

Cultural appropriation and theatre
Rethinking aesthetics, starting with the case of Robert
Lepage's *Kanata*

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Observing the phenomenon of cultural appropriation in a case of theatre: *Kanata* the controversial spectacle by the Québécois Robert Lepage raises issues of aesthetics. The specific cultural, political and social context, together with the singularity of theatre as an art form, makes this a unique case study shedding light on that phenomenon and causing us to rethink some long-standing principles of aesthetics.

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The issue of cultural appropriation is a highly topical subject and still open to definition. A transversal concept which, by its nature, calls for investigation from the angle of various disciplines, it holds special relevance for the art world and seems often to divide people into opposite camps, supporters and detractors, not just among public opinion but scholars as well.

In tackling the complex phenomenon of cultural appropriation in an artistic setting one is bound to ponder a recent case that made an international splash, impacting on theatre and bound up with the local context, which was Quebec in Canada. Of all the arts, theatre seems the best viewpoint from which to observe the issue in question, just as it is essential we look at the specific geographical, cultural and social context involved.

Coming as it does at the start of a research project, this article does not purport to find answers to this issue, but to pinpoint some crucial philosophical questions that may frame the problems and circumscribe the topic and how it relates to aesthetics¹. Hence, after describing the case in question and placing it in context, I will go on to weigh the aesthetic issues that are raised.

¹ The research in question based at the University of Milan with a detachment at UQÀM, Université du Québec à Montréal is the Project ITACA: Intercultural Theatre And Cultural Appropriation, which has received funding from the European Union's Horizon 2020 research and innovation programme under the Marie Skłodowska Curie grant agreement No 893533.

1. The theatrical case

We are referring to the show *Kanata*, by that acknowledged genius of the Canadian and world stage, Robert Lepage, based in Quebec City. Beginning from 2014 as a joint creation with Ariadne Mnouchkine designed for a coproduction with the Parisian Théâtre du Soleil, the show was scheduled to go on stage first in Paris 2018 and then in Quebec 2020². It would meet with a singular destiny: it never appeared in Canada and, having first been cancelled, was ultimately staged in a reduced version under the new title of *Kanata - Episode 1. La controverse* on 15 December 2018 at the Cartoucherie, during the Festival d'Automne in Paris; subsequently it came to Italy for the Naples Theatre Festival in June 2019 and the following month at the Athens & Epidaurus Festival. That was the last time it went on stage and so far the idea of presenting it in Canada and doing an international tournée involving new episodes seems to have fallen into abeyance once and for all. Evidence of the work that went into it and the intentions behind its creation remains in the form of a documentary, *Lepage au Soleil : à l'origine de Kanata*, made by Hélène Choquette between 2016 and 2018 and shown in Canadian cinemas during spring 2019³.

What altered the show's destiny, causing many co-producers to pull out and Lepage to cancel it first, and then put on a modified version, was the accusation of cultural appropriation levelled by representatives of the First Nations, part of the indigenous peoples, with the Inuit and the Métis, who descend from the first inhabitants of the North American continent.

² The bibliography on the subject is quite extensive, especially in Québecois Canada. To date, on the theme of cultural appropriation with respect to Canadian indigenous culture starting from the specific case of *Kanata* and the context of Quebec, the most in-depth study is by E. Groffier, *Dire l'autre. Appropriation culturelle, voix autochtones et liberté d'expression*, Leméac Éditeur, Montréal 2020. See also papers by J-P. Uzel: *Un dramaturge et un Iroquois à Paris. L'affaire Kanata*, in "Esprit, comprendre le monde qui vient", 461 (2020), pp. 61-69; *Appropriation artistique versus appropriation culturelle/ Artistic appropriation versus cultural appropriation*, in "esse : arts + opinions", 97 (2019), pp. 10-15; and: N. Delanoë, *Kanata ou du dialogue de sourds comme un des Beaux Arts*, in "Recherches Amérindiennes au Québec", XLIX, 1 (2019), pp. 113-115; and the first treatment in Italy, by A.M. Monteverdi, *Il teatro all'epoca del Lorem Ipsum. Il debutto di Kanata di Robert Lepage/Théâtre du Soleil*, in "Arabeschi", 13 (2019), pp. 176-189 [online]. Accessed: 20 July 2019.

³ See the documentary website: <https://www.lepageausoleil.com>. Cf. an interview with the director by M. C. Mirandette, *Hélène Choquette, réalisatrice de Lepage au Soleil : à l'origine de Kanata*, in "Ciné-Bulles", 37, 3 (2019), pp. 14-18.

Sparked by the announcement of the show's première to be held in Paris six months later⁴, the issue began with a letter to the Quebec daily *Le Devoir* on 14 July 2018: a collective text signed by a number of people, including intellectuals representatives of organizations protecting the rights of the autochthonous, various native artists and other non-autochthonous co-signatories⁵. They pointed out that no native artist had been invited to take part in *Kanata* and accused the show of thus being yet another representation of natives by non-natives, once again shrouding those peoples in the invisibility that history had condemned them to.

Kanata, hence the name Canada, means village in the Irochi language of the First Nations. The intention of Lepage and Mnouchkine – the latter yielding direction of her company to another person for the first time – was to provide a fresco from Canadian history featuring the relations between natives and European settlers. In fact it is the ignominious story of European colonists subjecting the native populations to nothing less than genocide, beginning with their first settlements in the early 17th century. The French and English colonists expropriated the people's land and forced those they hadn't killed to live in reservations. The fresco pictured not just the past but the devastating present-day consequences that colonization still has on the autochthonous population. The story has long lain dormant in the Canadian public conscience, and indeed the world's. Only in recent years has it come to the attention of government and the community.

