Bounce' serves as an example of a capitalistic form of exploitation (despite aesthetic and political value), 'React' functions as one of erasure. This erasure is rooted in the commodification and fetishization of Sermon's recreation of the Other, and is characterised visually, linguistically, economically and legally. Although Rogers' points (2006, pp. 488-489), while rooted in a Marxian analysis of 'cultural degradation' by way of commodification, highlight the manner in which a commodity (in this case, an artist, genre, or Indian and Middle Eastern cultures as a generalised, Oriental whole) 'becomes a fetish, a representation of values with no intrinsic relation to the object's use-value, production, and circulation', Rogers also acknowledges that this 'trope of degradation' implicitly necessitates that the subordinated culture must be viewed as primitive and in stark opposition to the "developed" world; as 'static, not dynamic'. This begs the question – should cultural appropriation in this regard continue to be viewed through a binary lens; as either appropriation

or appreciation in a globalised, digital milieu that enables the unrestrained migration of Indian music and popular culture?

While Sermon's rendition of the Bollywood song is evidently exploitative in some regards, as has been illustrated above, it is also worth noting 'React's role in introducing another Asha Bhosle sample to young, urban, Western audiences, as well as other rappers and producers looking to satisfy 'hip-hop's hungry aesthetic' (Zuberi, 2008, p. 53) by incorporating newer, more obscure sounds into their music. Moreover, when compared with the original film's depiction, 'React' marks an interesting reversal of sorts, in that it is the 'Chandi Ka Badan' sample that serves as the static, seated entity, while Sermon and Redman perform around it. Asha Bhosle's voice operates as the 'timeless' Orient (Said, 2003, p. 72) while Sermon recontextualises the lyric in a more contemporary setting through a cross-genre, transnational form of call-and-response. Nevertheless, while it could be argued that Sermon's attempts to interact directly with the sample, as opposed to situating it solely as sonic embellishment (such as in the case of 'Addictive'), constitute a form of appreciation, it is precisely these attempts (along with the accompanying music video) that simultaneously develop the case for appropriation through Orientalist attitudes.

In 'Notes on World Beat', Steven Feld (1988, p. 31) examines this duality, writing: 'Musical appropriation sings a double line with one voice'. While this quote is in reference to Feld's analysis of the cross-cultural influences between African and American popular musics, it can similarly be applied to the transnational exchange between American and Indian popular musics. Each of the studies presented in this chapter exhibits this paradoxical quality, simultaneously embodying 'a melody of admiration', yet 'harmonized by a counter-melody of power, even control and domination; a fundamental source of maintaining asymmetries in ownership and commodification of musical works.' While the next chapter continues to explore

this underlying duality, my line of research will primarily be characterised by what Rogers

refers to as cultural dominance.

CHAPTER 4: CULTURAL DOMINANCE

Rogers (2006, p. 479) defines cultural dominance as 'the use of elements of a dominant culture by members of a subordinated culture in a context in which the dominant culture has been imposed onto the subordinated culture, including appropriations that enact resistance'. In order to illustrate the multifaceted nature of the subject, he divides this into five categories: assimilation, integration, intransigence, mimicry, and covert resistance.

In the case studies that follow, I will continue my study of Indian samples and interpolations in American hip-hop with an aim to identify instances of subordinated cultures adapting, assimilating, and to some extent, mimicking elements (such as language) imposed by dominant cultures. Additionally, these studies will also highlight the manner in which subordinated cultures navigate this imposition.

In this chapter, I will examine the songs 'Indian Flute' by Timbaland feat. Magoo (2003), and 'Put You On The Game' by The Game (2005) with an underlying focus on the roles of hybridity and copyright law in enabling covert resistance.

4.1 'INDIAN FLUTE' (2003)

Written by Timbaland, Magoo, Rajé Shwari, and Garland 'Sebastian' Mosley, 'Indian Flute' was released in November 2003 – exactly one year after 'The Bounce' – as part of producer/rapper duo Timbaland & Magoo's third studio album, *Under Construction 2*. 'Indian Flute' is characterised by an instrumental hook that has been looped throughout the song, Rajé Shwari's melodic refrains, and rap verses by Timbaland, Magoo, and Sebastian.

Interlinguistic Interactions with the Sonic 'Other'

Similar to 'The Bounce', in 'Indian Flute', Rajé Shwari's vocals have been manipulated to evoke a sense of spatial and temporal distancing, thereby simulating an atmosphere of what would commonly constitute a Bollywood sample in 2000s hip-hop. Unlike the Jay-Z song, however, Rajé's work in 'Indian Flute' comprises original lyrics as opposed to an interpolation. Moreover, both Timbaland and Magoo incorporate single-line Hindi-language lyrics into their verses in a call-and-response format to complement Rajé's melodic interludes, marking the first time that a major, non-South Asian hip-hop act would perform in an Indian language. Given that Rajé's verses are not a Bollywood sample or interpolation, this compositional freedom appears to have enabled a form of syncretic expression in this gendered call-and-response.

As has been referenced previously, following the success of 'Get Ur Freak On', Timbaland expressed a desire to serve as a medium for Indian voices through his Indian-inspired works (Chadha, 2003). One month later, however, in a subsequent interview with *The New York Times* (Frere-Jones, 2003), Timbaland contradicts this stance, stating: 'I don't really try to figure out the difference between what y'all call bhangra or ragas or whatever. … As far

as the sampling goes, I probably was the first to do the "Indian" thing, and it definitely started moving hip-hop in a new direction, but now we're doing "world hip-hop."'[56]

In the same interview, Rajé Shwari described 'Indian Flute' as her response to 'these MC's who sample Indian music without understanding it', alluding to songs such as 'React' and music videos like R. Kelly's 'Snake' (2003).[57] Unlike 'React', for instance, Timbaland and Rajé Shwari's interactions appear to harmonise in both lyrics and melody, framing a typical R&B-style, sexually suggestive love song. Rajé's vocals are characterised by recurring assonance and the occasional English-language lyric, thereby aiding in making her participation more memorable for non-Hindi speaking listeners.

However, like other case studies presented in this thesis, 'Indian Flute' also demonstrates Orientalist motifs. Producer Timbaland manipulates Rajé's vocals to emphasise high and mid-range frequencies in order to create the aural illusion of temporal distancing, reinforcing stereotypical representations of a timeless, primitive Orient. Where 'React' emphasised low-range frequencies to establish an element of detachment from the Other, conversely, 'Indian Flute's emphasis on higher ranges produces a more sensualised depiction (and consequently, sexualisation of the Other).

'Indian Flute' begins with Timbaland rapping: 'I don't understand what you're saying, but let me talk to you'. The song's pre-chorus is characterised by a gendered call-and-response between Timbaland and Rajé, which is characteristic of both Bollywood and hip-hop/R&B songs of this time. Timbaland demands, 'Sing it to me', and Rajé obliges in Hindi. He then ends the hook with a comical: 'But I can't understand a word you're sayin!' While this interlinguistic

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[56] It must be mentioned however that despite these claims, Timbaland makes no future mention of his 'world hip-hop' endeavours or collaborations with his Indian-American protégé. For instance, in his autobiography, which is said to chronicle his musical influences and works from childhood to the *Empire* (2015) television show years, Timbaland makes no mention of Rajé Shwari or their collaborative works.

[57] In another interview with Chadha (2003), Rajé specifically references the 'Snake' video, explaining: 'One minute R. Kelly is holding a sitar and the next minute they're belly dancing with a veil across the mouth. My answer to that is I'm coming out to let them know what the Indian culture is.'

interaction can be viewed as an example of cultural symbiosis, it could also be read as a representation of the prevailing Orient/Occident dichotomy found in previous examples such as 'React'.[58]

The music video indulges in Orientalist tropes similar to those explored in previous examples, from a snake charmer playing the flute to belly dancing women, and ending abruptly with a shot of the Taj Mahal. Additionally, while the video varies from preceding songs such as 'Addictive' by featuring both South Asian and Black backup dancers, Rajé herself is conspicuously absent from this video.

