

**Research Paper**

# **Cultural Appropriation in the Fashion Industry**

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**Abstract:**

Cultural appropriation issues are becoming more prevalent as a result of globalization. In the fashion industry, there has been numerous disagreements on the topic of cultural appropriation. The aim of this study is to look into controversial issues of cultural appropriation in the field of fashion from a historical perspective, looking at past famous examples to understand how this phenomenon has evolved, as well as how cultural appropriation can become offensive or lead to unwanted commodification. In addition, a comparative law perspective is taken into account, in which different solutions are taken into consideration. A study was conducted to examine what cultural appropriation means to different people and how okay individuals are towards the cultural appropriation of fashion and individuals capitalizing on it. A quantitative research design was chosen in the form of an online survey. The results highlighted that there is an increased awareness amongst the participants and these people are well-versed about the social ramifications of cultural appropriation. The last part of this paper is devoted to the search for new solutions to protect traditional culture in the fashion field, taking into consideration the actual needs of the people behind the protection. It concludes that an important role may be played in the future by private governance tools and, in particular, by Corporate Social Responsibility standards.

**Keywords**

Cultural Appropriation; Traditional Cultural Expressions; Fashion Industry; Intellectual property; Traditional knowledge; Indigenous; Traditional designs; Culture appreciation

**1. Introduction**

Cultural Appropriation stands for "Taking intellectual property, traditional knowledge, cultural expressions, or artefacts from someone else's culture without permission." (Scafidi 2005) To elaborate: "This can include unauthorized use of another culture's dance, dress, music, language, folklore, cuisine, traditional medicine, religious symbols, etc. It is most likely to be harmful when the source community is a minority group that has been oppressed or exploited in other ways or when the object of appropriation is particularly sensitive, e.g. sacred objects." (Baker K. 2012)

*Cultural Appropriation in Fashion*

The rising phenomenon of cultural appropriation in fashion revolves around fashion enthusiasts handpicking and choosing to wear eye-catching traditional accessories and attire from cultures they do not personally identify with or claim as their own.(Choudhary h. 2019) Cultural appropriation is a phenomenon that has existed for centuries.The constant desire to innovate with original and effective solutions led Western designers to incorporate other cultures' distinctive looks, reinterpreted by the designer's creativity and sensitivity to other

cultures.(Pozzo B. 2020) There has been a significant increase in the West's fascination with the assimilation of the ideas and styles borrowed from the East, though unfortunately, it has resulted in quite a lot of misappropriation of minority culture. (HayeF. 2020) In 2011, Designer Lisa Blue displayed Hindu Goddess Lakshmi, on swimwear at an Australian fashion show. Widespread protests soon took over in India and the production of the new range was stopped and pieces shown on the runway were removed. In December 2012, Karlie Kloss swept down the Victoria Secret's catwalk, wearing a native-style headdress for the annual fashion show. For many Native American tribes, headdresses are a traditional symbol of respect, worn by chiefs and warriors. Protests coming from different groups pointed out that their headdresses should not be worn to advertise lingerie(Heller 2017;Nicolas 2017). Even in this case, the label, and the model herself, apologise publicly.

These cases share the common feature that the community is harmed by uses that degrade cultural or religious items because they are displayed outside their traditional setting and for purposes that are different from those for which they were originally created (Kuruk 1999). Sub-cultures of class or race, nationality or religion should not just be something white people can try on as a novelty. You cannot play dress-up with the reality of other people's lives or what they consider sacred" (Mulvaney 2013).

## **2. Commodification of minority culture**

Cultural appropriation can also lead to theft as well as capitalizing on the intellectual property of other cultures. For instance, Shein is an online clothing shop that sold Muslim prayer mats under the name of "frilled Greek carpets." They used a religious emblem without giving any credit to the religion, as well as capitalizing on the matt by selling it for about \$15 when it retails for a lot less. In early 2017 Amazon came under fire for selling flip flops depicting the Father of India, Mahatma Gandhi. This came shortly after Amazon Canada apologized for selling doormats featuring the Indian flag. Almost on a weekly basis, new controversy arises raising questions about borrowing rights and entitlement. All the above examples show the extent of cultural transmission where a symbol can be taken up in a culture completely unrelated to it in ways that transform the meaning of the symbol and how it's interpreted. What often happens, as seen in commodification, is that the symbol becomes dislocated from its religious or socio-political meaning, and is enjoyed for its aesthetic value. This superficial approach is damaging to the identity of the minority culture and reduces the value (Arya R. 2017)

In the realm of arts, three categories of cultural appropriation can be identified:

*Subject Appropriation:* An outsider makes the insider/insider's culture, the subject of a visual art, film, story, or any other form of art.

