



Cultural Appropriation: What It is and Why It Matters

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Cultural Appropriation: What It is and Why it Matters

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1. Introduction

Cultural appropriation, powerfully present within public awareness usually because of the commercial use of marginalised and/or indigenous cultures, often provokes moral outrage, global protests and sanctions. It is receiving increasing interest in the academy and the last twenty years have seen the publication of many studies that address persistent concerns about ownership and rights, as well as contemporary issues about new forms of knowledge and intangible cultural goods. Cultural appropriation refers to the taking of items (whether tangible or intangible) from one culture by another (Young, 2010, p. 5). To this standard definition, reference to the inequality in power between the two cultures should be included, which problematises the taking.

The guiding principle in this article is that, whilst sharing or experiencing cultures other than one's own is a rich part of human experience, it remains problematic because of the damage it may cause, especially when the culture who has been taken from is marginalised, that is, is either a minority or indigenous culture. The harm that results is because of commodification – the process by which a culture, in any or all of its aspects, is turned into an object of sale. This process distorts and misrepresents the culture.

This article will begin by looking at why cultural appropriation is important and why it has to be taken seriously before looking more closely at what it is and the centrality of the process of commodification. Discussion will then turn to an overview of approaches to and themes in scholarship, starting with looking at cultural appropriation through a postcolonial lens, where hegemonic structures legitimated acts of taking.

2. Why cultural appropriation matters

Cultural appropriation is important because it concerns the phenomenon of exploitation that has existed historically and continues to do so between cultures of unequal power.

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3 Naming this and acting upon it means recognising the histories of colonialism and
4 imperialism and their legitimisation of taking. The stance of those taking is not unimportant
5 in evaluations; indeed, cultural appropriation is often committed unintentionally or
6 inadvertently but it does not mitigate the damage. Unpicking cultural appropriation involves
7 thinking about ethical questions concerning ownership and justice and political questions
8 concerning identity and marginalisation. The power imbalance inherent in the taking has
9 many kinds of repercussion and involves deprivation of various kinds. Taking is political and
10 is contextualised within the discourse of identity politics where marginalised groups had to
11 fight for their rights within society.
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21 The United States in the 1960s saw a considerable growth in political consciousness with the
22 rise of the Civil Rights movement and concomitant activism against the Vietnam War. These
23 powerful social movements induced many other changes in outlook, including the rise of
24 feminism as a political movement and the Native American Civil Rights movement. Identity
25 politics took seriously the rights of excluded groups to create the terms and experiences
26 that shaped their collective identities and consciousness. The act of taking from these
27 groups then becomes a violation of fundamental rights. The concept of intersectionality,
28 introduced by Kimberlé Williams Crenshaw in 1989, provided a corrective to the
29 oversimplified model of singular aspects of oppression, proposing instead a framework that
30 examined interlocking social categorizations such as race, gender and class, that revealed
31 how elements of a person's social and political jointly create different models of advantage
32 and disadvantage (Crenshaw, 1989).
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45 The processes of globalisation including the development of digital technology have
46 increased access to other cultures and made the permeability between boundaries
47 separating cultures more precarious. This has increased the urgency for thinking about the
48 ethical issues surrounding cultural appropriation and ensuring that cultures are shared
49 responsibly. Great strides have been made in the last few decades by international bodies
50 within Anglo-American law and other legal systems to protect cultural heritage, which
51 includes scientific and technical knowledge. These include UNESCO Intangible Cultural
52 Heritage Lists and the Native American Graves Protection and Repatriation Act (NAGPRA).
53 There are more non-governmental organisations and private companies that have been
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3 created to support the rights of indigenous groups. A salient finding, documented in section
4 5i, which surveys the themes and approaches within scholarship, is the increase of
5 engagement by scholars and practitioners within the law to grapple with the ways in which
6 the rights of marginalised groups can be represented and safeguarded. Public awareness
7 has also increased because of the media exposure of cultural appropriation that debates
8 issues about entitlement and the rights to culture.
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16 The author and journalist Lionel Shriver is a dissenting voice and is strident in her dismissal
17 of cultural appropriation. Whilst advocating the integral importance of sharing cultures as
18 foundational to creativity, she condemns cultural appropriation, understood as the criticism
19 of taking from marginalised cultures, as a destructive form of surveillance, and dismisses the
20 harm it may cause stating, 'I hope the concept of cultural appropriation is a passing fad'. In
21 her keynote address 'Fiction and Identity Politics' at the Brisbane Writers Festival in 2016,ⁱ
22 Shriver was outspoken in her belief that the persistence of cultural appropriation would be
23 detrimental to the endeavour of writers of fiction whose very enterprise involved placing
24 themselves in the shoes of other people, including people from other cultures. Moreover,
25 she claims, we would not have the great works of fiction we do if writers had not borrowed
26 from other cultures. The 'super sensitivity' that is developing, Shriver claimed, as a result of
27 fear of offending people of other cultures, is discouraging writers from developing the
28 characters they might like to see in their novels. A consequence of preventing cultural
29 appropriation, she believes, is that writers will become wary of what they can and cannot
30 do, possibly resulting in fiction that is of lesser quality, 'anodyne' even. Since her notorious
31 speech, other writers have engaged with her concerns about the creative endeavour of
32 novelists, namely the enterprise central to novel writing of constructing characters taking on
33 attributes from other cultural groups (Krystal, 2015; Kunzru *et al.*, 2016). James O. Young's
34 monograph is relevant here (2010). He presents a defense of cultural appropriation and
35 does not think it is ethically wrong to appropriate motifs, styles or subjects from other
36 cultures, provided acknowledgement is given and he maintains that to hold that these
37 components are the property of a particular culture curtails creativity (2010).
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58 There has been a wellspring of interest in issues of social justice in the aftermath of the
59 brutal murder of George Floyd in the US in May 2020. It has fuelled the initiative of
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3 decolonialising the curriculum. Uncovering the structures of knowledge, their biases and
4 consequent lacunae within education with a view to addressing the explicit and implicit
5 ways in which education perpetuates inequality in the construction of knowledge was an
6 integral part of addressing institutional and structural racism.
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10 11 12 3. What is cultural appropriation? 13 14