Furthermore, the song's central hook relies on a pre-existing sample: only in the case of 'Indian Flute', the sampled instrument is a Colombian gaita. The underlying instrumental (and melodic) hook in 'Indian Flute' is a sampled loop from Colombian singer Toto la Momposina's 1993 single, 'Curura', rendering the chorus as well as some of Rajé's melodic refrains an interpolation of sorts. The sampled recording has been slowed from an average of 100 beats per minute (BPM) to 88 BPM, and has been transposed from F# major to G major to complement Rajé Shwari's higher-pitched vocals. Although 'Curura's gaita riff has been looped throughout the duration of 'Indian Flute', its use was not licensed, and Toto la Momposina has not been credited for the sample. In this manner, Timbaland and his co-writers exhibit appropriative practices by having transformed the original Colombian recording (without crediting the source community) and transplanting it into a song titled 'Indian Flute' featuring Hindi-language lyrics. While copyright should not be viewed as the sole measure to evaluate cultural appropriation, it is worth considering as a contributing factor, particularly in cases wherein a sample forms the instrumentative backbone for an entire work. Thus, although Timbaland's collaboration with Rajé Shwari could be viewed as a genuine appreciation of Indian culture,

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[58] This is also echoed in Indian hip-hop, which was beginning to rise to mainstream consciousness through the mid- to late-2000s. For instance, in 'Rock tha Party' (2007), one half of the American-Indian duo, Bombay Rockers, raps in Punjabi, to which the American rapper responds with: 'I don't know what you're saying, all I know is that I came to party'.

music and the Hindi language, at the same time, his failure to clear the 'Curura' sample exhibits an exploitative form of appropriation against a different culture.

Enacting Resistance Within the Confines of Orientalism

'Indian Flute' was released less than a year after the 'Lahiri v. Universal Music' lawsuit. Thus, it is possible that the song's original Hindi verses were influenced by a desire to circumvent the need to negotiate with multiple copyright holders whilst still profiting from a growing new market of Western listeners intrigued by distinctly Indian/Bollywood sounds. Moreover, with a number of Indian-inspired samples populating the hip-hop and R&B charts in the period spanning 2001-2003, it is likely that Timbaland's decision was also spurred by a creative desire to continue finding new ways to 'make music that felt both instantly familiar but also one step ahead' (Timbaland and Chambers, 2015, p. 130). Yet the impact of this decision goes beyond the producer's creative circumvention of oversaturation in the hip-hop market. Whether intentional or not, Rajé Shwari's involvement in this song would also result in a powerful form of subversion: where once, the Indian voice was considered a mere commodity in hip-hop samples, through Rajé's reversal, an opportunity was created for an Indian voice to articulate Indian experiences as opposed to allowing Western listeners to form their own perceptions of it – or, in the case of songs like 'Addictive', monetising Indian culture without having to include any Indian representation. Unlike 'The Bounce', in 'Indian Flute', Rajé Shwari is credited for her contributions as a featured artist, symbolising the passive entity's seizing of some form of control of the narrative. Rajé's vocals, combined with Timbaland and Magoo's integration of Hindi lyrics in their verses, serve as an early example of cross-cultural exchange that would soon be followed by examples of hybridity: of multiple influences and appropriations structured in the dynamics of globalisation (Rogers, 2004).

In their analysis of postcolonial literatures, Ashcroft *et al.* (2002, pp. 203-204) attribute the use of dominant language as a strategy for subordinated cultures to achieve agency. By

singing in a blend of English and Hindi, Rajé Shwari demonstrates a form of cultural dominance by choosing to 'appropriate the dominant language, transform it, and use it to reveal a cultural reality to a world audience' (2002, p. 216).[59] In 'Indian Flute', Rajé's contribution (along with Timbaland and Magoo's Hindi lyrics) constitutes neither sample nor interpolation. Instead, it can be viewed as a form of pastiche; of a melodic harnessing of signifying politics to parody and critique the flawed nature of American hip-hop's relationship with Indian music and culture.

On the other hand, one must also consider the multifaceted nature of this process: although Rajé appears to seize control and narrate her experiences from a uniquely situated diasporic standpoint, she does so within the confines of genre, gender, and ethnicity. In 'Indian Flute', Rajé Shwari – an Indian-American, classically-trained, pop singer of Gujarati origin – recreates the 'exotic' sonic texture of what had come to be stereotypically associated with female-sung Bollywood samples in hip-hop music of the 2000s. While the significance of Rajé's involvement is apparent, one must also consider the possibility that her performance is indicative of a form of 'self-racialisation', or what Graham Huggan refers to as the 'post-colonial exotic' (2006, pp. 55-59). This is manifested through her exertion of cultural dominance by both assimilating the dominant culture, as well as reinforcing Orientalist stereotypes that perpetuate the Othering of subordinate cultures.

I view 'Indian Flute' as an example of self-Orientalism as opposed to re-Orientalism, in which 'the positionality of the powerful is simultaneously that of the insider and outsider, where the representing power can be simultaneously self and other' (Lau, 2009, p. 572),[60] or counter-Orientalism, which is theorised as a counter-hegemonic effort that involves 'appropriating

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[59] This quote was made in reference to postcolonial literatures (written by formerly colonised cultures), but can similarly be applied to popular music studies focusing on cultures affected by imperial processes.
[60] Lau specifically refers to the power imbalance between 'diasporic' and 'home' South Asian writers, emphasising the problematic nature of diasporic writers who propagate sweeping generalisations that inadvertently re-Orientalise South Asian literature. However, the concept of re-Orientalism has similarly been applied to other creative industries such as music, film, fashion, etc. (see Lau and Mendes, 2011).

Orientalist stereotypes … in counter-narratives that seek to demythologize and therefore de-Orientalize [Arab] subjects' (Wahab, 2014).[61]

While it could be argued that Rajé adopts a form of counter-narrative in 'Indian Flute' through her desire to show 'these MC's who sample Indian music' (Frere-Jones, 2003) what she considers to be an authentic interpretation of Indian music and culture, or that receiving credit as a featured artist qualifies in some part as a form of de-Orientalising South Asian subjects, I contend that in 'Indian Flute', Rajé is neither demythologizing nor actively participating in restructuring dominant discourse pertaining to Indian identity in hip-hop. In fact, she reinforces these stereotypes through the deliberate (manipulated) quality of her voice, timbre and accent. Thus, while the singer's original verses are representative of agency in narrating the Indian experience, they simultaneously reinforce the very stereotypes Rajé claims to contest. When Rajé Shwari performs the song live, she accessorises distinctly "ethnic" yet culturally ambiguous clothing (such as a bright dupatta looped around the waistband of her jeans), miming belly dancing whilst surrounded by Black backup dancers. Audiences participate enthusiastically on Timbaland's 'But I can't understand a word you're sayin!' lyric, demonstrating a satirical resemblance to Erick Sermon's linguistically incongruous 'Whateva' she said, then I'm that' lyric. However, while it may appear as if Rajé is no longer 'consigned to subalternism' (Lau, 2009, p. 572), one must also consider her absence from the 'Indian Flute' music video, which is of note considering that the singer is credited as a featured singer and co-writer, and takes centre stage at live performances of 'Indian Flute'. This indicates that she may not be operating as 'simultaneously self and other', as re-Orientalism posits, and is still consigned to her role as Other.

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[61] Evidence of counter-Orientalism can be found in previous examples such as Fun-Da-Mental. Aside from the band's counter-hegemonic lyrical content and cross-cultural fusion of world musics, frontman Aki Nawaz also propagates counter-narratives through wordplay, as is evidenced by his record label, Nation Records (referencing his Pakistani origins and British upbringing), as well as his stage name (to Western listeners, 'PropaGandhi' is knowingly ambiguous; for South Asian listeners, it is provocative on account of Gandhi's consideration as the "Father of India").