*Content Appropriation:* When an artist uses the cultural products or practices of a minority, for producing art without any due acknowledgment or credit.

**Object Appropriation:** It is the transfer of the possession of an object/objects belonging to one culture to an individual/group that does not belong to the same culture. (Young, 2005)

Cultural appropriation in the realm of creative fields such as arts and fashion, may be summarily described as, the taking, by a member of a dominant culture, of a traditionally cultural element (TCE) from a minority culture, without the authorization, acknowledgement and/ or compensation of the TCE holder and repurposing it in a different context for a different purpose. Hence, there are three characteristics that emerge: a change of cultural context; a power imbalance between the taker and the holder; and the absence of the holder's involvement.

### **3. Cultural appropriation in the Fashion industry**

Cultural appropriation in the fashion industry sparks endless debate owing to the complex and overlapping legal issues at stake. On one hand, the way the fashion industry operates is such that designers freely integrate elements from other cultures into their own creations.

Some designers dismiss the accusations of cultural appropriation and instead campaign as “cultural appreciation,” claiming that drawing inspiration is equal to paying homage to diversity and cultures. Now, if we look back at the fashion runways in the last fifty years, we can often find the re-interpretation of some cultural elements by fashion designers, where the culture has evidently served as an inspiration for their creations. For example: Gianfranco Ferré, the creative Director of Christian Dior in 1989, took inspiration from the designs of the Kashmiri shawls and reproduced them on light organza fabrics, worked by Indian artisans, for the Fall/Winter Season collection (1988/1989).

When offensive appropriation of a community takes place for uses that degrade cultural or religious items, because they are displayed outside their traditional setting and for purposes that are different from those for which they were originally created, the community is harmed (Kuruk 1999). An example of this can be when Claude Eliette, Chief executive of Chanel, had to apologise for putting a verse of the Quran across the chest of Claudia Schiffer, when she modelled an evening dress in Paris, 1994. This incident was irreverently dubbed ‘the Satanic Breasts’ and threatened Chanel's exports to the Muslim world after Hasan Basri, the head of Indonesia's ulema, the doctors of Muslim religion, described the use of those verses as ‘an insult to our religion’.

When commodification and appropriation of culture takes place in the fashion business, the communities derive either no economic benefits, or if they do gain something, such benefits often pale in comparison to the huge profits made by the exploiters (Kuruk, 1999).

There is a wrong notion that if an artwork involves Cultural appropriation, it is wrong or immoral. When the topic of Cultural appropriation comes up, very rarely the morality of it is put in question. (Young, 2005).

The social value of a piece of work also must be determined when a culture is appropriated. There are instances of subject appropriation that have high social value, yet can be highly offensive to a particular culture. Freedom of Expression in Arts carries with it certain responsibilities and should not be used as an excuse to create art at the expense of offensive appropriation of cultures.

The time and place of such acts/instances also play a huge factor in determining whether these acts are highly immoral and wrong or not. The extent of toleration by people of one culture also determines the immorality of the act of cultural appropriation. Misrepresenting a culture, exploiting content without giving credibility, and misusing sacred or private content are cultural appropriation led offences and must be punishable acts.

#### **4. Legal Ramifications**

TCEs (Traditional Cultural elements or expressions) are the tangible or intangible forms in which a traditional culture is expressed or embodied, and can include designs, patterns, signs, symbols, artworks, artefacts, rituals, songs, stories, dances, names, etc. They are passed down from one generation to the next, and are linked to an Indigenous or local community. Often, their creator/creators are anonymous.

##### *Drawbacks of IP systems*

As creations of the human brain, TCEs are undeniably forms of Intellectual Property (IP). Still, many Indigenous people face substantial barriers when trying to use the mechanisms available under the existing IP laws, such as copyright, trademark, patent, design or geographical indications (GI), laws that are supposed to protect their TCEs.