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16 The term 'appropriation' derives from the Latin verb *appropriare*, which means 'to make
17 one's own' (Ashley and Plesch, 2002 p. 2). Cultural appropriation takes many forms, covers a
18 range of types of action, and has many consequences. The types of things that can be
19 appropriated include artistic styles and representations, land, artefacts, intellectual
20 property, folklore and religious symbols. Susan Scafidi stresses the sense of the
21 unauthorised in the taking: cultural appropriation involves 'taking – from a culture that is
22 not one's own – of intellectual property, cultural expressions or artifacts, history, and ways
23 of knowledge' (2005, p. 9). The term 'borrows' has also been used when referring to the
24 action others call 'taking' (see Shugart, 1997, pp. 210-211) but this is misleading language
25 because it conveys an intention of returning what was taken and underplays the moral
26 gravity and cultural damage incurred.
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38 Integral to the definition of cultural appropriation is an asymmetry of power between two
39 cultures that involves the majority/dominant culture taking from the marginalised culture.
40 This aspect of the more powerful taking from the less powerful is not emphasised enough.
41 Many definitions emphasise the taking from a culture that is not one's own. This is
42 incomplete when the investigation is delimited to cultural appropriation (and not simply
43 appropriation) because what is essential is the power imbalance, and critically the taking
44 *from* the culture that has relatively less power. It is the taking in this dynamic that increases
45 inequality and marginalisation and is what Erich Hatala Matthes defines as the 'oppression
46 account', his explanation of what makes cases of cultural appropriation morally wrong
47 (Matthes, 2019). The converse, cultural assimilation, is the incorporation of a marginalised
48 culture into a host society, which admits of degrees of isolation or segregation up to
49 complete assimilation (Kent, 2006). The inherent power imbalance between these two
50 cultures invalidates the equivalence between these two processes.
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5 One issue that complicates theoretical discussion of cultural appropriation is the fact that
6 culture itself is a contested concept. In order for one culture to take from another, there has
7 to be some shared understanding about the presence of boundaries separating cultures. In
8 other words, as Matthes puts it, the logic of cultural appropriation is predicated on notions
9 of cultural insiders and outsiders (Matthes, 2019, p. 5). There is debate about what a
10 culture is and hence how to distinguish cultures, with commentators holding different views
11 about essentialism, a point which will be developed in section 5. Tim Allen and Tracey
12 Skelton's contention is helpful here; they argue that the concept of culture is 'ambiguous
13 and suggestive rather than as analytically precise' (1999, p. 4). The amorphous nature of
14 culture applies to membership too. The composition of people's identities involves multiple
15 variables that may cut across each other (Hall, 1992) with respect to advantage and
16 disadvantage, a phenomenon conceptualised in intersectionality. Martin Jay captures the
17 idea vividly when he talks about 'the unstable nodal point of such overlapping identities, all
18 of which may pull in different directions' (1994, p. 236).