Thus, I argue that Rajé Shwari's work in 'Indian Flute' appears to be characteristic of a form of self-Orientalism, which, although similar to re-Orientalism and counter-Orientalism through a wilful adoption of Orientalist stereotypes – to 'play the Other' (Kobayashi *et al.*, 2017) – in an effort to secure self-representation, acceptance or success within Western-dominated structures, self-Orientalism is also characterised by 'a certain degree of suppression of self-representation in accepting and performing the West's stereotyping' (2017, para. 10). Where counter-Orientalism attempts to rewrite the 'Subject versus Object' binary and re-Orientalism appears to assimilate it, self-Orientalism is navigated 'under the "gaze" of "the West"' (Schäfer, 2009, p. 31).[62] Thus, in the case of 'Indian Flute', the Oriental appropriates Orientalism in a manner that functions as both accessory and counteraction to the Saidian model of Orientalism.

Rajé Shwari's 'Indian Flute' is intriguing in its dual nature: on the one hand, Rajé takes pride in her work, telling news outlets that this is what 'real' South Asian hip-hop sounds like. On the other hand, she adopts and embodies the very stereotypes that consign South Asians to subalternism, seeking a form of agency within the confines of exoticism. Rogers writes, 'an act of appropriation can enact resistance and function hegemonically at the same time', clarifying that acts of appropriative resistance must not always be viewed as 'pure' (2006, p. 486). 'Indian Flute' demonstrates this duality, highlighting multiple layers of cultural exploitation and dominance within a single work.

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[62] Evidence of this form of self-Orientalism in diasporic Indian artists can be traced as far back as Apache Indian and the music video for his 1993 hit, 'Boom Shack-a-Lak', which features Orientalist imagery such as snake charmers.

4.2 'PUT YOU ON THE GAME' (2005)

While 'Lahiri v. Universal Music' makes for a compelling study in intercultural musical exchange and copyright law, copyright expert Arpan Banerjee (2015) explains that contrary to the 'Addictive' case, navigating legalities when a smaller sample is concerned – such as 'in a manner in which a lay listener would not be able to detect it' – is more complicated.

For example, in 1990, hip-hop group N.W.A's '100 Miles and Runnin' incorporated a four-second long, three-note sample of George Clinton and Funkadelic's 'Get Off Your Ass and Jam' (1975) without the latter's knowledge or consent. The guitar's pitch had been lowered to an almost unrecognisable level, and the sample could be heard five times in the song. Bridgeport Music (the publishing company that owned the rights to Clinton's music) took the case to federal court, which ruled that '100 Miles and Runnin' had not violated copyright law (Bridgeport Music, Inc. v. Dimension Films LLC, [2005]). Upon appeal, however, a three-judge panel at the US Court of Appeals for the Sixth Circuit reversed this decision, rejecting the defendant's *de minimis* approach for a sound recording and asserting that usage of any section of a work (regardless of length) without permission was in violation of copyright law.

Until the 'Bridgeport' ruling, producers and industry executives often surmised it was 'legal to use musical snippets — a note here, a chord there — as long as it wasn't identifiable' (Staff, 2017). Following 'Bridgeport', it has been argued that the court's 'overly strict "get a license or do not sample" approach stifled creativity' and confused rather than clarified the process, prompting some critics to question the decision (Brandes, 2007). Entertainment attorney Jessica Meiselman (2016) addresses this confusion, writing: 'Nobody is arguing that credit should not be given where credit is due, but it is almost inevitable that even the biggest artists will continue to skirt legal obligations if there is no streamlined process to legally clear

a sample … the failure to provide solutions outside of a lawsuit chills creative progress and directly harms artists.' While scholars and legal practitioners have debated on the subject for several years, for the purpose of this thesis, I will draw chiefly on the reactions of producers and composers: artists who serve as both samplers and sampled.

Authorship and International Copyright Law

Following the success of songs such as 'Big Pimpin' and 'Get Ur Freak On', Timbaland continued to explore the sonic possibilities of fusing hip-hop with Asian and Middle Eastern elements. [63] One such song, 'Put You On The Game', included a nearly unrecognisable, unlicensed sample of a 1969 Bollywood song called 'Baghor Mein Bahar Hai' (*Aradhana*). It would result in another landmark lawsuit involving Saregama.

Saregama India Ltd. originally began in 1901 as an Indian branch of The Gramophone Company (UK). It is India's oldest record label, and is anchored in Indian film culture through its many activities within the Bollywood music industry as well as through film and television series production. At the time of 'Put You On The Game's release, Saregama owned almost 50% of commercially-released sound recording and publishing copyrights in the subcontinent (Money Control, n.d.),[64] and had already won a lawsuit against a major American label with 'Addictive'.

Written by The Game and co-produced by Timbaland and Danja, 'Put You On The Game' was released as the fourth single from The Game's debut album, *The Documentary* (2005). Similar to N.W.A's '100 Miles and Runnin', the song's 'Baghor Mein Bahar Hai' sample is not immediately evident to listeners. The segment lasts for approximately one second

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[63] Some examples include 'Shenanigans' featuring Magoo (2003), Beenie Man's 'All Girls Party' (2004), Petey Pablo's 'Get On Dis Motorcycle' (2004), Brandy's 'Nodding Off' (2004), Tank's 'I Love Them Girls' (2007), and M.I.A's 'Come Around' (2007).

[64] According to Saregama's website, since 1902, 'the company continued to expand its catalogue to become the largest in-perpetuity global owner of both sound recording and publishing copyrights of Indian music across 14 different languages'.

and samples three notes, which have been looped repeatedly. Two years after its release, Saregama filed a copyright infringement lawsuit against Timbaland, Danja, The Game, G-Unit Records, Aftermath Entertainment, Interscope Records, and the Universal Music Group under both musical copyright and sound recording copyright infringement. Saregama's representatives cited the 'Bridgeport' case and argued that: 'any sampling of a sound recording, irrespective of length, constituted infringement' (Banerjee, 2015). However, the court disagreed with Saregama's 'Bridgeport' reference. When compared, it held that 'Put You On The Game' and 'Baghor Mein Bahar Hai' possessed entirely 'different lyrical content, tempo, rhythms, and arrangements' (Saregama India Ltd. v. Mosley, [2009]), thus disregarding the 'Bridgeport' citation and endorsing a *de minimis* defense.

Fair use is often used as a form of defense in copyright infringement claims in sampled works. Although many countries – including India and the USA – recognise concepts of 'fair use' or 'fair dealing', implementation is not universal, chiefly due to the individual nature of musical works that incorporate sampling. 'Fair use' scrutinises and takes into account several factors, including but not limited to: the nature of use (such as whether a song has been sampled for commercial or non-profit purposes), the substantiality of a sampled recording in relation to the work as a whole, harm done to the original copyright owner (such as impact on the original recording's market value), and whether the sampled work can be deemed as adding transformative value. Bearing this in mind, Timbaland's *de minimis* defense would seem fitting, reinforcing the notion that 'copying has the potential to be constructive; versioning can sometimes be productive; and appropriation often can lead to innovation' (Booth and Shope, 2013, p. 161).

In the case of 'Put You On The Game', however, it was not only the nature of the sample that was brought into question, but rather, the original recording's ownership itself. As part of their legal defense, Saregama asserted that they owned the sound recording for the Bollywood

song based on a 1967 agreement with Shakti Films, and that Timbaland and The Game had infringed upon the Indian firm's sound recording copyright. However, as per Indian law, Saregama's claim to this recording was no longer valid. Although music forms a primary component of the Bollywood film industry, copyright law regarding ownership of this music has been convoluted and unclear. Thus, before one proceeds to further examine the 'Saregama India Ltd. v. Mosley' case, it is important to address certain ambiguities surrounding Indian copyright law and the music it protects (or, in this case, leaves open to use).

Prior to the Copyright (Amendment) Act of 2012, film music in India was unilaterally viewed per a work-for-hire format: authors were employed under contract, whereas film producers, by nature of these contracts, served as first owners of songs. Gregory Booth (2015, p. 268) explains that 'a composer's ownership of the musical work he or she created for a film was a purely abstract concept … prior to its recording in the film recording studio when it became the film producer's property.' Although the 2012 Amendments aimed to streamline copyright ownership and business practices between authors and film producers/labels, copyright lawyer Nandita Saikia explains that these Amendments 'are themselves at times unclear, while at other times, it is the rationale underlying them which is unclear' (2010, p. 52).