Indigenous people should have the possibility to access intellectual property claims whenever these can allow a fair compensation for cultural appropriation. However, Intellectual Property laws, by the World Intellectual Property Organisation, (WIPO) can not always be the answer, as it is based on the theory of the individual genius, and neglects the property rights of a group, as a whole. The needs of indigenous people must be understood and supported, taking into account their own perspective and keeping their multiple social values and local livelihood goals in mind.

#### **5. Consequences: Cultural, Social and Economic Harm**

##### *Social, Political and Cultural Harm*

On a socio-political level, TCEs relate to the identity, dignity, autonomy and self determination of Indigenous communities and also help define their interactions with the society, especially in the aftermath of their colonised period. (Vézina, 2019)

As cultural appropriation hampers Indigenous peoples' efforts to define themselves and establish their own identity, it can produce a feeling of loss of identity and can even be perceived as a form of colonisation. Acts of appropriation results in humiliation and discrimination, through insensitive stereotypes and diminishes the histories of injustice to which Indigenous peoples were subjected under colonial rule. Appropriation can be described as an equivalent of colonial occupation of Indigenous art and design. It also negatively impacts TCE holders' well-being, health and wellbeing,

both individually and collectively. For example, in 2015, the Milan-based fashion brand DSquared, owned by Canadian brothers Dean and Dan Caten, presented a collection that featured designs of Indigenous communities in Canada. This collection was entitled “DSquaw” — squaw being a derogatory name for North American Indigenous women.

### *Economical Harm*

TCEs, especially handicrafts, can be a source of income for their holders, sometimes the only one. Yet, outsiders appropriating TCEs without proper compensation to the source communities are materially profiting at the expense of their holders, who cannot participate in the profits made on the sale of the products incorporating their TCEs.

The fashion products that appropriate TCEs can act as a substitute for the original, authentic products and might heighten competition and pose a potential threat to the sales of the communities' TCE products. Consumers might prefer the Western fashion designer's product because of its brand value or a cheaper, poorly made imitation, over its original source. In the case of the Maasai tribe more than 1,000 companies have used Maasai imagery or iconography without consent, including well-known fashion brands, six of which, including Diane von Furstenberg, Ralph Lauren and Calvin Klein, and have allegedly made more than US\$100 million in annual sales using the Maasai name and visual culture.

In some cases, TCE holders might even be obstructed from using their own cultural product in the market, where, for example, one of their designs would be trademarked or copyrighted by a third party.

## **6. Reasons Behind Cultural Appropriation**

In order to fuel fashion changes and make the business larger than life, designers sometimes forget the difference between "borrowing and theft" or we can say "appreciation and appropriation". So, one of the reasons for cultural appropriation is extensive business profitability (Green Denise, 2017 & Kaiser Susan, 2017). Culture is way bigger, shared among specific groups of people and is constantly occurring. The ownership of the culture cannot be given to a specific person and different people have different right and wrongs. Some people may find it as embracing and celebrating fashion and culture together and others may find it appropriating. So, one of the reasons can be differences in perspective (PBS, 2019). To celebrate fashion that arises from other cultures, some use elements from other cultures but do not understand the meaning of that element culture and in some cases, it can be unintentional.. For example, The incident of 2011, where Lisa Blue showcased Goddess Lakshmi in a swimwear at an Australian Fashion Show. As goddess Lakshmi is highly respected and worshipped as a deity of wealth and success, so, this was a clear case of disrespect and misappropriation of Indian Culture. Widespread protests in India forced Lisa Blue to apologise to everyone whose sentiments got hurt. This happened because the cultural elements were used other than their traditional beliefs for a self motivated purpose. As a result of increasing globalisation, customers are gaining access to all media platforms and becoming aware. So, If a brand is not maintaining ethical standards they may not only lose their respect but also their entire customer segment (Haye, 2021, Rais, 2021, Saleem, 2021, Ishaq, 2021). One of the major reasons for cultural appropriation is lack of proper awareness about

how much imitation is considered right. Growing demands of consumers leads to changing fashion trends. The lack of time takes the research time from designers as they have to cope with the current fashion trends. Lack of proper research is one of the causes of cultural appropriation. Dominant groups sometimes do not recognize harmful appropriation unless it is pointed out as they consider themselves as torch bearers of the fashion industry. The last and the most important reason for cultural appropriation is lack of empathy towards the marginalized groups. Years and years of practice, dedication and understanding creates a culture and people appropriate it and call it a trend, sounds so weird but it is true!