The effect of the first *j'accuse* has been a media tsunami, rendered all the more virulent by the social media. In Canada alone, where the show has not been seen, more than 900 articles were published in the months straddling the controversy, as well as countless mentions of *Kanata* in the online and hard-copy press. It has reverberated internationally, enlisting detractors and supporters, and has caused Lepage's work to be profoundly questioned. What needs to be remembered is that the social background was already inflamed: only a few months before the furore over *Kanata* and partly during preparation for it, there had been another work bearing Lepage's signature as director, *SLĀV*. That blues concert by Betty Bonifassi on the

⁴ In the pages of the daily *Le Devoir* on July 11, 2018: C. Lalonde, "*Kanata*": *les Amérindiens du Canada lus par Lepage et Mnouchkine*, <https://www.ledevoir.com/culture/532131/les-amerindiens-du-canada-lus-par-lepage-et-mnouchkine> [online]. Accessed: 15 July 2020.

⁵ Cf. *Encore une fois, l'aventure se passera sans nous, les Autochtones?*, "*Le Devoir*", 14 July 2018. <https://www.ledevoir.com/opinion/libre-opinion/532406/encore-une-fois-l-aventure-se-passera-sans-nous-les-autochtones> [online]. Accessed: 15 July 2020.

subject of racism, oppression, slavery and mass migration, based on African American slave songs, featured in the 2018 edition of the Montreal International Jazz Festival but was suspended after a few performances when it was protested that most of the black roles were being played by whites. The issue of cultural appropriation from that moment on and in this province of Canada has captured more and more popular interest, amplified by the media: newspapers, television and the social networks above all⁶.

The letter of accusation not only protests against this further cloak of invisibility cast on natives who have so long experienced it, but gives a first reply to Lepage's statements in defence of *SLĀV* where he makes the point that playing a role in the theatre enables you to take on another identity and embody, incarnate, someone else⁷. That is no excuse, rejoined the signatories: «cette incarnation», which they evidently recognise, however, «s'inscrit dans un contexte social et historique»⁸.

2. The context

But let us take a look at the historical and cultural background to the *Kanata* affair – indispensable if one is to understand the phenomenon and also view it from an aesthetic angle as a case in point⁹.

Kanata was conceived at a pregnant moment of new government and collective awareness of the violence done to native populations on the North American

⁶ For an analysis of the media response to protest against the show *SLĀV* see: D. Lefrançois, M-A. Éthier, *SLĀV: une analyse de contenu médiatique centrée sur le concept d'appropriation culturelle*, in "Revue de recherches en littérature médiatique multimodale", 9 (2019) [online]. Accessed: 15 July 2020). DOI: <https://doi.org/10.7202/1062035ar>.

⁷ Cf. *Position de Robert Lepage concernant SLĀV // Robert Lepage position on SLĀV*, communiqué posted on the director of the company's, Facebook page, Ex Machina: <https://www.facebook.com/notes/ex-machina/position-de-robert-lepage-concernant-slāv-robert-lepage-position-on-slāv/1891596674225125/> : «[...] Since the dawn of time, theatre has been based on a very simple principle, that of playing someone else. Pretending to be someone else. Stepping into the shoes of another person to try to understand them, and in the process, perhaps understand ourselves, better. This ancient ritual requires that we borrow, for the duration of a performance, someone else's look, voice, accent and at times even gender. But when we are no longer allowed to step into someone else's shoes, when it is forbidden to identify with someone else, theatre is denied its very nature, it is prevented from performing its primary function and is thus rendered meaningless [...]». Accessed: 15 July 2020.

⁸ Cf. *Encore une fois, l'aventure se passera sans nous, les Autochtones?*, cit..

⁹ For a broader study of the historical and cultural context in Canada and Quebec in particular with regard to the history of the natives see E. Groffier, *Dire l'autre. Appropriation culturelle, voix autochtones et liberté d'expression*, cit., pp. 51-84 and on the culture of the natives and the question of reconciliation with non-natives pp. 85-108.

continent¹⁰. Rehearsals began in 2015 when the admission of «cultural genocide» was made by the Commission for truth and reconciliation, set up in 2008 by the Canadian government to shed light on responsibilities behind the governmental Indian Residential Schools run by Christian churches between 1920 and 1996. These Schools deported 150,000 native children with a view to ‘re-educating’ them with European cultural, religious and linguistic values. After the public apology of 2008, in 2015 the Commission supplied evidence that many of the school children, who were removed from their families and communities at the age of five, underwent not only psychological but also physical violence in the name of integrating them into Canadian society. Down to 1984, and under the policy of «killing the Indian in the child»¹¹, the state ruled that, if not in schools, native children should be forcibly adopted by western families. Another inquiry began in 2015 and concluded in 2019, hence contemporary with the creation of *Kanata: the National Inquiry into Missing and Murdered Indigenous Women and Girls* investigated innumerable episodes of missing or murdered native females, a fact ignored or hushed up and still largely unresolved¹². While these inquiries show how state institutions have changed their tune about the lot of native peoples, they also confirm what part colonial policy played in victimizing them. Alcoholism, suicide and mendicancy are the most visible results of such violence to native populations who often live on the fringe of the large Canadian metropolises. As Jean-Philippe Uzel has pointed out, these colonialist policies dating from centuries ago are still active: one example is the 1876 Indian Act which established the reservation system and Indian registration¹³. The peculiar thing about North America is that it has never been decolonized the way Africa or South East Asia have been, an essential point when thinking about cultural appropriation in

¹⁰ See the Canadian government’s official website under the heading ‘First Nations in Canada’, <https://www.rcaanccirnac.gc.ca/eng/1307460755710/1536862806124#chp4> Accessed: 15 July 2020.

¹¹ See B. Young, “*Killing the Indian in the Child*”: *Death, Cruelty, and Subject-formation in the Canadian Indian Residential School System*, in “Mosaic: An Interdisciplinary Critical Journal”, 48, 4 (2015), pp. 63-76.