International copyright law in general does not provide detailed guidelines regarding copyright transfer, as the transfer of rights is normally established through individual contracts as opposed to copyright. Similarly, while legislation in India states that owners may assign or license their rights, it does not outline the particulars of this transfer. By nature of the work-for-hire format prevalent in Bollywood during the 1960s-1970s, film producers typically 'transferred their ownership of film songs in contractual agreements guaranteeing them ten-twelve percent of any future sales (royalties)' (Booth, 2015, p. 268). Keeping in line with this practice, on April 24, 1967, the would-be producer of *Aradhana* (Shakti Films) transferred ownership of Shakti's musical soundtracks to Saregama's predecessor, The Gramophone

Company of India (GCI), for a period of two years, following which the company could extend

the term of the agreement for an additional year.[65]

Written by Indian composer S.D. Burman and lyricist Anand Bakshi, and featuring

vocals by playback singers Lata Mangeshkar and Mohammed Rafi, 'Baghor Mein Bahar Hai'

was released as part of the 1969 Bollywood film, *Aradhana*. As per the agreement with Shakti

Films, *Aradhana's* sound recording copyright was owned by GCI for a period of two years,

after which ownership reverted back to Shakti Films. Thus, Saregama did not own the rights to

the original song at the time of its unauthorised sampling in 2005, and held no grounds to sue.

Presiding over the case, Judge Restani of the United States Court of International Trade stated

(Saregama India Ltd. v. Mosley, [2009]):

> Not only is Saregama unable to prove the first element of a prima facie case of copyright infringement—that is, that it owns a valid copyright in the BMBH sound recording—but it also lacks statutory standing to bring this claim. Moreover, because the Agreement is unambiguous in conferring on Saregama only a two-year sound recording copyright that Saregama no longer owns … We, therefore, affirm the district court's order granting summary judgment for the Defendants.

Cultural Appropriation: An Alternate Perspective

Although Timbaland and The Game neglected to clear the Bollywood sample, the case

could also be made that 'Put You On The Game' sampled a song for wholly aesthetic reasons,

negating the commonly-held assumption that every intercultural sample must be viewed

through the lens of implicit exoticisation. The notes in the one-second 'Baghor Mein Bahar

Hai' sample form a descending (G minor) arpeggio, and the sample has been looped five times

through four different sections of 'Put You On The Game' as The Game makes numerous

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[65] The 1967 agreement transferred exclusive rights for the GCI to produce, reproduce, sell, use, and perform new recordings (as pertaining to Shakti's films), but did not grant the same for Shakti's pre-existing recorded songs.

references to hip-hop figures such as N.W.A, chronicling Compton history through clever wordplay and traditional markers of hip-hop signifying to show both 'reverence and irreverence' (Caponi, 1999, p. 141) for East Coast/West Coast Crips and Bloods history. Timbaland and Danja also loop a drum sample by Slick Rick (1988), which, when combined with the 'Baghor Mein Bahar Hai' sample, forms the instrumentative foundation for a lyrical interpolation of Junior M.A.F.I.A feat. The Notorious BIG's 'It's Brooklyn in the house' lyric ('Gettin' Money', 1996).

Given the involvement of producers such as Timbaland (as well as the opening lyric, 'This is indo, produced by Timbo'), it would not be incorrect to assume that the creators of 'Put You On The Game' were aware of the sampled recording's source culture. One could even argue that lyrics such as 'I would have been here after Snoop / But I had to show Timbaland how to iron a khaki suit' allude to Timbaland's 'pillaging [of] the Third World' for musical material (Fitzpatrick, 2003).[66] This awareness demonstrates conscious, continued usage of Indian-inspired samples. 'Put You On The Game' is also significant to this study in that it marked the first well-known instance since the 'Addictive' case that involved Indian stakeholders actively seeking compensation and recognition for their creative works. Additionally, more apparent signs of cultural dominance by way of Indian musicians beginning to assimilate, integrate, and to some extent, mimic the dominant (hip-hop) culture during this period can be found within Bollywood itself.

While American hip-hop continued to integrate Indian samples and interpolations during the mid-2000s, Bollywood had begun to fuse elements of hip-hop with Hindi-language bhangra music, as is evidenced in songs such as 'Aye Hip-Hopper' (2007) and crossover collaborations with American rappers such as Snoop Dogg ('Singh is King', 2008). South Asian rappers such as Bohemia, Honey Singh, and Badshah contributed music for a number of film

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[66] Khaki was the standard colonial campaign dress adopted by the British Army during the Raj.

soundtracks, making hip-hop a recurring fixture in major Bollywood films through the late 2000s.

Rogers (2006, p. 486) explains that exploitative cultural appropriation 'commonly involves the appropriation of a subordinated culture by a dominant culture in which the subordinated culture is treated as a resource to be "mined" and "shipped home" for consumption'. American hip-hop producers such as Timbaland, through the examples cited above, appear to demonstrate elements of this form of appropriation. However, it could also be argued that Indian artists, labels and production houses exert the same form of contemporary imperialism (against Western artists and music) in India, where Bollywood is the dominant cultural product. This is further reflected in India's lack of enforcement in copyright law.

Every year, the Office of the United States Trade Representative compiles a Special 301 Report, which aims to categorise countries based on intellectual property protection and/or violations in line with the USA's Trade Act of 1974. India has been on the Special 301 Report Priority Watch List (countries demonstrating serious intellectual property right enforcement issues) consecutively for over 15 years. In 2020, India was listed as one of several countries exhibiting 'high levels of online piracy and lack effective enforcement' on account of India's struggles with copyright piracy and unlicensed use of copyrighted music (Office of the United States Trade Representative, 2020, p. 22). Moreover, with a slow judicial process, Indian litigators often take to prolonging copyright dispute cases in order to pressure prosecutors into settling, or rescind charges altogether. In a panel discussion examining intellectual property rights in India (Indian Performing Right Society Ltd., 2021), Harsh Kaushik, Counsel for the Supreme Court of India, explains: 'In India, because there is no system that, when you use someone else's IP [intellectual property] you know you can get penalised or there can be a deterrent … So you know, you can always take as long as you can take in the courts, to avoid paying it'. During the same discussion, Rakesh Nigam, CEO of the Indian Performing Rights

Society (IPRS), summarised his views on copyright: 'We can divide this word into two sides: those who want to pay money, and those who don't want to pay money. There has to be an intention to pay … otherwise, you will always find brilliant lawyers who will tell you, "okay, we can drag" [the court case]'.

Examples such as 'Saregama India Ltd. v. Mosley' highlight a contradictory standard wherein Indian music directors and film producers continued plagiarising Western music whilst seeking compensation for Bollywood samples in hip-hop. It is interesting to note how technoscapes play an almost mediating role in this regard, as Indian composers and consumers alike have begun resorting to social media as a medium to navigate the contradictions between copyright law enforcement and public perceptions of ethical sampling. For instance, in December 2018, American rapper T-Pain tweeted a link to a surprise digital release of 'That's Yo Money', which incorporated an unlicensed sample of the melody from Bollywood composer Mithoon's 'Tum Hi Ho' (2013). South Asian listeners responded to the release by accusing T-Pain of 'ripping off' Indian music (Skinner, 2018) and tagged composer Mithoon (author) and filmmaker Mohit Suri (owner) on the tweet. Both Mithoon and Suri responded to the original post, publicly acknowledging that the melody had been sampled without the creators' knowledge. The track was then removed from YouTube on the grounds of copyright claim, with T-Pain issuing an apology on Twitter.

In her analysis of the Native peoples' claims of cultural appropriation in the Canadian culture industries, Rosemary J. Coombe (1997, p. 93) concludes: 'Ultimately the questions of "whose voice it is", who speaks on behalf of whom, and whether one can "steal the culture of another" are not legal questions to be addressed in terms of asserting rights, but ethical ones to be addressed in terms of moral and political commitments.' Media and technoscapes facilitating the dissemination of both popular music and consumer response play a pivotal role in reinforcing this notion, empowering listeners with digital mediums of resistance.