Why is cultural appropriation still prevalent? The answer to this question can be given by referring to T. Barnum's words, " There's no such thing as bad publicity ". What fashion designers and celebrities do is to grab the attention of people to business their ideas. So, cultural appropriation is also used as a tool to draw attention- both positive and negative- to the products they hope to sell and to themselves as well.

## **7. Avoiding Cultural Appropriation**

Cultural Appropriation involves a very important term "borrowing". So, borrowing is taking something from someone with their consent. The very first thing which we can do is that we can start giving credits for every little thing we use and acknowledging people is the safest way possible to use someone's culture without appropriating it as stated by Jennifer Ayres. Acknowledgement is the easiest step to make your inspiration sourcing rather than robbing. Secondly, the appropriation involves the misinterpretation of the element which we borrowed and it can only be reduced by proper research before using it. Culture is a pre-existing ideology and we cannot form our thesis and advertise it as our interpretation of that culture as it can hurt the sentiments of people connected to that culture. Lastly, anything is correct until it is affecting the people in a wrong way and here comes a very important aspect of intention. We should question ourselves thoroughly as if it is our cultural element that is borrowed and to what extent we can tolerate improvisation. We should be sensitive and empathetic while using elements related to cultural practices as it took years of belief, ideologies, practices to come up with a beautiful culture.

Cultures are broad, sophisticated and history oriented and dynamic (Kane, 2021). Cross cultural experiences is what makes the world interesting and helps in diversifying the world. There is nothing wrong in appreciating, celebrating and practising other cultures and feeling as a part of it. What is wrong is forgetting their contribution and sacrifices, rather, flaunting it as our invention and interpretation. Cultural sharing is excellent when done consciously and cultural appreciation is best when it is not momentary or done in a rage! (Kane, 2021)

The unawareness factor in cultural appropriation is a major one, so, we can recognise a week as appreciation week where we can talk about the degree of borrowing that is not appropriation and practice things that reduce appropriation.

A specific set of rules can be introduced for cultural appropriation in the fashion industry that will talk about what is wrong rather than what is right. There are designers who are misusing culture but there are also designers who are appreciating culture, so, we can make people aware of both the scenarios which can create a good difference and understanding of the two. All the recent cases of culture appropriation in the fashion industry show how the public pays more and more attention to and

becomes aware of the multiple implications of the use and misuse of cultural and religious symbols. Designers, on their part, understand very well that an increasingly attentive public will direct their choices and purchases towards those labels which are able to maintain an ethically correct approach as far as these matters are concerned. It is not only a question of brand's reputation, but also a question of losing entire segments of the market, if not the entire market.(Littrell 2015).

In a market like the fashion one, where the designer's reputation assumes a value equal to that of his creativity, attention to these issues will only increase in the coming years.

## **7. Research Methodology**

The study on the cultural appropriation in the fashion industry deployed a quantitative approach for data collection for the assessment of various aspects of cultural appropriation faced by the minority group in a measurable and quantifiable manner. Initially, the research has been categorised as the various appropriations faced by the less privileged group and what was formulated by mind mapping and discussion.

The primary data has been collected by using google forms as a means of survey and the secondary data has been collected from various authentic websites.

Keeping in mind the limitations to reach various nationalities, the data collection tool was a survey with variety of questions regarding the understanding of cultural appropriation by the people of different age groups. The survey was circulated on various online platforms to obtain unbiased or random data. The Data was finalised based on the gathered information from the questionnaire with the people who are the frontiers in this situation. The questionnaire broadly addressed issues related to the real life situations faced by people and the way they channelized their views. The questionnaire was not restricted to words but it was made much clearer with pictures and personal experience based questions. It also talks about the reasons behind cultural appropriation and ways to avoid it as much as possible according to the perspective of people.

## **8. Questionnaire and Analysis**

*Q.1. What is your name?*

*Q.2. How old are you?*

a.10-20

b. 20-30 c.