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33 The changeable nature of cultures, influenced by economic, political and other factors,
34 renders the products of culture, namely its symbols and objects, fluid. This means that
35 whilst the concept of cultural appropriation can be analysed in the abstract, particular cases
36 that occur are better evaluated diachronically, over time, rather than synchronically, a point
37 made by Ashley and Plesch (2002, p. 10). Related to the changeability of culture is the fact
38 that negotiating between cultures is a dynamic process that is rooted in everyday lived
39 experiences rather than in abstract legal structures (Strang and Busse, 2011, p. 14).

47 4. The commodification of culture

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49 Central to the practice of cultural appropriation is the process of commodification.
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51 Commodification is the means by which cultural goods or ideas are transformed into
52 commodities, or objects of trade. In this process the real value of the object, that is the
53 social history of production, is abstracted from as it enters the system of exchange. The
54 material relations of the object are stripped away and the conditions of labour involved in
55 its production are masked and mystified. In Marxist terms, the use value of an object (the
56 cost of making) is replaced by the exchange value, which is essentially its commercial worth
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3 – the cultural value of owning the commodity (Marx, 1986). The exchange value of an object
4 alters the way it is perceived and consumed; it inherits what Arjun Appadurai describes as a
5 ‘particular social potential’ that is to be ‘distinguished’ from ““products”, “objects,” “goods,”
6 “artifacts,” and other sorts of things – but only from certain respects and from a certain
7 point of view’ (1986, p. 6). From a consumer perspective, this ‘social potential’ or exchange
8 value can be *both* empowering and exploitative (Levesque, 2015, p. 3) because it enables
9 consumers to have experiences they might not otherwise have access to through purchasing
10 power. But this is also precisely why it is exploitative – because of the manipulation, through
11 advertising for example, where individuals are drawn into unsustainable fantasies or
12 manufactured desires. Exploitation also comes from the damage it inflicts upon cultures
13 through the commercialisation of their goods and ideas. Economists such as Piero Sraffa
14 have argued that commodification is integral to capitalism in its pursuit of profit (Leys,
15 2012). The tourism trade capitalises on these economic benefits (MacLeod, 2006). That
16 being said, however, not everything is or should be for sale, and this is one of the core
17 issues within cultural appropriation.
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32 A common practice in commodification is where the culture (artefacts and ideas) belonging
33 to a marginalised group are used by a majority/dominant culture for aesthetic reasons. This
34 is especially seen in pop culture; the music videos, performances of pop stars, fashion of
35 celebrities, and music festival goers at the highly publicised Coachella festival, for example.
36 Defences of such use apologise for any hurt caused, citing their positive intentions, such as
37 an interest in the aesthetic of the cultural good or in the culture as a whole. The writer bell
38 hooks notes the tendency to exoticise ethnic cultures, arguing how the commodification of
39 cultural expressions of otherness are deployed to make the majority culture more ‘exciting’.
40 She states how ‘ethnicity becomes spice, seasoning that can liven up the dull dish that is
41 mainstream white culture’ (hooks, 2015, p. 21). Marginalised groups do not enjoy the same
42 privileges or rights to self-expression, which makes crucial the need for them to have
43 ownership of their culture. The objects of their cultures are political symbols of oppression.
44 In a context where one’s identity is marginalised, the right for assertion takes on greater
45 urgency. The use of their culture by others destabilises ownership that has adverse impacts
46 on the protected culture including distortion through trivialisation and oversimplification. A
47 common example of this practice is the way in which white female celebrities adopt ‘ethnic’
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3 clothes and accessories in order to add to their mystique. The double standards are striking
4 here. Minorities are ostracised because of the visible signs of their difference and they
5 experience racial profiling and stereotyping. What is regarded on the minority body as the
6 markers of tradition, patriarchy and oppression become exotic, desirable, and edgy when
7 displaced on the body of a white woman (see Maira, 2002, 2007). The 1990s fashion trends
8 known as 'Asian chic' (in the UK) and 'Indo chic' capitalised on this (Maira, 2002, pp. 221-
9 222, 2007). High fashion designers such as Roberto Cavalli and Lisa Burke sensationalised
10 Indian, in particular Hindu, culture through their use of traditional religious icons in their
11 catwalk shows, and also on swimwear and underwear lines (Arya, 2020). These examples of
12 commodification invert the meaning or value assigned to a cultural idea and transforms it
13 into something quite different.
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25 One of the most compelling examples of the inversion of values to the extent of being
26 diametrically opposed is seen in hip hop. Originating in the early 1970s by African Americans
27 in the New York's South Bronx neighbourhoods, hip hop consists of multiple forms including
28 graffiti, breakdancing, and rap. These expressions were employed as survival strategies to
29 cope with subjugation, racism, and poverty (Chang, 2005). The commodification of hip hop
30 culture has transformed it from its roots as a form of resistance and self-expression for
31 working-class African Americans to a mainstream phenomenon. Facilitated by social media
32 platforms, it has been adopted by white urbanites who exploit its transgressive nature as a
33 way of expressing their dissatisfaction with their own culture (Kitwana, 2005). The
34 transformation from an underground language shared by particular ethnic and cultural
35 groups to a mainstream phenomenon, a form of recreation for many, belies its roots.
36 Stripped of substance, and its socio-political significance, it is defined by its faux gangster
37 styling, consistent in dress, dance and speech, all devoid of its deep roots in African culture
38 (Brown and Kopanoeds, 2014). To add insult to injury, it is often ridiculed in media platforms
39 and made the subject of parody.
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54 Although commercialisation has distorted mainstream understanding of hip hop, it has not
55 suppressed more authentic expressions of it in global culture, including amongst disaffected
56 ethnic minority youth communities in Europe who stay closer to the ethos of rap. They may
57 not have the same cultural narratives but explore their own trials of subjugation and
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3 marginalisation. In their interpretations the styles of hip hop are adapted 'as a means of
4 communication that works in the context of specific localities' (Bennett, 2001, pp. 93-4). In
5
6 spite of the overriding commercial manifestations of hip hop, these underground
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8 expressions resist commodification and resonate more authentically with founding
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10 principles providing empowerment for other disadvantaged groups.
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13 14 4.1. The pizza-effect: the case of re-enculturation. 15 16