¹² Cf. <https://www.mmiwg-ffada.ca/final-report>. Accessed: 15 July 2020.

¹³ J-P. Uzel, *Un dramaturge et un Iroquois à Paris. L’affaire Kanata*, cit., p. 64. On the Indian Act see <https://www.rcaanccirnac.gc.ca/eng/1540405608208/1568898474141>. Accessed: 15 July 2020. Under the entry ‘Indian Act’ the Canadian encyclopedia reads: «The Indian Act is essentially an outdated statute that, despite a great deal of opposition, continues to resist change. Numerous attempts to reform the Indian Act have been initiated since the 1990s; however, these legislative efforts were mired in controversy, as First Nations across the country opposed them on a number of grounds, not the least of which was a lack of full and proper consultation. Instead, a number of agreements, such as the First Nations Land Management Act of 1999, have allowed First Nations governments to move toward some level of self-government without abolishing the Indian Act». <https://www.thecanadianencyclopedia.ca/en/article/indian-act>. Accessed 15 November 2020.

North America and particularly Canada. The consequences of colonialism on the present living conditions of natives are evident, Ethel Groffier writes extensively, claiming that the only concrete act of reparation that could really bring about reconciliation by balancing the power relations would be restitution of their lands¹⁴.

Above all it is relevant to the province of Quebec with its sensitivity and respect for differences and cultural identities, having always been used to managing and integrating ethno-cultural diversity. Since the end of the Sixties it has developed a keen anti-colonialist ethos stemming from internal conflict between French-speaking and English-speaking populations. The largely proletarian French speakers rebelled against the dominant rich English-speaking minority who regarded them as «America's white negroes» and bade them «speak white»¹⁵. The claims of identity and language over the years have set Quebec apart from the rest of Canada in terms of language, culture and institutions.

Given that *Kanata* coincided in time with those inquiries, Lepage decided to include these issues in the show. As indicated by the title of the modified version that made its Paris debut in December 2018, the aim was to include the controversy unleashed by the accusation of cultural appropriation; this basically entailed reducing the original three acts to one – the third – which became *Episode 1*, a prelude to others to follow. By a documentary approach, the historical events that had marred the destiny of the First Nations are poetically transformed into stories acted out by the show's many protagonists. A shift in time and space makes events shuttle between nowadays and past history, covering usurpation of Amerindian lands ranging from Ottawa, capital of Canada, to Vancouver, the British Columbian metropolis where

¹⁴ On the current situation with regard to colonialism see E. Groffier, *Dire l'autre. Appropriation culturelle, voix autochtones et liberté d'expression*, cit., pp. 51-70. It is interesting to note that Canada unreservedly accepted The United Nations Declaration on the Rights of Indigenous Peoples but only in 2016, nine years after it was proclaimed; and in 2019 the Trudeau government promised to implement it within Canada's laws: <https://www.aadnc-aandc.gc.ca/fra/1309374407406/1309374458958>. Accessed 15 November 2020.

¹⁵ The expression “America's white negroes” comes from the text by Pierre Vallières *Nègres blancs d'Amérique* (Éditions Parti Pris 1968), which intended to link black emancipation movements in the United States and Quebec in Canada. From a racial metaphor to describe the French-speaking Québécois, it has become over time an expression used by the Anglophone bourgeoisie to indicate French-Canadian workers. Over the years this term has been the subject of frequent controversy and recently the use of the expression, in Canada, even in academic circles and with a philological indication of its origins, has been bitterly contested. The expression “speak white” is an insult uttered to French-speaking Canadians by the Anglophone majority when they were caught speaking French in public. This insult inspired the Quebec poetess Michèle Lalonde who wrote the poem *Speak white* in October 1968 and in full *Révolution tranquille* it became a slogan of support for the revolutionary cause of the journalist Pierre Vallières and in general for the Québec Liberation Front.

recent years have seen the crudest cases of violence against native women¹⁶. In this complex web of stories, where the core theme is representation of the Amerindian people, one of the lead actors, Miranda the French painter who portrays natives, symbolically takes Lepage's position in the controversy. His intention was to show portraits of the native women victims of the Vancouver serial killer, but this was denied by relatives of the victims who claimed that he had never asked their permission. This, broadly, is the plot of the revised version, though, as Choquette said, of the show that went on stage, «it's a fundamentally different show from what Robert Lepage had in mind»¹⁷.

From what we gather from the documentary, and also from the evidence of some actors, interviewed in other contexts¹⁸, who reluctantly had to step down when the show got changed, we learn what the first two acts were intended to be about: the first would have portrayed the true story of Edmund Kean, the early-19th-century British actor. Kean was welcomed by the Uroni tribe who elected him chief in admiration for his prowess. A painting of this chapter is on view at the Ottawa National Art Gallery which, unsurprisingly, is the first setting for the show. The second act was to deal with the genocide, especially the Indian Residential Schools affair, while the third featured the Vancouver serial killer victims, as in the reworked final stage version.

3. The accusation of cultural appropriation

For the purposes of our investigation, however, it makes no sense to delve into details of the show or the merits of the artistic choices behind the original project and later alterations. The real crux of the matter is that this show never got staged at the place of controversy. The charge of cultural appropriation forestalled this: it did not stem from judgments by an audience or critics on the play seen. While an important parallel in the theatre world can be found in Rustom Bharucha's accusation of cultural appropriation against Peter Brook's *Mahabharata* in 1988, a basic distinction must be

¹⁶ On this topic see the website of the National Inquiry into Missing and Murdered Indigenous Women and Girls: <https://www.mmiwg-ffada.ca/fr/?s=Vancouver>.