While 'Put You On The Game' does not demonstrate an Indian artist sampling or incorporating elements of Western popular music, it serves as an example of a subordinated culture seeking to enact resistance by adopting and utilising elements characteristic of a dominant culture (in this case, Indian stakeholders appealing to American copyright law) whilst continuing to participate in appropriation. Additionally, through Timbaland and The Game's contributions, 'Put You On The Game' provides an alternative view to the cultural appropriation debate by presenting a song that simultaneously appreciates and appropriates, yet can be categorised as neither, instead demonstrating what Zuberi observes as the 'mobility and mutability of sonic information in an environment of digital reproducibility' (2008, p. 50).

CHAPTER 5: TOWARDS TRANSCULTURATION

The concept of transculturation was first introduced by Cuban anthropologist Fernando Ortiz in 1940. Ortiz's *transculturación* was coined as a revision to the theory of acculturation, which Ortiz considered to be a Eurocentric view that defined cultural assimilation as 'a largely one-way process from a higher to a lower culture' (cited in Khartomi, 1981). Transculturation deviates from this approach in that it aims to examine and acknowledge the dynamic and versatile nature of the processes of exchange.

Since Fernando Ortiz's introduction of the term, scholars such as Margaret Khartomi (1981), Ángel Rama (1982), Julio Ramos (1989), and Walter Mignolo (2000) have expanded upon (and departed from) the theory of transculturation, examining the dynamic and increasingly globalised nature of Latin American diasporic societies, and exploring cultural exchange and modernity in relation to colonial and decolonial philosophies.

With regards to cultural exchange within popular music, Professor James Lull (2000)'s assessment is relevant to the case studies presented in this thesis, in that it emphasises the role of globalisation through mediascapes in the transmission and migration of culture, rejecting distinctions arising from 'imaginative geography' (Said, 2003, pp. 54-55) and aiding in the creation of hybridised communities. In order to explore the nature of this hybridisation, this chapter will deviate from American hip-hop to focus on reggaeton and the Caribbean.

In addition to Rogers and Lull's analyses of transculturation, I will also draw loosely on Homi K. Bhabha's (1996) 'third space' (i.e., a space wherein the 'cutting edge of translation

and negotiation' articulates and 'enables other positions to emerge') in order to investigate the nature of appropriation and exchange through virtual spaces. While previous chapters presented multiple case studies, in order to provide a more comprehensive study of transculturation and India's relationship with global popular music, this chapter comprises an in-depth analysis of one case study: 'Miramé' by Daddy Yankee and Deevani.

5.1 'MIRAMÉ' (2005)

One year after the groundbreaking success of his third studio album, *Barrio Fino* (2004), Puerto Rican rapper Daddy Yankee collaborated with producers Luny Tunes on a song titled 'Miramé'. The song was released as part of *Mas Flow 2*, the second collaborative compilation album between reggaeton producers Luny Tunes and Baby Ranks. 'Miramé' was a commercial success (the single peaked at #34 on the US Latin charts), and *Mas Flow 2* was regarded as one of the most critically acclaimed Latin albums of the year, winning the Lo Nuestro Award for Urban Album of the Year in 2006. Aside from Daddy Yankee's signature rap style,[67] what makes 'Miramé' significant to this thesis is the involvement of singer Deevani and her interpolation of the 2001 Bollywood song, 'Eli Re Eli' (*Yaadein*).

Bollywood in Reggaeton

Adalgisa Inés Rooney Saldaña (stage name Deevani) is a Dominican-born reggaeton singer and record label executive who grew up in Puerto Rico, graduated as a Business major from Concordia College in New York, and eventually joined her brother Francisco Saldaña (one half of Luny Tunes)'s record label, Mas Flow Inc. Saldaña's globalised upbringing – not

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[67] While rap is historically a feature of hip-hop adopted from African traditions, it is also prevalent in a number of genres such as reggaeton. Despite similarities presented in this thesis, it is not my intent to conflate the genres of reggaeton and hip-hop.

unlike that of Rajé Shwari – exposed her to a range of different cultures and languages, and she frequently credits her Bangladeshi ex-husband with having introduced her to Bollywood, Indian television, and South Asian music (Vozick-Levinson, 2006). Following her introduction to Bollywood music and Hindi (among other Asian languages), she adopted the stage name 'Deevani' (Hindi for "crazy girl"; usually alluding to a woman in love), and made her recording debut with 'Miramé' in 2005.

'Miramé's structure and instrumentation are built around the Anu Malik-composed 'Eli Re Eli' chorus melody. Deevani alternates between the original Hindi-language lyrics and new Spanish lyrics, while Daddy Yankee enunciates the syllables in "miramé" to the same melody. While the beat is firmly rooted in reggaeton, a hybridised genre that evolved to incorporate elements of hip-hop, dancehall and elements of West Indian calypso, the song's hook centres on 'Eli Re Eli's melody.

Like Rajé Shwari's interpolation in 'The Bounce', singer Deevani adopts a soft mezzo-soprano tone to mimic the aural aesthetic of the archetypal "Bollywood sound" – a sonic quality that had become synonymous with Bollywood film music. The feminine voice in Bollywood is often associated with the higher-pitched timbre of singers such as Lata Mangeshkar or Alka Yagnik. This association is likely owed in part to the relative monopoly of natural sopranos such as Mangeshkar, Yagnik, Asha Bhosle, and Kavita Krishnamurthy. Bollywood actresses often lip-synched to the delicate soprano notes of singers that evoked an element of purity and tenderness; an aural representation of Bollywood's ideal, modest Indian woman.[68] Deevani emulates this style in 'Miramé', supplying harmonious interludes in both Hindi and Spanish as Daddy Yankee raps to the melody of 'Eli Re Eli'.

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[68] This is not to say that the industry did not have deeper-toned female singers at the time; yet it should be noted that these singers often voiced antiheroes, or songs that were perceived as more avant-garde pieces, while the quintessential Bollywood 'heroine's songs/verses continued to be composed in higher keys. This can be observed in songs such as 'Choli Ke Peeche Kya Hai'.

While the lyrical content in 'Eli Re Eli' is meant to be an innocent portrayal of a young woman's sexual awakening, contrastingly, Daddy Yankee's 'Miramé' is confident and sexually aggressive.[69] Where playback singers Alka Yagnik, Hema Sardesai and Kavita Krishnamurthy sing of uncertainty and insecurities, expressing a young girl's reluctance at looking in a mirror and finding the unfamiliarity of a woman staring back, on the other hand, Daddy Yankee's energetic reggaeton chorus sings to the same Anu Malik melody: 'Miramé, miramé!' ("Look at me, look at me!"). The juxtaposition between Deevani's melodious refrains and Daddy Yankee's aggressive verses evokes what Lavezzoli (2017) referred to as a successful fusion of Bollywood's rich melodic nature with hip-hop's inherently rhythmic and lyrical form.

In an interview with Voznick-Levison (2006), Deevani cites a post-9/11 socio-political landscape as inspiration for the 'Eli Re Eli' rendition, explaining: 'With all that's going on in the world, the war and everything, I really want people to know that there's more to Asia and the Middle East. There's just so much to learn from their music, what kind of people they are.'

While the contrast in sonic and thematic palettes makes for an aesthetically compelling result, the music video for 'Miramé' contradicts Deevani's claims by engaging in Orientalist imagery similar to 'React' and 'Addictive'. The video showcases East Asian women (including a fire-dancer twirling a staff) dancing before a wall covered in Chinese (hanzi) characters, with no visual indicators of Indian (or Middle Eastern) culture. This lack of representation or acknowledgement, combined with Deevani's stage persona presenting a culture as her own, leads me to the 'brownfishing' thesis.

Through a South Asian Lens: Brownface and Brownfishing

'Blackfishing' is an appropriative phenomenon inhabiting digital spaces that was first brought to light by writer Wanna Thompson (2018) in a viral Twitter thread. In the social media

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[69] Similar to Bappi Lahiri's 'Thoda Resham Lagta Hai', however, 'Eli Re Eli's subtle lyrics are compounded by an accompanying video that is layered with sexual innuendos.

post, Thompson accuses certain 'white girls [of] cosplaying as black women on Instagram',[71] and calls for a crowdsourced list of transgressors. Since 2018, blackfishing has evolved to reference non-Black individuals adopting visually identifiable indicators of 'blackness' (such as cornrows and artificially tanned skin that is significantly darker than one's natural skin tone, intended to establish visual elements of faux-blackness), such that Black culture is worn as a costume.