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18 A special case of the commodification of culture that conveys the sway of colonialist and
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20 imperialist values is known as 'the pizza-effect'. The pizza-effect is typically seen when a
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22 dominant culture takes from a marginalised culture, repackages the cultural object through
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24 commodification, and sells it back to the original culture. In this redirection, the
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26 commodity's value, economic and other, increases and it often becomes framed through a
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28 colonialist or imperialist lens. The term 'the pizza-effect', coined by Agehanda Bharati in
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30 1970 in his article 'The Hindu Renaissance and its Apologetic Patterns,' was applied to the
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32 context of Indian cultural forms which have been re-evaluated in India because of the
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34 esteem that they accrued in the West. The pizza-effect entails a process of re-enculturation
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36 because the cultural product needs to be re-established in the culture from which it
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38 originated, as it has been dislocated.ⁱⁱ
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41 The origin of the notion of the pizza-effect was in the cultural movement that the food
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43 produce pizza underwent in its development from its local origins in Naples to its global
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45 currency today. The original Italian form of pizza was regarded as a simple food stuff; it was
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47 hot-baked flatbread with herbs, without further trimmings, and was characterised by its
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49 simplicity (Bharati, 1970, p. 273). It was developed by Italian immigrants in the USA through
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51 the devising of elaborate toppings and different sizes. The transformation of this cultural
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53 good was then exported back to Italy after the First World War where it became
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55 synonymous with its new-found global identity. This was met with opposition by Italians
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57 intent on protecting authentic Neapolitan pizza 'from the dangers of standardisation and
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59 extinction' (Helstosky, 2008, p. 10). In modern variations the remnants of the original Italian
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61 pizza exist – but only fractionally and fragmentally – in the translation of this as a thin-crust
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63 base, and also with reference to certain traditional and simple toppings that have Italian