¹⁷ M. C. Mirandette, *Hélène Choquette, réalisatrice de Lepage au Soleil : à l'origine de Kanata*, cit., p. 15.

¹⁸ Cf. A.M. Monteverdi, *Il teatro all'epoca del Lorem Ipsum. Il debutto di Kanata di Robert Lepage/Théâtre du Soleil*, cit.

drawn¹⁹. Bharucha, the New Delhi professor and expert on interculturalism in the theatre, made a detailed analysis of the show, and criticized the British director for failing to grasp and banalizing Indian culture, betraying an incurable colonialism of approach.

The charge of cultural appropriation against Lepage and Mnouchkine thirty years after Brook's case was made quite without seeing the work in question and ignored the artistic quality of their work. It was really to do with the two artists' decision to work exclusively with the company of the Théâtre du Soleil. After a pause for reflection they stuck to that decision to the end, rejecting the appeal to include native actors. Working with Théâtre du Soleil artists was actually a point they hammered home. For the company that Mnouchkine founded in 1964 in Paris does itself have multiethnic origins: it included members of varying backgrounds with their personal histories of flight and exile²⁰. Their dramas made them intrinsically sensitive to the social plight of immigrants and *sans-papiers* thronging the French capital and increasingly the world at large, now that massive migration has set in. The actors chosen for *Kanata* seemed predisposed precisely to understand the plight of the autochthonous. That is quite clear in the documentary *Lepage au soleil*: one sees the actors mulling over their own lot so as to empathize better with the natives who were coopted and asked to relate their own stories of violence and suffering. For though the show did not include native actors, it was richly based on exchanges (captured by Choquette) above all with native women who publicly told of their own tragic history. Dialogue with representatives of the native populations ran throughout preparation of the show; nor was this Lepage's first contact with the First Nations. Back in 2011 he staged *La Tempête à Wendake*: Shakespeare *Tempest* at Wendake village, the American-Indian reservation in Quebec, with Grand Chief Konrad Sioui – a hereditary chief of the Bear Clan of the Huron-Wendat Nation – figuring among the actors.

The company's reserves of empathy, and general ability to put themselves in other people's shoes as a basic principle of their theatre, was indeed the main argument that Lepage employed right from the time of *SLĀV*, was we have seen²¹. In her turn,

¹⁹ Cf. R. Bharucha, *Peter Brook's "Mahabharata": A View from India*, in "The Journal of Cinema and Media", 35 (1988), pp. 33-62.

²⁰ For the history of the Théâtre du Soleil see at least: B. Picon-Vallin, *Le Théâtre du Soleil. Les cinquante premières années*, Actes Sud, Arles 2014.

²¹ See footnote 7.

Ariadne Mnouchkine appeals to a universalist vision based on the great communal History of Mankind which upholds the freedom of anyone – especially artists – to draw on other people’s culture with respectful acknowledgment²². She rejects all idea that culture is physical or intellectual property; she acknowledges the claims of the autochthonous Canadian peoples over the years, but draws a distinction between them and the charges made against *Kanata*, which she sees as a witch-hunt prompted by ideological blindness. Mnouchkine recalls that in July she and Lepage had a long meeting in Montréal with those who wanted the show called off. The meeting lasted five and a half hours and might have gone on longer, proving promising on «le chemin difficile de la compréhension et de la réconciliation». But the next day, she describes, a violent reaction set in, largely got up on the social media by people who were not just against the show, but didn’t even want any attempt to meet and try for reconciliation; at which point she and Lepage decided to go ahead with the project²³.

In fact in their 5 September 2018 communiqué Lepage and Mnouchkine stated how, after their initial decision to suspend the show, they had resolved to go ahead: it «ne violait ni la loi du 29 juillet 1881 ni celle du 13 juillet 1990 ni les articles du Code pénal qui en découlent, en cela qu'il n'appelle ni à la haine, ni au sexisme, ni au racisme ni à l'antisémitisme [...]». It was perfectly legal by French Republican law: «ne s'estimant assujetti qu'aux seules lois de la République votées par les représentants élus du peuple français et n'ayant pas, en l'occurrence, de raison de contester ces lois ou de revendiquer leur modification, n'étant donc pas obligé juridiquement ni surtout moralement de se soumettre à d'autres injonctions» and it was upheld by the «principe inaliénable de la liberté de création»²⁴. Refusing to bow, legally and above all morally, to any but State injunction, the only judgment they courted was that of the audience at the show.

²² Cf. the interview with Ariane Mnouchkine by Joëlle Gayot for “Telerama” on 18 September 2018: *Ariane Mnouchkine: “Les cultures ne sont les propriétés de personne*, and published on the company's institutional website <https://www.theatre-du-soleil.fr/fr/a-lire/ariane-mnouchkine-les-cultures-ne-sont-les-proprietes-de-personne-4263>. Accessed 15 November 2020.

²³ *Ibidem.*: «Mais, le lendemain matin, attaquèrent et frappèrent tous ceux qui ne voulaient surtout pas que cette réunion, à laquelle ils n'avaient pas assisté, aboutisse à une entente. Et, je l'admets aujourd’hui, Robert et moi avons été en proie à la sidération face à la puissance d’intimidation et de désinformation de certaines tribunes ou blogs et aussi des accusations de toutes sortes qui jaillissaient sur les réseaux sociaux où sévit une multitude d’anonymes. Après l'annonce de l'annulation, beaucoup des artistes autochtones, rencontrés ce soir-là, ne cachèrent pas leur désappointement et même leur désapprobation devant une issue qu'ils n'avaient jamais demandée. Nous nous sommes donc ressaisis et avons décidé que la meilleure réponse serait le premier épisode du spectacle lui-même».

²⁴ The 5 September 2018 statement can be read on the official Facebook page of the Théâtre du Soleil: <https://www.facebook.com/theatredusoleil/posts/335684540503792>. Accessed: 15 July 2020.

