James O. Young: Cultural appropriation and the arts **Blackwell Publishing, 2010, 168 pp, ISBN 978-1-4443-3271-1**

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Published online: 25 March 2011

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Cultural Appropriation and the Arts, by James O. Young, provides an analytical, comprehensive overview of ethical and aesthetic issues concerning cultural appropriation. In his monograph, Young addresses important culture-related questions such as cultural membership, ownership and responsibilities. Thinking in aesthetic and moral categories, Young aims to identify wrong and acceptable (objectionable vs. non-objectionable) types of cultural appropriation in the sphere of art. He concludes that ‘cultural appropriation is aesthetically successful more often than we are led to believe’ and that ‘cultural appropriation is wrongfully harmful or offensive less often than some people suggest’ (p. 152).

To begin with, a distinction of the different actors involved facilitates a definition of cultural appropriation, which is defined as the usage of items pertaining to a certain culture (insiders) by non-members of that culture (outsiders). Young understands the concept of culture in a very broad sense, as a collection of people with a sufficient number of common cultural traits. His focus is limited to cases of appropriation of culture as a whole, not when only one insider is affected. In a world with overlapping cultures, the challenge lies in identifying who belongs to a specific culture as well as what type of cultural items can be owned commonly and how. Although Young recognises that cultural ownership mostly depends on the legal regime of the particular culture, he examines this question from a philosophical view. Young discusses whether a culture can own items such as style, patterns, design, plots and motifs and whether these items can be freely appropriated. This discussion is, however, not appropriate in the sense that the ownership of property or intellectual property is lawfully restricted to individuals or a group of people, not to a particular culture; a culture cannot own anything.

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The focus of the book is on the two main ways in which artists can appropriate culture—tangible (object) appropriation and intangible content and subject appropriation (stories, styles, motifs, design; subject matter). As object appropriation does not involve the production of new works, Young sees it as a kind of theft, while subject appropriation implies that outsiders experience a culture as if they were insiders, but that insiders can simultaneously continue to practice their culture.

Since moral objection against cultural appropriation can be bound to aesthetic premises, Young examines the objectionability of an act of cultural appropriation by an artist by discarding the aesthetic handicap thesis. He rejects the assumption that artistic works based on appropriated content or appropriated subject matter necessarily have aesthetic flaws. Moreover, Young criticises the idea that artists not living within certain cultural borders or possessing respective cultural backgrounds are not able to employ aesthetically successful content and subject matter from a culture that is not their own. Among successful innovation appropriators, Picasso and the Beatles are given as examples of those who re-created insiders' content in a stylistically distinct and aesthetically successful way different from their own. Young assumes rightly that a successful work does not need to be produced by insiders; rather, it depends on the artist's experience and familiarity with techniques.

However, besides the observable aesthetic properties of an artwork, the cultural context can also influence its aesthetic value. Influenced by Radford's (p. 44) authenticity argumentation, Young follows the thesis that 'the discovery that some painting is a forgery is not accompanied by any discovery of observable aesthetic flaws'. Moreover, the analysis refutes that outsiders' content and subject appropriation results in inauthentic art works by identifying different sorts of authenticity, thus ascribing authenticity to outsiders' works, as well. Accordingly, there is no reason to believe that outsiders are not able to produce authentic works ['the best biography is not always autobiography' (p. 61)]. It should be noted that whether a work of art by an outsider is authentic or not does not affect the aesthetic value at all. Authenticity without aesthetic value is possible as well as is aesthetic failure of authentic works.

After the verification that outsiders' work can be aesthetically valuable as well, Young turns to the analysis of cultural appropriation as theft. At first sight, this may be surprising since he is interested in content appropriation by artists who produce aesthetically valuable new works of art. Nevertheless, this chapter aims to explore who should be eligible to own cultural property whilst taking different circumstances into account. Young's main assertion is that styles, motifs and general plots cannot be owned by a certain culture and that they belong to the 'artistic commons' (p. 66), to a humanity in which everyone is free to appropriate it. Consequentially, he removes many obstacles from the artists' content appropriation. While identifying possible grounds on which artworks can belong to a culture, Young points out that some cultures regulate the ownership of their property by laws or traditional practices. As this can be unjust, other factors must be considered when identifying the basis for ownership. At this stage, his analysis reaches a crucial point as he arrives at the cultural significance principle, which he himself developed. This could be of help when other ownership-related principles (preservation, access, integrity and proprietary principles) are in conflict with each other as well.