The term 'blackfishing' is a play on the word 'catfishing', alluding to the digital origins of this phenomenon.[72] Yet blackfishing can trace its roots to 19th century minstrelsy: a form of entertainment that involved theatrical blackface makeup (used by white performers) and exaggerated stereotypes to portray Black individuals and communities (Osborne, 2019). Nicholas Sammond, author of *Birth of an Industry: Blackface Minstrelsy and the Rise of American Animation*, argues that certain visual and performative signifiers rooted in 19th century blackface minstrelsy continue to exist in modern-day society (2016). Today, blackfishing can be viewed as an extension of blackface: as visual signifiers that enable individuals to engage in an exoticised, fetishistic desire for temporary blackness. In the case of popular musicians, actors, and social media influencers occupying positions of social authority as tastemakers, blackfishing becomes a tool of cultural exploitation, allowing the individual to profit from this temporary blackness (such as through marketing deals for social media celebrities, the use of culturally significant clothing in music videos, etc.), adapting visual signifiers of blackface without being perceived as caricaturistic. Where blackface is commonly intended as a theatrical and/or comedic portrayal of Black culture, blackfishing, on the other hand, aims to portray non-Black individuals as Black.

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[71] 'Cosplay' is a portmanteau of 'costume play'.
[72] The term 'catfishing' in this context refers to the act of creating a false internet identity, usually with harmful or predatory intent.

While much has been written on the subjects of blackface and yellowface (see Lhamon, 1998; Lee, 1999), there is little to no literature to support the premise of 'brownfishing' as a codified extension of brownface. Thus, for the purpose of this thesis, I will adapt blackface discourse to explore the existence of 'brownface' and 'brownfishing' as forms of visual appropriation, specifically through a South Asian lens.[73] While the subject of brownface was recently brought to light in the 2017 documentary film, *The Problem with Apu* (referring to *The Simpsons* character), brownface as a form of visual and performative exploitation has been prevalent in mainstream Western media for over two decades prior to the first *The Simpsons* episode.

In 1960, (Caucasian) English actor Peter Sellers played the role of Indian doctor Ahmed el Kabir in the romantic comedy film*, The Millionairess*.[74] Eight years after the success of *The Millionairess*, Sellers reappeared in Blake Edwards' 1968 film, *The Party*, which cast Sellers as bumbling Indian actor, Hrundi Bakshi. In both iterations, Sellers adopts an exaggerated accent or 'brown voice' (Davé, 2013) that mirrors racist depictions of South Asians in the West, fulfilling Orientalist tropes that paint immigrants as incapable of fitting into modern society, and bringing to question the line between comedic intent and Orientalist outcome. In his appearances as both Bakshi and Dr. el Kabir, Sellers can be seen wearing 'brownface' makeup and, in the case of Dr. el Kabir, a karakul cap that is typically worn by Muslim gentlemen in Central and South Asia. Shilpa Davé (2013, p. 19) identifies these exaggerated representations of accent, skin tone, attire and mannerisms as 'marker[s] of foreignness, assimilation into

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[73] This is not to overlook the fact that Bollywood has a long history of (and continues to perpetuate) racist depictions of blackface. For example, the songs 'Aa Jane Jaan' (1969) and 'Hai Re Hai' (2003).
[74] Notably, the live pilot for British-Asian sketch comedy show *Goodness Gracious Me* (1998) was originally titled *Peter Sellers is Dead.* Jochen Petzold marks this as 'an indication that the times when you could darken up a white comic actor and pass him off as Indian (and get away with it) were over' (Petzold, 2016, p. 188). The title *Goodness Gracious Me,* as well as the show's theme song, are a direct nod to the popular comedy song that spawned from Peter Sellers and Sophia Loren's *The Millionairess.*

dominant culture, representative of neo-Orientalism' associated with stereotypical and exoticised representations of the Othered Indian.

Over the years, brownface would continue to make appearances in comedy sketches, advertisements, and Hollywood films. For example, in *Short Circuit* (1986) and *Short Circuit 2* (1988), Fisher Stevens adopts the role of unassuming robotics scientist, Ben Jabituya/Jhaveri. In both films, Stevens (a white actor) appropriates visual and tonal markers of brownface, whilst his character exemplifies the model minority myth.[75] Decades later, in an interview with *Colaborator's* Isaac Simpson (2015), Stevens rationalised his performance by referencing a 'method acting' approach, explaining: 'I literally immersed myself in that culture … I stayed in India for like five weeks, I'd really gotten into it, I was into yoga. You know, I was really living the life of an Indian person', demonstrating neo-Orientalist generalisations similar to Iggy Azalea's stance on her 'Bounce' music video. Film and television characters such as Ben Jhaveri, Hrundi Bakshi, and *The Simpsons'* Apu facilitated the continued preservation of commodified constructions of Orientalism that perpetuated stereotypical and heavily exoticised imagery, an extension of which can be found in 2000s music such as 'React', 'Addictive', or in this case: 'Miramé'.

While Deevani herself does not participate in any live performances of the song, Daddy Yankee's live performances of 'Miramé' showcase white backup dancers donning bindis and bangles, performing Bollywood-inspired dance moves whilst wearing exoticised versions of traditional Indian clothing. When Deevani does make a public appearance, she demonstrates elements of brownfishing. For instance, the singer performs an interpolation of the 2002 Bollywood song, 'Chhadh Gayi Chhadh Gayi' (*Chor Machaaye Shor*) in the Tito el Bambino and Beenie Man reggaeton single, 'Flow Natural' (2006). Unlike 'Miramé', Deevani makes a

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[75] Davé (2013, p. 35) explains: 'His character is a precursor for the Indian geek or nerd character that appears, for example, in the film *Van Wilder* (2002) or on the television series *The Big Bang Theory* (2007–).'

brief appearance in the music video for 'Flow Natural', in which she adopts visually identifiable markers of South Asian ethnicity such as a red salwar kameez with dupatta, bindi, matha patti (headgear traditionally reserved for Hindu brides) and matching ornate earrings. Aside from the traditional Indian clothing, Deevani also intimates stereotypical racial aesthetics by performing hand gestures and head slides typically associated with Indian dance.

What is particularly significant in light of the brownfishing thesis, is that during the entire year that 'Miramé' and 'Flow Natural' enjoyed considerable commercial success atop Latin and reggaeton charts, Deevani allowed audiences to believe she was of Indian origin, choosing to reveal her identity in an interview with *ReggaetonOnline* in July 2006 (one year after the release of 'Miramé').[76] If one were to apply Thompson's description of blackfishing to Saldaña, it could be argued that the reggaeton singer is, in essence, cosplaying Indian culture, her identity as Deevani a costume to be worn at her discretion.

In this manner, Deevani demonstrates a form of brownfishing by adopting a distinctly South Asian aesthetic in order to appear 'exotic' to American, Puerto Rican and Caribbean audiences, such that she is visually indistinguishable from her Dominican Republic roots to consumers. This exhibits an uneven power dynamic that allows Deevani to profit from an 'exoticised' Indian identity without having to experience any of the racial experiences associated with being Indian. While blackfishing and blackface allude specifically to skin tones, I contend that the conversation must extend beyond the darkening of one's skin tone to include additional elements of visual appropriation in which appropriators (those who profit from mimicking specific cultural markers) and subordinated cultures exhibit a clear power imbalance by way of a lack of reciprocity, compensation, or acknowledgement of source communities (Rogers, 2006).

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[76] The article states: 'Reggaeton fans in the United States, the Caribbean and the rest of the world thought Deevani was from India' (Butler, 2006).