Mnouchkine and Lepage's defence may be summed up in these terms: rejection of culture being seen as property; the right to creative freedom based on a universal principle common to the whole human race and, more specifically, upheld by French law as a democratic right; also the peculiar quality of theatre, that it can embody or incarnate other people. The natives' case can be summed up as the complaint that the show ignored them, reinforcing a long-standing colonialist and racist attitude, and failing to take account of Canada's peculiar historical, political and social context.

4. A problematic notion

From all that we have been saying one first question arises: does it make sense to consider the cultural appropriation issue in neutral terms as is often done, or to acknowledge it only when there is an imbalance in the power ratio between the two parties, loading the situation with negative feeling? Such an acknowledgment would force us to consider the problem from an ethical angle and, with regard to the aesthetic dimension, from a normative angle. A second question, on which for example Rodney William dwells, is whether the cultural appropriation issue must, as often happens, get bogged down in arguments about who is right and who wrong and assuming that the way out is all to do with that, or should we not, rather, delve more deeply into the significance of such a topical phenomenon?²⁵ And associated with this question is Goffrier's imperative: to get out of the «opposition binaire entre l'appropriation culturelle et la liberté d'expression».²⁶

Many authors think that today we cannot define cultural appropriation in isolation from the power that a dominant culture wields over a subordinate one²⁷. However, in

²⁵ Cf. Rodney William, *L'appropriation culturelle* (2019), traduit par P. Anacaona, Anacaona, Paris 2020, p. 13.

²⁶ E. Groffier, *Dire l'autre. Appropriation culturelle, voix autochtones et liberté d'expression*, cit., p. 8.

²⁷ In addition to the aforementioned writings by E. Groffier and R. William, see also among others: L. Ypi, *What's Wrong with Colonialism*, in "Philosophy & Public Affairs", 41, 2 (2013), pp. 158-191; G.P. Nicholas and A. Wylie, "Do not do unto others ...". *Cultural Misrecognition and the Harms of Appropriation in an Open-Source World*, in Scarre, Geoffrey and Robin Coningham (ed. by), *Appropriating the Past: Philosophical Perspectives on the Practice of Archaeology*, Cambridge University Press, Cambridge 2013, pp. 195-221; H. Liberto, *Exploitation and the vulnerability clause*, in "Ethical Theory and Moral Practice", 17 (2014), pp. 619-629; A. Patten, *Equal recognition: The moral foundations of minority rights*, Princeton University Press, Princeton 2014; M. Siems, *The law and ethics of 'cultural appropriation'*, in "International Journal of Law in Context", 15 (2019), pp. 408-423. DOI: <https://dx.doi.org/10.2139/ssrn.3531196>.

the study that James O. Young published in his 2008 *Cultural Appropriation and the Arts* – one of the first and still broadest analyses on the realm of the arts made from a philosophical-aesthetic slant – the link between the phenomenon of appropriation and power relations is not binding. Young argues that appropriation is what «occurs across the boundaries of cultures. Members of one culture (I will call them *outsiders*) take for their own, or for their own use, items produced by a member or members of another culture (call them *insiders*)». And he specifies that the term used in his essay

does not necessarily carry with it any moral baggage. Someone might prefer to use the concept of cultural appropriation to designate an objectionable class of transactions. Such people would distinguish cultural appropriation from cultural exchange or cultural borrowing, which could be unobjectionable. I will apply the concept of cultural appropriation to any use of something developed in one cultural context by someone who belongs to another culture. I will then try to distinguish between objectionable and unobjectionable cultural appropriation.²⁸

As in others of his publications²⁹, Young specifies the conditions in which cases of cultural appropriation are deemed offensive and hence morally to be condemned and insists on refusing to generalise about the morality of what, *inter alia*, he calls «subject appropriation», i.e. when the appropriation involves representing other people³⁰. But the real discriminant is quite simply the cultural difference, not the power relationship between different cultures. And the same, all in all, is the finding of the copious literature that has sprung up around the issue in recent years, most of which is philosophical³¹; otherwise, the focus on power relations is typical of Cultural Studies.

Interestingly, the *Oxford reference* recognises one significant early discussion on the concept of cultural appropriation in 1976 by Kenneth Coutts-Smith, historian of art and culture, critic and artist, who came from Denmark but became Canadian by

²⁸ J.O. Young, *Cultural Appropriation and the Arts*, Blackwell Publishing, MA/Oxford 2008, p. 5.

²⁹ Cf. J.O. Young, *Profound Offense and Cultural Appropriation*, in “The Journal of Aesthetics and Art Criticism”, 63, 2 (2005), pp. 135-146.

³⁰ Cf. J.O. Young, Conrad G. Brunk, *The Ethics of Cultural Appropriation*, Blackwell Publishing Ltd, MA/Oxford 2009.

³¹ Among the most recent studies also with respect to the question of normativity see: C. Thi Nguyen, M. Strohl, *Cultural appropriation and the intimacy of groups*, in “Philosophical Studies”, 176, 4 (2019), pp. 981–1002. DOI: <https://doi.org/10.1007/s11098-018-1223-3>.

adoption, and an expert on Inuit culture to boot³². Coutts-Smith in his *Some General Observations on the Concept of Cultural Colonialism* adopted a Marxist standpoint hinging on the concept of «class appropriation»; he pointed out that the concept of cultural appropriation stemmed from existing and historically contextualized power relations, and hence challenged the paradigm of art being «extra-historical» which underlies the «Eurocentricity» of the critical assumptions behind most contemporary art and is a clear feature of «Cultural Colonialism». Coutte-Smith acknowledges quite clearly that «The problem does not only reside primarily in the emergent Third World countries, but everywhere. One crucial area, for instance, is located in the clear policy of cultural genocide through assimilation that is currently being practised in North America (and elsewhere in regard to the indigenous peoples)»³³.