30-40

d. 40+



*Q.3. What is your cultural background? E.g. Indian, Australian, South African*

*etc. Q.4. Do you know about the term 'Cultural Appropriation' ?*

- a. yes
- b. no
- c. maybe

*Q.5. What is your opinion on cultural appropriation?*

- a. It affects my culture and I don't think it's a big deal.
- b. It affects my culture and makes me upset.
- c. It affects me but I understand its implications and it makes me upset.
- d. It doesn't affect me and I don't think it's a big deal.

*Q.6. What do you associate cultural appropriation with ?*

- a. borrowing
- b. imitation
- c. theft
- d. appreciation

*Q.7. Do you think people should be able to wear what they like regardless of it's social relevance to a particular culture ?*

Ans -

- a. yes
- b. no
- c. maybe

*Q.8. Social media has become a huge part of people's engagement with the real world. Do you think it encourages as well as highlights cultural appropriation ?*

- a. yes
- b. no
- c. maybe

*Q.9. Do you think the media plays an important role in influencing and portraying different cultures in a manner people get wrongly influenced?*

- a. Yes
- b. no
- c. maybe

*Q.10. Do you think high profile celebrities, fashion designers, musicians, etc have a responsibility to credit the cultures they borrow influence from ?*

- a. yes
- b. no
- c. maybe

*Q.11. Do you consider Dreadlocks worn by white supermodels on runways an act of cultural appropriation?*

- a. Yes
- b. no
- c. maybe

*Q.12. Do you consider the Turban worn by models and celebrities on the runway an act of cultural appropriation?*

- a. yes
- b. no
- c. maybe

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Q.13. Do you think it's acceptable to borrow elements from other cultures and wear them as costumes?

- a. Yes
- b. no
- c. maybe

Q.14. *Do you think it's appropriate to commodify religious symbols of minority groups by displaying them outside their traditional setting in ways which degrade their value?*

- a. yes b. no
- c. maybe

Q.15. *Did you encounter any cultural appropriation recently? If yes please specify.*

Q.16. *What was your response to the above encounter of Cultural appropriation?*

- a. Tweeted about it and expressed your concerns
- b. Filed a complaint
- c. It affects me but I understand its implications and it makes me upset. d. Discussed the issue with the peers.

Q.17. *Do you think there should be more laws protecting minority culture and to stop cultural appropriation?*

- a. Yes
- b. no
- c. maybe

Q.18. *Will more laws restrict creativity and decrease the quality of work produced by designers and other creatives ?*

- a. yes
- b. no

c. maybe

*Q.19. Why do fashion brands don't care about putting in enough effort to get the difference between cultural appropriation and appreciation right ?*

- a. unwillingness to spend time on research
- b. Lack of understanding of the implication of their actions
- c. Ignorance
- d. Only focusing on business profitability
- e. All of the above

*Q.20. How to avoid cultural appropriation ?*

- a. Spending more time on proper research
- b. Giving credits and acknowledged them
- c. Employing artisans of the minority culture to produce the products inspired by them
- d. By being sensitive to minority culture
- e. All of the above

## **9. ANALYSIS**

Cultural appropriation refers to taking something that doesn't belong to you. Taking a sacred object or thing from a historically marginalized culture and producing it as a prop or costume for usage, becomes controversial and humiliating for that specific minority group or culture may be one example. In recent years, fashion houses and brands have been increasingly criticized for using symbols, prints and garments from other cultures.

An online survey was put forward to the public for the increasing cultural appropriation in fashion. According to the survey, the most responses for this survey were from the age group of 20 – 30 years of age, second being the age group of 10 – 20 and the minimum being 30 – 40. Their cultural backgrounds are mostly Indian. Around 70% of the responders know what cultural appropriation means, the rest hold a middle ground with a 'maybe'. Almost all the responders were Indian.

Even if most people know what cultural appropriation means, they pay little attention to its impact on the society and hence, they conclude that they don't find it that big of a deal and it doesn't affect them. Almost 80% of the responses agreed to the fact that social media encourages as well as highlights cultural appropriation and the rest thought that it is a debatable question. Most of them think it is imitating while some of them think it is appreciation and borrowing. Responders have also

opted that they should be able to wear what they like regardless of its social relevance to a particular culture ?

They do think that social media encourages/highlights cultural appropriation but they still neglect it as they don't think of it as a big deal, which is different cultures get portrayed in a manner that people get wrongly influenced. This is a fact that high profile celebrities, fashion designers, musicians, etc have a responsibility to credit the cultures they borrow influence from.