In an interview with NPR'S *Code Switch* (2019), Laura Michele Jackson addresses the underlying issue that enables blackfishing: 'Black culture is perceived as being super profitable as long as it's out of the hands of Black people'. This view could also be applied to South Asian culture in reggaeton, as well as in the case of music videos such as Iggy Azalea's 'Bounce', or Truth Hurts' 'Addictive'. In the case of Deevani and her usage of Indian music and visual markers of South Asian ethnicities, the question reoccurs: can individuals be accused of cultural appropriation (or specific to this case, brownfishing) if they themselves are people of colour – or in Deevani's case, "brown", albeit of different ethnicities? Furthermore, in the case of African-American hip-hop producers sampling Indian music (and vice versa), where, if at all, does appreciation end and appropriation begin?

Re-examining Binaries through Interpretative Communities

Edward Said explains that the construction of identities 'involves establishing opposites and "others" whose actuality is always subject to the continuous interpretation and re-interpretation of their differences from "us"' (2003, p. 332). As with every case study highlighted in this thesis, I apply Said's concept of 'Others' and Orientalist identities to the cultural appropriation discourse put forth by Rogers, Young, and Ziff and Rao. While the songs cited previously highlight that the cultural appropriation debate cannot (and should not) be examined from a broad, generalised standpoint, they also bring to light certain evaluative elements, such as intent, which is often manifested through credit (or lack thereof).[77]

One reason why 'Miramé' could be perceived as exploitative in nature is due to the fact that Deevani's interpolation of 'Eli Re Eli' did not license or credit the owners of the underlying

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[77] While I cite this as one possible evaluative consideration, I recognise that every case must be examined individually. For example, samples or replays intended to celebrate a particular culture may inadvertently 'ultimately reduce the complexity of the appropriated culture to something crude and simplistic' (Hesmondhalgh, 2006, p. 63) despite compensating/acknowledging source communities.

composition.[78] Consequently, although 'Miramé's intro, chorus and melodic hook is based on a Bollywood song, non-Hindi-speaking listeners are completely unaware of the song's origins. Thus, Deevani's claims of wanting to bring Indian culture and music to global reggaeton audiences are invalidated by the fact that the song makes no effort to credit its source community.

Referencing figures such as Kim Kardashian, Karen Attiah, the *Washington Post's* global opinions editor, writes: '[Kardashian]'s proximity to and appropriation of blackness has gotten her (and her family) paid. … It's America's obsession with blackness, and black culture – without black people – that is problematic.' Similarly, one could argue that, while Deevani's proximity to and assimilation of Indian culture have enabled an intercultural musical exchange that brought Bollywood songs to a reggaeton audience, nevertheless, it is precisely this proximity and appropriation of Indian culture that could be viewed as exploitative on account of Deevani's use of Indian music without Indian musicians. Thompson's (2018) 'Black is cool, unless you're actually Black' analysis could thus be similarly applied to the South Asian experience, in that despite the existence of Indian-origin reggaeton artists and bhangraton (a fusion of bhangra and reggae) as a genre, Indian-inspired songs authored and/or performed by Indian-origin artists do not enjoy the same success in territories like Puerto Rico (as per Monitor Latino charts).

Lull (2000) expounds that transculturation must not be viewed as merely a byproduct of physical geographical migration. Rather, in addition to physical movements, one must also consider that 'many cultural crossings are also made possible by the mass media and culture industries' and acknowledge the role of 'interpretative communities' (2000, p. 242) in the formation of shared, medium-based identities outside the bounds of geography. Bearing this in

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[78] It must also be noted however that Bollywood composers similarly sampled and interpolated reggaeton rhythms without crediting the original authors. For example, Anu Malik, who composed 'Miramé', sampled the beat and riff from Daddy Yankee's 'Gasolina' (2004) in 'Karle Gunaah' (2008) without licensing usage or crediting the reggaeton writers.

mind, one should also consider the significance of what Deevani demonstrates to be indicators of cultural appreciation, such as by learning and speaking fluent Hindi, and expressing her love for Bollywood films in interviews. Author James O. Young (2008) describes cultural appropriation as 'outsiders' representing or borrowing from the lives and experiences of 'insiders', highlighting the fact that this binary nature of 'Subject versus Object' or 'Self versus Other' continues to hold true today. However, in the case of artists like Deevani, one cannot apply the 'outsiders appropriating insiders' theory, as the reggaeton singer is an insider by nature of association with her Bangladeshi ex-husband, children, etc. Although Deevani bears indicators of what Young (2008, p. 7) categorises as 'subject appropriation' or 'voice appropriation', an occurrence in which 'outsiders represent the lives of insiders in the first person', her work concurrently exhibits signs of transculturation. Thus, Saldaña/Deevani appears to be an apt example of a result of Lull's interpretative communities: of audiences who bridge cultural and geographical distance through technology and popular media such as Bollywood.

Lull (2000, p. 243) also observes the 'global flow of rap music' to be a product of transculturation, explaining that the process 'produces cultural hybrids – the fusing of cultural forms'. Genres such as bhangraton, reggaeton, bhangra remix, and hip-hop itself are fitting examples of this fusing of cultural forms. Additionally, hybridised genres such as bhangraton originated from intercultural exchange across postcolonial musical traditions, such as chutney soca:[80] a genre of music that blends soca, calypso, classical Indian instruments, Bollywood film music, and chutney music,[81] which greatly influenced the genre of dancehall reggae (Manuel, 2000, p. 192).

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[80] First coined by Indo-Trinidadian artist Drupatee Ramgoonai.
[81] 'Chutney music' is a fusion of African and East-Indian musics. The term was first coined by Trinidadian calypsonian Ras Shorty I.

More recently, Indian/Latin fusions such as 'Más Bhangraton' (2014) by Giju John and Mixman Shawn exhibit elements of a perpetual, transcultural loop of influences analogous to that of 'Miramé'. 'Más Bhangraton' demonstrates a fusion of not only bhangraton, but also blues, hip-hop, and the 'Bollywood bhangra' that developed in India during the 2000s, adopting a melody and Hindi-language lyrics that are characteristic of Bollywood pop songs whilst making occasional Spanish and Punjabi-language lyrical callouts. Another interesting example of this global flow can be found in 'Que Calor' (2019) by Major Lazer and J Balvin feat. El Alfa, which incorporates an up-tempo version of the 'Curura' sample that underpinned Timbaland and Rajé Shwari's 'Indian Flute'. Two months after the release of 'Que Calor', Major Lazer released a remix in collaboration with Bollywood rapper Badshah, bringing together two historically transcultural genres: reggaeton and Indian hip-hop.

LeBrón (2011) explains that transcultural subgenres such as bhangraton enable artists to 'foreground what are often unrecognized connections between South Asian communities and the Caribbean.' LeBrón is referring to the descendants of Jahajis (also known as Girmitiyas), or the indentured Indian labourers who were sent to European colonies such as Fiji, South Africa, Mauritius, and the Caribbean after the abolition of slavery in the 19th century. Several of the examples referenced in Chapter 2 indicate that shared colonial histories, such as between the regions of South Asia and the Caribbean, appear to facilitate a form of intercultural exchange, particularly in the case of postcolonial musics that exhibit transcultural origins. This is evident in genres such as reggaeton (a fusion of Jamaican reggae with Panamanian-influenced dancehall rhythms and Spanish-language rap, which gained popularity in the clubs of Puerto Rico) and Bollywood film music (an amalgamation of Islamic, Hindustani, Carnatic, and

subcontinental folk musics, as well as Western popular music genres such as jazz and pop).

Bhangraton is often regarded as a fusion of reggaeton and Bollywood musics.[82]

In his study on cultural appropriation, Richard A. Rogers cites 'multiple cultural appropriations structured in the dynamics of globalization and transnational capitalism creating hybrid forms' as an example of transculturation (2006, p. 477). Artists such as reggaeton/bhangraton singer Deevani and R&B/Bollywood singer Rajé Shwari appear to be ideal representations of these hybrid forms of music: While Rajé operates within established models of hip-hop by recreating Bollywood classics and using technology to evoke an atmosphere of spatial distancing (and thereby seizing agency), Deevani employs the same manipulation of sound in an attempt to bridge this distance by fusing both Spanish and Hindi-language lyrics to the same melody, illustrating the role of media and technoscapes in the dissemination of cultural information across borders. Even the manner in which 'Addictive' producer DJ Quik claims to have discovered the 'Thoda Resham Lagta Hai' song – a chance listen on Zee TV, an Indian cable channel that was the first private channel to have been broadcast after India's economic liberalisation reforms in 1991 – is an example of the globalised information exchange that fuels this intercultural musical exchange, facilitating a 'technological ease with which one can sample anything from the recorded soundscape' (Zuberi, 2008, p. 60).