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3 rustic associations. Beyond that, the character of the pizza has evolved in keeping with
4 global tastes and now has amalgamated other popular cuisines in the newer varieties being
5 offered. It is debatable whether the modern-style pizza, what Carol F. Helstosky (2008)
6 describes as 'pizza Americana', is Italian at all though even though this is extensively used in
7 its marketing for narrative appeal.
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14 The pizza-effect reinforces the power dynamic between the two cultures where the
15 dominant party exerts its cultural imperialism by shaping the values of the cultural
16 commodity which then become internalised or at least shared by the culture of lesser
17 power. Some cases of change involve the cultural good, such as pizza, where the product is
18 transformed into something qualitatively different whilst others cases involve a
19 modification *not* to the product but to the interpretative lens through which the product is
20 framed and evaluated. Bharati gives a number of examples of this within Indian culture,
21 including the cultural reappraisal in the West of Sanskrit and the films of the Bengali film
22 director Satyajit Ray (1970). Arguably one of the most damaging aspects of the pizza-effect
23 is the distortion that the minority or indigenous culture inherits about their own culture in
24 the process of re-enculturation.
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38 5. Scholarship on cultural appropriation: the post-colonial perspective

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41 The predominant approach to cultural appropriation within the academy starts from the
42 premise that cultural appropriation involves degradation to the culture that has been taken
43 from and that the most ethical course of action is to understand the threat to the
44 marginalised culture and to think about the ramifications of this, which may involve devising
45 recovery plans or the implementation of policy. Postcolonial theory examines the impact
46 that colonialism and imperialism have had on the construction of epistemological and
47 ethical stances that have legitimated acts of cultural appropriation in the name of 'civilising',
48 'salvaging' or cognate missions.
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58 The discipline of anthropology, specifically classical Western anthropology, 'arose from
59 imperialism and colonial hegemony' and 'emerged as an attempt to scientifically classify
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3 groups of human being as different and therefore separate (the savage from the civilised,
4 the literate from the illiterate, the traditional from the modern' (Pels, 2008, p. 280). This
5 model of anthropology that came to define the central enterprise of the field was
6 predicated on tools and methods that created a binary relationship between the
7 anthropologist-as-investigator/explorer, and the object of its enquiry, namely culture and its
8 members. Edward Said's notion of Orientalism, articulated in his eponymous text of 1978,
9 presented a binary model of cultural relations that described the practice of anthropology
10 and operated as seminal text of postcolonialism (1978). In his theory the West created the
11 concept of the Orient that approximated to the East, and crucially represented that which is
12 non-Western, to consolidate its own power. The crisis of the discipline of anthropology in
13 the 1980s and 1990s, arising from the emergence of postcolonial studies, necessitated a
14 shift in thinking about legitimate modes of enquiry that problematised previous practices. It
15 involved two interrelated strategies: firstly, challenging anthropological research, in its
16 methods and epistemologies, and secondly, proposing alternative models in post-colonial
17 spaces.

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32 Another academic discipline, Museum Studies, emerged in the 1990s out of a need to
33 critique the colonialist legacies of museum culture, which revealed itself in the acquisition of
34 artefacts and collections, curatorship, and commentary. The institution of museums in the
35 West were critically identified as non-neutral and ideologically loaded spaces responsible for
36 establishing and underscoring pernicious narratives in their collections, exhibition and
37 curatorial practices (see Procter, 2020). Western museums did 'not merely represent the
38 harms done by colonialist forces; they perpetuate[d] them' (Dixon, 2021, p. 1). Susan
39 Pearce's work in this field has been pioneering. A founding member of the University of
40 Leicester's world-leading Museum Studies department, Pearce sought to examine material
41 culture from outside the Western conventions of art history and in relation to the cultural
42 institution of the museum. Her leading collection of papers *Museums and the Appropriation*
43 *of Culture* (1994b) discusses the obligation that museums have to reflect and understand
44 their constructions; in what is a 'painful but necessary process' (1994, pp.1-2) and adds to
45 her corpus of earlier work about the role of culture in museum collections (1990, 1992,
46 1994a).