Those who have encountered cultural appropriation have mostly responded by 'discussing the issues with their peers' or trying to create awareness about the issue on social media'.

The responders have a very debatable approach if more laws restrict creativity and decrease the quality of work produced by designers and other creativities or not.

Most responders think all the aspects are true of why fashion brands don't care about putting in enough effort to get the difference between cultural appropriation and appreciation right and most also think all points to be true on how to avoid cultural appropriation.

After the survey it is clear that most of the responders here do not approve of cultural appropriation and stated it to be better to not belong in today's generation.

They have concluded that there should be more laws protecting minority culture and to stop cultural appropriation. But this would also result in restricting creativity and decreasing the quality of work produced by designers and other creatives. A remarkable percentage of the total responders have stated that fashion brands don't care about putting in enough effort to get the difference between cultural appropriation and appreciation right because of only focusing on business profitability.

The motive is to make people aware in new ways about appropriation, engaging with its interpretations and expressions. Different cultures have different specifications which have a reason and meaning for its existence which we must not take for granted just because we want to go with the trend and have the motive to look unique.

Today's scenario was directly related majorly to western culture and its adaptation. But the exploitation of western culture wasn't the only thing that was of concern. By adapting to the culture, it also had its negative consequences. It meant just that for the sake of fashion, the exploiting group misuses the culture/tradition of the other culture by wearing a particular apparel/ornaments in an inappropriate manner, way, or situation without understanding the meaning and purpose of it. And this was widely seen all over the world, irrespective of age, caste, religion and sex.

So whenever someone tries to go with a new trend of a culture, it would be more appropriate to first conduct a short research about the particular culture, to understand its essence and significance.

Different cultures have different specifications which have a reason and meaning for its existence which we must not take for granted just because we want to follow a trend and have the motive to look unique.

The findings of the study can be further utilised in future research based on cultural appropriation. Since the research had a considerably smaller sample size, in the future another researcher should consider doing this on a larger population so that it may help in generalising the findings of this research on the population. Aside from the sample size, the ages of participants were from 18 to 40

which restricted the results to just this age range. Future researchers should consider doing this research on people of different age groups and ethnicities so that it can be generalised to a larger population as these things may have had an impact on one's awareness of cultural appropriation. One's level of education can also be taken into account in terms of one awareness level.

## **11. Conclusion**

Cultural appropriation is a complex phenomenon and it's issues are becoming more prevalent as a result of globalization. In the fashion industry, there have been numerous disagreements about cultural appropriation. In this study we looked into controversial issues of cultural appropriation in the field of fashion from a historical perspective, looking at famous examples to understand that this phenomenon is not new and how it has evolved, as well as how cultural appropriation can become offensive or lead to unwanted commodification. According to the case studies, Judging from the many aspects of cultural appropriation, the major critical issues are stereotypical standardization and mockery, wrong reinterpretation and distortion, and consumption and looting.

The awareness of contemporary change in cultural appropriation and a deeper understanding of its controversial issues can be realized in the sustainable development of the fashion industry. Brands and Designers lack acknowledgment of the otherness and the education of social and cultural awareness and through this research it became more clear that brands are most of the time wrong in the action of deploying cultural artefacts. At the same time, it is worth mentioning that at other times brands are also being misunderstood in their practice.

A study was conducted to examine what cultural appropriation means to different people and how okay individuals are towards the cultural appropriation of fashion and individuals capitalizing on it. A quantitative research design was chosen in the form of an online survey. While our survey in which 50 individuals took part, revealed that (78%) of the sample stated that cultural appropriation upset them. The remaining sample did not believe that cultural appropriation had a big impact. The results of our survey conducted highlighted that there is an increased awareness amongst the participants and these people are well-versed about the social ramifications of cultural appropriation.

In addition, a comparative law perspective is taken into account, in which different solutions are taken into consideration. Lawyers who try to approach the issue should contextualize the problem from a historical perspective, trying to apply the necessary tools to cope with all the different facets that the phenomenon presents. Indigenous people should have the possibility to access conventional intellectual property claims whenever these can allow a fair compensation for cultural appropriation and next to IP tools, other solutions should be envisaged that allow culture to not only to be protected, but also to develop according to that natural and ancestral flow, which passes from generation to generation, helping to build an important identity, but at the same time guaranteeing the possibility of adapting to the survival needs of that culture.