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[82] 'Bhangraton' appears to be an umbrella term for contemporary Indo-centric fusions between reggaeton and Indian musics (primarily Bollywood). For instance, Deevani's 'Miramé' and 'Flow Natural' are viewed as bhangraton although neither song exhibits any bhangra influences.

CHAPTER 7: CONCLUSIONS

Through the case studies presented in this thesis, it has become apparent that cultural appropriation continues to be a pervasive phenomenon in present-day popular music – in aural and visual forms, as well as linguistic ('React', 'Indian Flute'), inferred ('Get Ur Freak On', 'The Bounce'), and even extending to a seemingly new form of cultural misappropriation that can in fact trace its origins to 19th century blackface minstrelsy ('Miramé'). In this context, cultural appropriation and Orientalism cannot be separated; both appear to participate in a form of contemporary imperialism. While value judgements made for or against these pieces of music can range from assertions of genuine admiration to cultural exploitation, my intent in examining the aforementioned songs is to provide a well-rounded view of the cultural appropriation debate in what I believe to be an undertheorized segment of popular music studies. Thus, while it has become apparent that communities of colour can indeed 're-create [one's] Other' (Said, 1985, p. 90) and engage in both cultural appropriation and appreciation in varying degrees, it is not my intent to prove or disprove either case. Rather, the research presented here aims to uncover the possibility of global exchange amongst communities of colour whilst examining the appropriative potential of sampling through a legal, social and aesthetic lens.

Much of the discourse on cultural exploitation is rooted in the assumption that culture is 'bounded and distinct'. Rogers (2006, pp. 478-479) argues that 'such a model of culture is not only empirically questionable but also complicit in the subordination of "primitive"

cultures.' On more than one occasion, the songs referenced in this thesis have demonstrated a cyclical flow of events: of musical continuity across borders, chiefly propelled by mediascapes and the practice of digital sampling. Thus, while there is certainly room for cultural inequality (Hesmondhalgh, 2006), I argue that sampling can also serve as a site of reciprocal exchange.

When these samples are recontextualised – for example, in the case of 'Put You On The Game' – intercultural exchange is made possible. However, it must also be noted that recognising the existence and validity of this exchange does not disregard or negate the continued presence of exoticisation, (neo-)Orientalism, and the assigning of the Other as primitive and without agency in modern-day popular music. For instance, despite the seemingly collaborative exchange between Timbaland and Rajé Shwari, elements in 'Indian Flute' nevertheless serve as examples of an appropriative Orientalist approach through the uncredited 'Curura' sample that plays throughout the song, or Timbaland's 'I can't understand a word you're sayin!' interjections in response to Rajé's vocals. Moreover, despite Rajé Shwari's involvement, in a similar vein to 'React' or 'Addictive', the music video for 'Indian Flute' perpetuates stereotypical imagery stemming from the myth of Romantic primitivism. Again, the line between reciprocal exchange and appropriation grows increasingly blurred, prompting questions of cultural ownership and rights.

While legal ambiguity can certainly fuel what Fitzpatrick (2003) referred to as 'pillaging the Third World for material', it can also create room for intercultural exchange, as has been evidenced through songs such as Baba Sehgal's 'Thanda Thanda Pani': a case in which an Indian artist "pillaged" Western popular music for material. 'Thanda Thanda Pani' appears to simultaneously exhibit signs of exchange, exploitation, dominance and transculturation, illustrating that both cultural symbiosis (in which both entities benefit) and appropriation can subsist within a single work.

On the other hand, with highly publicised legal battles such as in the case of 'Addictive' or 'Put You On The Game' potentially deterring composers and producers who may have lacked the financial resources needed to incorporate lengthy Bollywood samples, hip-hop producers sought more creative avenues through a different form of exchange by way of interpolations. Through this approach, songs such as 'Indian Flute' demonstrate a multilayered role reversal of sorts – one that shifts the 'exotic' Indian voice from a position of static passivity (sample) to that of a driving, active force (performance) that engendered a hybridised form of East-West exchange. Similarly, songs such as 'Beware of the Boys' and 'Miramé' highlight that culture in popular music cannot be viewed as an essentialist model, and that hybridity is inevitable in an age of rapid information exchange, just as it was during the 1990s indipop wave in a newly economically liberalised India, or through the formation of bhangra remix and its Afro-Carribean inspired subgenres in the 1980s-1990s.

Although each of the case studies presented in this thesis has been sectioned under a broader category – cultural exchange, exploitation, dominance, and transculturation – I must emphasise that none of these songs is a perfect example of their representational categories. For instance, while Baba Sehgal has been cited as an example of cultural exchange, the case can always be made that Sehgal's use of an uncredited sample, which formed the very foundation of his most popular hit song, can be perceived as a form of exploitation as opposed to exchange. Similarly, examples of hybridity and transculturation, such as Daddy Yankee's 'Miramé', could be viewed as blatant exploitation in light of singer Deevani's adoption of brownfishing. Conversely, it can also be argued that 'Beware of the Boys', through its collaborative effort between Jay-Z and Panjabi MC, is an ideal example of cultural exchange as opposed to exploitation; or that seemingly self-evident cases of cultural exploitation such as 'Addictive' and the subsequent 'Lahiri v. Universal Music and Video Distribution' lawsuit inadvertently resulted in the empowerment (and therefore, cultural dominance) of Indian composers, leading

to cases of Indian copyright holders actively seeking legal recompense against American hip-hop producers that engaged in the use of unlicensed Bollywood samples. I have used Rogers' categorisations as a structural, rather than representative, form of narrative in order to provide a more comprehensive view of this multifaceted subject. Thus, while I recognise that there is considerable overlap between these four categories (as has been evidenced above), presenting them as such allowed for a more thorough analysis of each case.

While the existence of cultural appropriation cannot be denied, it is impossible to categorise or dismiss works of art as entirely appropriative. If one thing has become clear to me through the research presented in this thesis, however, it is that the cultural appropriation debate has, in many ways, facilitated the creation of more collaborative, hybridised works by people of colour. Without digital sampling, uncertainties pertaining to international copyright law, and the interest of Western artists such as Timbaland, a considerable portion of Western popular music authored by people of colour – producers, composers, performers and interpolators alike – would not have existed. Similarly, Indian music such as Sehgal's 'Thanda Thanda Pani' or Panjabi MC's 'Mundian To Bach Ke' (and consequently, 'Beware of the Boys') would not have come into being.

Cases such as 'Get Ur Freak On' and the *Deepest India* sample library indicate the manner in which globalisation and technology have enabled the creation of a digital space, in which hip-hop producers have access to a seemingly limitless library of new sounds and cultural experiences. On the other hand, in instances wherein copyright litigation appears to restrict rather than support creators hailing from 'subordinated cultures' (Rogers, 2006, p. 477), these facilitating components of modern-day cultural exchange have also created a space for consumers and members of source communities to voice perceived grievances, such as in the case of T-Pain's 'That's Yo Money'.

Edward Said wrote that Orientalism within the Orient continues to thrive due to consumerism in the Orient; to its addiction to American mass media, consumed unthinkingly by the mass television audience. Through this view, he explained that 'the modern Orient participates in its own Orientalizing' (2003, p. 325). While elements of this certainly hold true today, as can be observed in acts of self-exoticisation on the part of South Asian artists (e.g., Rajé Shwari), these acts of self-racialisation can also be viewed as anti-essentialist: of restructuring Orientalist stereotypes to place the formerly silenced Other in the centre of the narrative, proving that the subaltern can, in this instance, sing.

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