The value-providing effect of a cultural item is the basis for the claim for property. In a cultural context, the value of an item can be anchored in aesthetic value, historical importance, ceremonial or religious significance, or other value to the members, who can then stake a claim to the item. Young asserts that ‘with care and attention, it will be possible to determine how much value something has for a culture’ (p. 93). Unfortunately, the matter is left open and no suggestions are made on how to assess cultural value. The cultural significance principle is also only related to tangible works due to Young’s belief that nobody can own less than a complete expression of an artistic item.

After analysing the possibility of owning cultural items and thus the possibility of culture-harming theft by object appropriation, Young identifies other wrongful acts with the potential to harm or profoundly offend a culture from a moral perspective. Among other things, the discussion of subject and content appropriation that leads to a misrepresentation of a certain culture takes central stage. This can result in discrimination thereafter, for instance, restricting economic opportunities of insiders. In his view, it is unlikely that a few incompetent artists are able to damage a culture. Although accurate representation can be morally wrong, Young suggests that the outsider’s perspective on certain issues can also be helpful. Again, aiming to defend the acts of cultural appropriation by artists, Young therefore assumes that subject appropriation does not wrongfully take an audience from insiders, since public audiences do not ‘belong’ to anyone. Acts of outsiders rather increase the opportunities for insiders: they open the market for products, so that the insider’s culture is not harmed due to a non-fixed demand for artworks. Further, cultural appropriation against the assimilation threat is defended. Convincingly, Young concludes that ‘cultural appropriation endangers a culture, not when others borrow from it, but when its members borrow too extensively from others’ (p. 153).

His assumption that insiders have the ‘primary responsibility’ (p. 120) to keep their culture alive is comprehensible. Although Young rightly points to instruments available that ‘ensure that their cultures are protected’ (p. 120) from appropriation, this is only partially valid, as, depending on a culture’s legal regime, not every culture is able to avoid damage by copied artwork. Another important issue that Young discusses is the simple use of aboriginal arts and crafts by non-aboriginals. These can be profoundly offensive if the products contain a special sacred or cultural significance. Young’s position is that not all acts of cultural appropriation that cause profound offence are immoral. In many instances, the *prima facie* case can be overcome. Likewise, an artwork can be expected to have a degree of social value that can counterbalance the offence felt by the members of a culture from which something has been appropriated. Moreover, freedom of expression tends to increase social value, and as long as the appropriation of sacred designs and subjects is part of realising artistic expression, it is not wrong.

All in all, Young claims that some content and subject appropriation can be a sort of assault, the moral nature of which is highly questionable. But most cultural appropriation neither interferes with the interests of individual members of cultures nor damages cultures, if appropriate requirements regarding time and place of cultural appropriation are respected. The suggestion is to be ‘as respectful as

possible', to avoid 'unnecessary offence' and 'to be sensitive to the plight of minority cultures' (p. 141).

Capturing the problematic relationship of culture and cultural appropriation in the modern world, where cultural claims are in the centre of many international debates, is a challenging task. Besides successfully defining cultural concepts as closely as possible, this book distinguishes itself by arguing in favour of removing the majority of obstacles to innovation and the creation of new works, as they are counterproductive. I am sceptical, however, of whether these culture-related questions can be solved without considering the precise legal circumstances of particular cultures; Young himself has highlighted the legal 'morality' of judgments several times.

Another concern worth mentioning is that in most of the cases, Young does not discuss the possible consequences of artists themselves seeking protection via intellectual property rights. It would be naive to assume that artists have no pecuniary incentives. Overall, the balance between the interests and values of insiders and outsiders is not sufficiently recognised. Young's emphasis on the freedom of expression at the expense of cultural significance theory can at least be called controversial, mostly because the social value of the new creation cannot be clearly measured. Unfortunately, Young provides no suggestions regarding possible alternatives.

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