From the 1980s on, the term caught on more and more in America, with different shades of meaning, but from the 1990s it has been Canada in relation to indigenous culture that the concept of cultural appropriation has been most clearly defined as political and economic dominion by one culture over another in a colonial setting³⁴. Articles by Hartmut Lutz, Rosemary J. Coombe and by Loretta Todd written at that time show how that reading of the term is closely linked to colonial and post-colonial Canada and to accusations of government abuse of native populations. One such case cited by Lutz is the «Oka crisis», the first violent territorial dispute between natives and the Canadian government to have been taken up widely by the media³⁵.

As reported by Janice Hladki quoting Judith Butler – always in writings from the 1990s – the term is «a site of permanent openness and resignifiability»³⁶. It is a term that changes and takes on different meanings according to the context in which it is

³² «Cultural appropriation» in *Concise Oxford Companion to English Literature*, Oxford University Press, Oxford 2007³; Kenneth Coutts-Smith, *Some General Observations on the Problem of Cultural Colonialism*, paper delivered in September 1976 at Lisbon during the Congrès de l'Association Internationale des Critiques d'Art, now in «Cultural colonialism. Third Text», 16, 1 (2002), pp. 1-14.

³³ Ivi, p. 14.

³⁴ For a genealogical reconstruction of the term 'cultural appropriation' from the 1980s to 2017, see <http://thomasvconti.com.br/tag/apropriacao-cultural/>, and the reference to it in Brazilian studies made by Rodney William in *L'appropriation culturelle* (2019), 2020, cit., p. 37.

³⁵ Cf. L. Hartmut, *Cultural appropriation as a process of displacing peoples and history*, in «The Canadian Journal of Native Studies», X, 2 (1990), pp. 167-182; R.J. Coombe, *The Properties of Culture and the Politics of Possessing Identity: Native Claims in the Cultural Appropriation Controversy*, in «Canadian Journal of Law and Jurisprudence», VI, 2 (1993), pp. 249-285; L. Todd, *Notes on Appropriation*, in «Parallelogramme», 16, 1 (1990), pp. 24-33. On the «Oka crisis» see, as suggested by E. Groffier, I. Saint-Amand, *La crise d'Oka en récits. Territoire, cinéma et littérature*, Presses de l'Université Laval, Québec 2015.

³⁶ J. Hladki, *Problematizing The Issue of Cultural Appropriation*, in «Alternate Routes», 11 (1994), pp. 95-119.

used. It is no less interesting to note that in Quebec during the 1980s cultural appropriation was applied not just to the native populations. This is clear from the conference on cultural appropriation organized in 1988 by the Société d'histoire du théâtre du Québec at the Université du Québec, Montréal (UQÀM)³⁷, the French-speaking university that started up in 1969 as an act of political democracy claiming the French-speaking population's right to study and thus redress the balance that favoured the richer English-speaking population. In Québécois theatre at the time cultural appropriation meant borrowing from and appropriating parts of classical or French Canadian theatre. It was seen as something positive, recognition for the creativity of people culturally dominated by the English-speaking world (like the Québécois who descended from French colonists), recognition for its universal status which the «powerful cultures» denied³⁸. Implying as it did a power relationship, it helped establish Québécois identity. The space of thirty years or so saw a radical change of perspective: from English speakers demanding that the French speakers should «speak white», to representatives of the First Nations, backed by much of public opinion, challenging the right to speak on behalf of the autochthonous. It should be noted that in the same academic context of the UQÀM, in 2018, just before the controversy over the Lepage shows, another conference on the subject of cultural appropriation concerned the culture of natives and the conflict between protection of their heritage and freedom to create on the part of non-natives³⁹.

In the more recent literature even when the term cultural appropriation is used as a «descriptive term», as by Erich Hatala Matthes, referring to «the use of the stories, styles, motifs, etc. of a particular cultural group by outsiders to that group», in the end «what makes cultural appropriation wrong [...] is the way it interacts with the oppression of certain cultural group members»⁴⁰. Its wrongfulness is not just due to its being outsiders who cause it, but the presence of power mechanisms, or to be precise oppression. A point which clearly ties up still further to the dominion factor we

³⁷ D. Lefrançois, M-A. Éthier, *SLÀV: une analyse de contenu médiatique centrée sur le concept d'appropriation culturelle*, cit..

³⁸ J.C. Godin, N. Chaurrette, J. Kwaterko, D. Lemahieu, M. Tremblay, *Table ronde. L'appropriation culturelle du théâtre québécois*, in "*L'Annuaire théâtral. Revue québécoise d'études théâtrales*", 5-6 (1988-1989), pp. 75-94.

³⁹ Cf. the report on the conference which took place on April 4 and 5, 2018 at UQÀM, Faculté de sciences humaines: M. Darsigny-Trepanier, C. Nepton-Hotte, L., Jérôme, et J-P. Uzel, *L'appropriation culturelle et les peuples autochtones : entre protection du patrimoine et liberté de création*, GRIAAC, Montréal 2019.

⁴⁰ E.H. Matthes, *Cultural appropriation and oppression*, in "Philosophical Studies", 176 (2019), pp. 1003-1013.

recognise in the act of appropriation. This point seems to go beyond the issue of belonging by right to a cultural group – of being insiders or outsiders –, which is often taken to be decisive in defining the lawfulness or otherwise of cultural appropriation, and which Matthes includes under the term «cultural essentialism»⁴¹.