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3 The deconstruction of anthropology and development of Museum Studies was part of a turn
4 in the human sciences that started in the 1980s and 1990s, known as 'the crisis of
5 representation' which came to refer to the impossibility of totalising discourses, of accounts
6 that purported to represent social reality and the querying of representational practices.
7 This paradigm shift had consequences for other academic disciplines. A highly influential
8 text that encapsulates many of the central ideas in this revolution of thought is James
9 Clifford and George E. Marcus' *Writing Culture: the poetics and politics of ethnography*,
10 published in 1986. It documented discussions during a seminar, held in 1984 at the School
11 of American Research in Santa Fe, New Mexico. The seminar took a stance of 'self-critical'
12 'reflexivity' – terms used in the preface to undertake a study of the colonialist legacies of
13 anthropology and ethnography (Clifford and Marcus, 1986, p. xxiv). The lessons learnt in the
14 discussion presented significant insights; one of these being that 'the process of cultural
15 representation is now inescapably contingent, historical and contestable' (1986, preface)
16 and that the 'processes by which human differences are constructed, hierarchised and
17 negotiated' should be studied in order not to essentialise otherness (Pels, 2008, p. 280).

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32 Postcolonial theory sought to dismantled the binary axis of power instigated in colonialism
33 and imperialism which silenced the oppressed and advocated instead for an integrated
34 perspective. In *The Location of Culture* (1994) Homi K. Bhabha argues that for a non-
35 essentialist view of culture that disavows the fixed, static notion of distinct cultural
36 essences. It was precisely the imposition of distinct cultural essences separating the
37 coloniser and the colonised that provided the rationale for objectification. The notion of
38 pure, uncontaminated culture is actually a myth. Bhabha argues that all culture is
39 characterised by hybridity, by change, flux and transformation; by a sense of 'mixedness' or
40 interconnectedness (2004, p. 97). The model of cultural hybridity allows for an integrated
41 view that accommodates the idea that cultures are fluid entities that are not static but are
42 in the process of change and becoming. Bhabha states how 'This interstitial passage
43 between fixed identifications opens up the possibility of a cultural hybridity that entertains
44 difference without an assumed or imposed hierarchy' (2004, p. 5). In a similar vein James
45 Clifford explored how to think about indigeneity in the twenty-first century, which he argues
46 is not a static identity but rather dynamic and mobile (2013).

