



The Association of Black Psychologists' Statement on the Need for Hair Anti-Discrimination Laws

You cannot stop birds from flying over your head, but you can stop them nesting in your hair. ~ African Proverb

As the sons and daughters of Africa, we have been able to retain the pride of our ancestry in how we wear our hair. In traditional African society, hair represented a complex language system to communicate health, wealth, and rites of passage to the physical and spiritual world (Byrd & Tharps, 2014). However, through acts of dehumanization to enslaved Africans, European slave masters desecrated the crowns of our African ancestors by labeling their hair as “wool” or “fur” (Byrd & Tharps, 2014). Several laws emerged in the United States about how people of African descent were permitted to wear their hair. From the Tignon Laws of 18th century of Louisiana that forced Black women to cover their hair in public spaces to the military regulations of 2015 that stated that braids and locs were out of dress code, the American government has always been putting their hands in our collective hair (Mbilishaka, 2018b). Black students are perpetually suspended from school based on hairstyle and Black employees fired from jobs for their expression of African aesthetics (Mbilishaka & Apugo, 2018). Black people, and Black women in particular, have been harassed and punished due to the textures and styles of their hair across American history and settings. We say no more!

In February of 2019, New York City's Human Rights Commission approved guidelines that hair and hairstyle-based discrimination is a legal offense and labeled as racial discrimination. These specifications protect New Yorkers in the maintenance of their “natural hair, treated or untreated hairstyles such as locs, cornrows, twists, braids, Bantu knots, fades, Afros, and/or the right to keep hair in an uncut or untrimmed state.” This positions violators of this guideline to pay up to \$250,000 in fines, with no maximum for emotional damages. Additionally, this commission can enter violating institutions and require them to shift discriminatory protocol and impact rehiring. This shift was due to the legal argument that hair can be used as a conduit and symbol of racial identity. Therefore, hair discrimination is considered racial discrimination. Currently the natural haired Senator Holly Mitchell is working with California's legislature with the National Urban League, Western Center on Law & Poverty, Color of Change, and Dove, to pass the SB 188, the Creating a Respectful and Open Workplace for Natural hair (CROWN) Act. This act aims to

prohibit employers from enforcing a grooming protocol that perpetuates hair bias. This law aims to disrupt the ideology that employers and government should regulate the natural appearance of Black hair textures.

The field of African and Black Psychology has provided evidence of the deleterious effects of hair discrimination. Existing studies suggest that Black people with tightly coiled hair face prejudices within the family unit, romantic relationships, in the media, education, and employment (Lewis, 1999; Lewis, 2014; Mbilishaka, 2018c; Smith, Mbilishaka & Kennedy, 2017; Neil & Mbilishaka, 2019; Opie & Phillips, 2015). Easily, most people of African descent can recall memories of rejection based on various textures and styles of their hair (Wilson, Mbilishaka & Lewis, 2018). These aesthetic traumas are not only in memory form, but some Black people get daily reminders of how they are non-conforming to White ideals of beauty perpetuated by systems of White supremacy through verbal statements and non-verbal cues (Mbilishaka, 2018c).

As an organization that aims to restore our African greatness through liberating the African mind, the Association of Black Psychologists (ABPsi) is in full support of legislation that honors the beauty and character of African aesthetics. We align ourselves with CROWN Coalition, Senator Mitchell and other political activists defending and protecting the choices of how Black people wear their hair under the law.

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