Furthermore, to return to the Canadian context, it is important to remember that since 2015, the Canada Council for the Arts has, as part of a programme carried out by the Truth and Reconciliation Commission, promoted collaboration between indigenous and non-indigenous artists⁴². In particular in 2017, as a demonstration of the ethical implications that the issue has in this country, the Council expressed itself specifically on cultural appropriation. It affirmed the importance of «Supporting Indigenous art in the spirit of cultural self-determination and opposing appropriation» underlining how the dividing line between artistic collaboration and cultural appropriation is very thin⁴³.

The awareness that the real discriminant is the strong power relationship between different cultures leads us take Uzel's suggestion into consideration, namely that we may distinguish cultural appropriation from «artistic appropriation» and recognise that a relationship of dominance *is* binding in the case of cultural appropriation⁴⁴. For Uzel «La position des artistes appropriationnistes et celle des artistes taxés d'appropriation culturelle contrastent fortement. Alors que les premiers n'hésitent pas à explorer et à enfreindre les limites du droit de propriété et à en assumer les conséquences devant les tribunaux, les seconds se protègent derrière la légalité de leur démarche»⁴⁵. Artistic appropriation is a widespread phenomenon in the globalized and multiethnic world which is tending to a kind of standardization among 'equals'. It hence entails issues like copyright, intellectual property, a work's originality or inauthenticity; its main issues are connected with intercultural dialogue, de- and re-contextualization of artworks or features of one cultural dimension from and to

⁴¹ E.H. Matthes, *Cultural Appropriation Without Cultural Essentialism?*, in "Social Theory and Practice", 42, 2 (2016), pp. 343-366.

⁴² About the Truth and Reconciliation Commission see on the Government of Canada website:

<https://www.rcaanc-cirmac.gc.ca/eng/1450124405592/1529106060525>.

⁴³ See the website of the Canada Council for the Arts: <https://canadacouncil.ca/-/media/Files/CCA/Corporate/Governance/Policy/CCA/CCASupportingIndigenousArt.pdf>. On this see also J-P. Uzel, *Un dramaturge et un Iroquois à Paris. L'affaire Kanata*, cit..

⁴⁴ J-P. Uzel, *Appropriation artistique versus appropriation culturelle/ Artistic appropriation versus cultural appropriation*, cit..

⁴⁵ *Ibidem*. On "subject appropriation" see in particular J.O. Young, S. Haley, 'Nothing Comes from Nowhere': Reflections on Cultural Appropriation as the Representation of Other Cultures, in J.O. Young, C.G. Brunk (ed. by), *The Ethics of Cultural Appropriation*, cit., pp. 268-287.

another. In that area one might apply the kind of regulatory typological distinctions on appropriation proposed by Young which would cover a wide range of cases. For instance, one could apply the already mentioned category of «subject appropriation»⁴⁶ to cases of theatre and artists who in their artworks represent individuals or institutions from another culture. Such appropriation would imply a dearth of representation of the other party. As Young says, subject appropriation has sometimes been called «‘voice appropriation’, particularly when outsiders represent the lives of insiders in the first person»⁴⁷. The theatre’s classic principle of putting oneself in the shoes of others would thus fit *Kanata* down to the ground. Aesthetic problems may arise from this kind of appropriation when the artwork in question is of poor quality; as Young puts it, when outsiders represent other cultures they will do so «clumsily, in a way that distorts the culture of insiders»⁴⁸. Likewise, again according to Young, ethical questions could arise. Misrepresentations produced by outsiders could be harmful or otherwise morally problematic.

But this separation between artistic appropriation and cultural appropriation proposed by Uzel is not so obvious, and needs to be gone into more deeply. How far can one keep art and culture distinct? And ought aesthetics only to deal with issues to do with artistic appropriation? Where only formal questions are supposed to be involved? Or may it also be relevant to cases of cultural appropriation?

5. Representing the subaltern, aesthetics issues

The issue raised by *Kanata* concerns more radically the representation of other people, other cultures, not just because the charge of appropriation does not in this case reflect a judgment on the work (which the accusers had not seen), but because it ultimately involves the right to speak *for* and represent others in a situation of dominant-subaltern dynamics. In this case reflections concerning intercultural or transcultural theatre come second, subordinate to the radical question of having freedom of expression when representing a subaltern other. Aesthetic judgement in this case is not just about the artwork so much as the experience of those ‘consuming’ it, or who are meant to consume it, as well as those creating it. Remember that with

⁴⁶ J.O. Young, *Cultural Appropriation and the Arts*, cit., p. 7.

⁴⁷ *Ibidem*.

⁴⁸ *Ivi*. p. 34.

Kanata the issue is a conflict between the intrinsic nature of theatre to embody other people, and the illegitimacy of so doing in a particular instance.

The peculiar fact about theatre is the crux of our case, which means it cannot be likened to other cases occurring in the cinema where the charge of cultural appropriation could concern the fact that, for instance, the racial (or ethnic) background of a character does not match the background of the actor or actress portraying that character; the aesthetic issues that can be raised in such cases do not count with the theatre⁴⁹. The difference is aptly pointed out by Lepage in the documentary *Lepage au soleil* when he argues that cinema is «autre chose», from theatre: in cinema one is unlikely to get an actor to play a role if she/he does not correspond ethnically, whereas theatre wants just that, to interpret other people.

The issue of speaking for and representing the subaltern was forcefully raised in 1985 by the philosopher Gayatri Chakravorty Spivak and her «Can the subaltern speak?»⁵⁰. Spivak's labour of deconstruction laid bare the contradictions of post-colonial thinking and how, even with the best intentions of empathising and 'coming to meet', the old patterns of domination and negation get reiterated; its full statement was *A Critique of Postcolonial Reason*⁵¹. Her argument stems from cases of gender subalternity: indian women and, more generally, Third World women. With all the radical arguments of a Kant, that work challenges the whole possibility of the White Male Subject and his ethnocentric, totalitarian thinking (underlying the epistemology of western knowledge) claiming to represent a subaltern 'other'. The question of representing the other, with its risk of reifying the subaltern and repeating the game of «knowledge as power» is summed up by Spivak in the twofold meaning of representation: «speaking for» (*Vertreten*) and «re-presenting» (*Darstellen*). She associates the first meaning with politics, delegation to a person or group; the second refers to the arts, literature and philosophy. It is no coincidence that Spivak's theories are having ever greater resonance also in Performance Studies, where reflections on gender, race and minority issues linked to a postcolonial perspective are increasingly making themselves felt.