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3 5.1 Contemporary approaches and themes in scholarship: the plurality of voices,
4 methodological innovations and new lines of enquiry.
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9 The dissolution of the dichotomous understanding of culture in postcolonial theory turned
10 attention to those who have been denied a voice or platform; what Gayatri C. Spivak
11 described in her pivotal text and statement 'Can the Subaltern Speak?' as the epistemic
12 violence that silenced the marginalised (1988). The proposition of the post-colonial space to
13 reconfigure the representation of difference where the erstwhile oppressed asserts agency
14 is vitally important. The turn towards the plurality of voices is a prominent feature in studies
15 on cultural appropriation from the 1990s onwards. These voices were of individuals from
16 indigenous and minority groups from a variety of communities and continents whose
17 material lives were affected by cultural appropriation. A popular format used by scholars
18 was the edited collection, which typically consisted of a number of papers, interdisciplinary
19 in scope, covering fields such as anthropology, law, cultural studies, art, museum studies,
20 philosophy and music, written by voices from inside and outside the academy (Ziff and Rao,
21 1997; Messenger, 1999; Young and Brunk, 2009/12; Strang and Busse, 2011). There are also
22 single-authored studies that feature actual case studies or exemplars of marginalised groups
23 (Brown, 2003; Scafidi, 2005). The multiplicity of voices shows a concerted attempt to
24 decentre erstwhile binary structures and to reflect instead the need for dialogue in the
25 contestation of ownership. The multiple and conflicting claims are not always resolvable and
26 shows the often rocky terrain of thinking about 'Who owns culture?' to echo Scafidi's book
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45 The editors of these volumes deployed innovative and creative strategies to reflect these
46 new methods of enquiry. In *The Ethics of Cultural Appropriation* (2012), first published in
47 2009, James O. Young and Conrad G. Brunk paired up contributors from different
48 backgrounds and contexts to produce a joint response and where this was not possible
49 because of the inability to reach a consensus about views or, even more fundamentally, the
50 difficulty of finding a shared language in which to communicate, concessions were made
51 (2012, p. 2). Ziff and Rao's 1997 collection deliberately lacks editorial intervention in order
52 to impart the disorienting experience of encountering cultural difference; the
53 'heterogeneous social realities' (1998, p. 134). Phyllis Mauch Messenger's collection gives a
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3 platform for each party to voice their concerns, with a roundtable discussion at the end
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9 In addition to the popularity of the multi-authored collection, there are several other
10 notable developments within scholarship on cultural appropriation that warrant mention.
11 One is the increase in studies within the field of law that address the contested issues of
12 ownership and representation. In the early 1990s two journals devoted entire issues to the
13 appropriation of cultural property: *Arizona State Law Journal*, volume 24 (1992) and
14 *University of British Columbia Law Review*, special issue (1995) (Young, 2010, p. 2). Since
15 then there has been a steady stream of publications responding to growing calls in the law
16 to attend to the rights of marginalised groups, many of which has been based on actual
17 cases. Scafidi (2005), Strang and Busse (2011) and Brown (2003) argue for the need to
18 formalise legal structures and systems that can be used to protect the rights of marginalised
19 and indigenous groups. There is a disparity between cultural understandings of the
20 conceptualisations of rights and the legal systems, and this needs to be streamlined more
21 effectively in order to ensure fair communication between different parties. There are
22 various factors of relevance here that come out of postcolonial theory that have elicited
23 lines of enquiry. The first concerns the conception of culture, held by these groups. The
24 notion of ownership was predominantly a Western idea and has had to be learnt by
25 excluded groups in the face of potential or actual exploitation. This not only requires a
26 cultural shift in thinking but also an understanding of property rights in terms of legal rights.
27 Brown, an anthropologist with an interest in the protection of the cultural property of
28 indigenous groups, examines specific case studies in different fields including ethnobotany
29 and conservation ecology which draws attention to key findings, identified in and echoed by
30 the aforementioned studies (2003). An overarching perspective is the holistic impact that
31 cultural appropriation has on disadvantaged groups. To mitigate this, Brown argues, there
32 are pragmatic concerns that need addressing. A pressing issue is the range of traditions and
33 forms of knowledge needing protection that needs to be identified and classified before
34 legal measures can be put in place. Another legal challenge experienced in the
35 contemporary digital age, and reflected in the literature, is a shift from the tangible (cultural
36 good) to the intangible (see Ziff and Rao, 1997; Scafidi 2005; Strange and Busse 2011). The
37 focus on land, property and other tangible commodities, so prevalent in cultural thought
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3 especially anthropological thinking in the nineteenth century, has given way in the twenty
4 first century to thinking about how to stake out ownership in the intangible realms of ideas,
5 for example, which is conceptualised in the law as intellectual property. The ever-increasing
6 access to cultures as well as the Internet age makes this concern more urgent. Scafidi
7 conveys how historically the law has focused more on individual rights and the nation as a
8 whole, leaving these communities having to find other channels of protecting their rights
9 (2005, p. 4) and to that effect tribal rather than national courts are often more suitable
10 venues for serving indigenous communities, a point made by Ziff and Rao (1997) and Brown
11 (2003).

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21 The literature in law has increased in light of new concerns and challenges. Another area
22 that constitutes less of a development and more of a burgeoning area is that of scholarship
23 on cultural appropriation in analytical philosophy. A key contributor, James O. Young, argues
24 for the importance of this addition to the literature, adding how even though the issues
25 raised by cultural appropriation were of relevance to philosophers it has been a neglected
26 area (2010, p. 2). Philosophers are characteristically concerned with foundational issues,
27 with the identification and definition of key concepts and the relations between them. To
28 this end, they press questions about the concepts that frame the debate about cultural
29 appropriation. Philosophers also bring normative considerations into the discussion (2010,
30 p. 2), that is, the justification (if any) for those actions and beliefs. Matthes' contribution of
31 the oppression account of cultural appropriation is one such argument (2019). He also
32 writes about the ethics of cultural heritage, a subject that carries significant normative
33 weight (see 2018a and 2018b). Young's monograph is exceptional in its philosophical
34 arguments and also in his controversial line that cultural appropriation is not necessarily
35 morally objectionable and can result in artworks of great aesthetic value (2010, p. 2).