The last part of this paper is devoted to the search for new solutions to protect traditional culture in the fashion field, taking into consideration the actual needs behind the protection. The results of this study suggest that cultural appropriation continues to be a tough and sensitive topic for several. It concludes that an important role may be played in the future by private governance tools and, in particular, by Corporate Social Responsibility standards. In many cases of fashion expression, what could be widely allowed in the past might no longer be popularly justified in the view of cultural appropriation. We believe that this study helped open the door for future research and the ability to analyse what the meaning of cultural appropriation is and how it affects culture universally when it comes to the fashion industry.

## 11. References

*From Cultural Exchange to transculturation: A review and ...* - researchgate. (n.d.).

Retrieved May 29, 2022, from

[https://www.researchgate.net/publication/227630287\\_From\\_Cultural\\_Exchange\\_to\\_Transculturation\\_A\\_Review\\_and\\_Reconceptualization\\_of\\_Cultural\\_Appropriation](https://www.researchgate.net/publication/227630287_From_Cultural_Exchange_to_Transculturation_A_Review_and_Reconceptualization_of_Cultural_Appropriation)

*(PDF) attitude towards culture...* - researchgate.net.(n.d.). Retrieved May 29, 2022, from

[https://www.researchgate.net/publication/354055032\\_Attitude\\_towards\\_Cultural](https://www.researchgate.net/publication/354055032_Attitude_towards_Cultural)

*Abstract* - baylor-ir.tdl.org. (n.d.). Retrieved May 29, 2022, from [https://baylor-](https://baylor-ir.tdl.org/bitstream/handle/2104/10392/MONROY-THESIS-2018.pdf)

[ir.tdl.org/bitstream/handle/2104/10392/MONROY-THESIS-2018.pdf](https://baylor-ir.tdl.org/bitstream/handle/2104/10392/MONROY-THESIS-2018.pdf)

*South Asia @ LSE: Cultural appropriation: Analysing ...* - eprints.lse.ac.uk. (n.d.). Retrieved May 29, 2022, from <https://eprints.lse.ac.uk/85011/1/southasia-2017-09-07-cultural-appropriation-analysing-the-use-of.pdf>

Choudhary, H. (n.d.). *The rise of cultural appropriation in Fashion*. CUNY Academic Works. Retrieved May 29, 2022, from [https://academicworks.cuny.edu/gj\\_etds/374](https://academicworks.cuny.edu/gj_etds/374)

Joshua E. Kane. (2022, March 29). *What is cultural appropriation, and how does it differ from cultural appreciation? The Conversation*. Retrieved May 29, 2022, from

<https://theconversation.com/what-is-cultural-appropriation-and-how-does-it-differ-from-cultural-appreciation-162331>

*What is Cultural Appropriation* .(2019). YouTube.Retrieved May 29, 2022, from <https://youtu.be/VQgF1f557YY>.

Green, D. N. (2017, April 5).*Introduction: Fashionand Appropriation*.Academia.edu. Retrieved May 29, 2022, from [https://www.academia.edu/32272260/Introduction\\_Fashion\\_and\\_Appropriation](https://www.academia.edu/32272260/Introduction_Fashion_and_Appropriation)

Pozzo, B. (2020). *Fashion between Inspiration andAppropriation*.*Laws*,9 (1), 5. <https://doi.org/10.3390/laws9010005>

Young, J. O. (2005).*Profound Offense and CulturalAppropriation*. *The Journal of Aesthetics and Art Criticism*,63(2), 135–146. <http://www.jstor.org/stable/3700467>

Bojador, P. R. (2016, July 10). Cultural appropriation. Academia.edu. Retrieved May 29, 2022, from [https://www.academia.edu/26874281/Cultural\\_Appropriation](https://www.academia.edu/26874281/Cultural_Appropriation)

Arya, R. (2021, January 1). Cultural appropriation: What it is and why it matters. *Sociology Compass*. Retrieved May 29, 2022, from [https://www.academia.edu/51120631/Cultural\\_appropriation\\_What\\_it\\_is\\_and\\_why\\_it\\_matter](https://www.academia.edu/51120631/Cultural_appropriation_What_it_is_and_why_it_matter)