52 6.0 Further areas of study: reflections

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56 Since the development of postcolonial thinking, there has been a marked shift in scholarship
57 about cultural appropriation. A key change has been a decentered approach that represents
58 through a plurality of voices perspectives from a range of world views, inside and outside
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3 the academy, about what culture means. The editors who compiled these collections may
4 have been authentic in their aspirations to represent diversity in order to reflect the
5 sometimes irresolvable conflict at the heart of cultural appropriation, which remains that
6 whilst experiencing other cultures through taking is beneficial to some, it brings about
7 further disadvantage to others. The further issue is that even though voices outside the
8 academy are included and regarded as integral to a deeper understanding about cultural
9 appropriation, the investigation is initiated and implemented by the academy, itself fraught
10 with Eurocentrism and ideological knowledge structures. The same predicament exists in
11 the project and process of decolonialisation. One solution is to engender *real* progress
12 might be the perspective of academics and organisations from the Global South, which is
13 lacking in current scholarship. But there still remains the issue of the privileged speaking or
14 initiating action for the disadvantaged. Perhaps the only compromise is for the researcher to
15 remain critically and ethnographically reflective and sensitive and to ensure that these
16 objectives are also reflected in fair representation.
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31 Another gap in provision in scholarship is the treatment of cultural appropriation within
32 diverse cultural contexts. The majority of studies take as their focus Native America (Ziff &
33 Rao, 1997; Brown, 2003) or Black culture, in particular African-American culture (Jackson,
34 2019). Widening the scope to examine other cultural contexts, such as the influence of
35 Indian culture on the West, would help in expanding the field and would be invaluable to
36 policy makers within those cultures who in liaison with national and international bodies
37 would be able to effect legislation.
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45 7.0 Concluding remarks

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49 The concept of cultural appropriation matters and draws attention to the fact that not all
50 forms of cultural exchange are equal and calls into questions the ethics of a
51 majority/dominant culture taking from a marginalised culture. Access to other cultures has
52 become easier in many parts of the world because of globalisation and this increases the
53 urgency in understanding the implications of cultural appropriation and the boundaries of
54 what constitutes the sharing of culture in a responsible way.
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3 One of the biggest challenges raised by cultural appropriation is the instability of the
4 concept of culture. The postcolonial revision of the concept enabled a more fluid
5 understanding and also necessitated the emergence of members from marginalised groups
6 articulating themselves in their own terms. This shift is seen in the inclusion of multiple
7 voices and representations in scholarship, although judgement needs to be reserved about
8 whether such gestures constitute meaningful actions of genuine dialogue and with it an
9 effort to engender structural change or whether it is tokenistic and superficial.
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18 Since the development of postcolonial studies, the remit of scholarship on cultural
19 appropriation has expanded both in terms of the fields of study that engage with it and the
20 themes and issues that are discussed. There has been an increase in legal studies that are
21 concerned with the protection or safeguarding of minority rights and intellectual property
22 and other forms of intangible cultural goods. Susan Scafidi argues that greater
23 understanding of the impact of legislation on marginalised groups ultimately benefits all
24 because it promotes what acceptable about the sharing of cultures (2005, p.4).
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33 The greater classification of cultural goods, knowledge and information about rights coupled
34 with the greater access to cultures is potentially going to lead to greater, in the sense of
35 number, stakes in culture. The likelihood is that cases of cultural appropriation are going to
36 be more fraught and involving in the future leading to more nuanced understanding about
37 contested parties.
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29 ⁱ The transcript of which was published in *The Guardian* on Tuesday 13th September 2016.

30 ⁱⁱ If enculturation is the process by which an individual learns about a culture in which she lives and assimilates
31 its practices and values, then the addition of the prefix 're' means that this process needs to be redone – the
32 culture has to relearn its practices.
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