⁴⁹ Cf. On this topic see C. Mag Uidhir, *The Aesthetics of Actor-Character Race Matching in Film Fictions*, in "Philosophers'Imprint", 12, 3 (2012), pp. 1-17.

⁵⁰ G.C. Spivak, *Can the subaltern speak?*, in C. Nelson, L. Grossberg (ed. by), *Marxism and the Interpretation of Culture*, University of Illinois Press, Urbana 1988, pp. 271-313. Cf. also *Subaltern Studies: Deconstructing Historiography*, in R. Guha and G.C. Spivak (ed. by), *Selected Subaltern Studies* Oxford University Press, Oxford 1988.

⁵¹ G.C. Spivak, *A Critique of Postcolonial Reason*, Harvard University Press, Harvard 1999.

Cultural appropriation, as considered in our case of theatre, must reckon with the aesthetics of representation, in particular representation of the other especially when the latent implications of dominion are ignored. The art of theatre, which thrives on subverting the principle of identity and, more than other art forms, expresses the crossover between particular and universal, seems the ideal place from which to observe the twofold representational mechanisms of «speaking for» and «re-presentation» with a view to critique. Theatre is likewise the ideal place to observe imagination at work which, with its make-believe overriding of reality, is essential not just to the theatre but to aesthetics as well – Kant *docet* – in enabling transition from the particular to the universal. Consistent therefore with her intention of following in Kant’s footsteps, Spivak gives crucial importance to the imagination as the tool whereby we rethink the ethical relationship between identity and otherness. The particularity of theatre, that it shows the universal beginning from the particular – the story, the particular episode enacted which is universally understood by the audience – , raises useful arguments for rethinking the critique of Kantian judgement. Hence rethinking the issue of subjective universality which underlies aesthetic judgement. And theatre is also the artistic place where presence – physically being there in the flesh – still possesses basic ontological value. The same value as is claimed by those demanding to have natives in *Kanata*. In view of that particularity, one wonders whether the theatre can be the starting point for rethinking aesthetics and its basic principles.

Cultural appropriation seen through the lens of theatre thus poses crucial aesthetic questions concerning both ethics and politics. This applies not just to how the artist thinks when inventing a representational piece, but also to the spectator, in fact in cultural appropriation the role of the spectator is of the essence; the *Kanata* affair raises the spectator issue even though it failed actually to have any ‘real’ spectators. If in this case, as we said, aesthetic judgement is not so much about the work of art but the experience of those consuming it, as well as those creating it, then the normative issue designed to clarify the criteria defining the taste-based judgement underlying aesthetic experience becomes fundamental. The normative side to judgement underlying aesthetic experience needs exploring on the wicket of subjectivity and emotional experience which fuels inter-subjectiveness in the collective consumption

of a theatrical event⁵². Likewise, the ethical side ought to be considered in relation to the normative side of aesthetics even when thoughts about cultural appropriation, albeit in neutral mode, incline one to conceive the aesthetic norms simply in connection with «aesthetic achievements»⁵³.

The media echoes from *SLĀV* and *Kanata* raised complex issues and violent ideological feelings, and thus entail the dynamics of «consensus» and «dissensus» experienced by the «spectateur émancipé», the basis on which Jacques Rancière built much of his political reframing of aesthetics⁵⁴. The ideological outcomes to which the accusation of cultural appropriation is prone to lead force us to ask ourselves how this phenomenon will figure (if at all) in the broad spectrum of identity politics⁵⁵. And how far one can talk of iconoclastic tendencies reiterating rather than correcting the wrong one is trying to redress. From what Mnouchkine has stated, media hype weighed heavily in the decision whether or not to go ahead with staging *Kanata*; it seems also to have interfered with the dialogue, on the verge of agreement, with the signatories of the letter of accusation⁵⁶. There are also many writers who, in reference to the Canadian theatre issue, have summarily judged cultural appropriation to be an act of ideological violence, or have lumped it with issues of political correctness⁵⁷.

As has long been argued, the question of the aesthetic quality of the art product, its authenticity, the artists' freedom to represent what and how they want – in short the independence of art and the pillars on which western aesthetics rests – inevitably gets relativized in a postcolonial setting, since the dominant subject who established them from a position of power is now contested. The same also, and consequently, goes for the role of the spectator which many aesthetic theories skate over, tied as they still are to an essentialist view of art based on a-historical universalistic ideals. Once one acknowledges the dominant matrix from which they sprang, the pillars of aesthetics

⁵² On aesthetic normativity in relation to the inter-subjectiveness of taste, see S. Feloj, *Il dovere estetico. Normatività e giudizi di gusto*, Mimesis, Milano-Udine 2018.

⁵³ Cf. P. Pearson, *Cultural appropriation and aesthetic normativity*, in "Philosophical Studies" (2020), pp. 1-15. DOI: <https://doi.org/10.1007/s11098-020-01475-2>.

⁵⁴ Cf. J. Rancière, *Malaise dans l'esthétique*, Éditions Galilée, Paris 2004; J. Rancière, *Le spectateur émancipé*, La Fabrique éditions, Paris 2008.

⁵⁵ On this topic see at least: K.A. Appiah, *The Lies That Bind: Rethinking Identity*, Liveright, New York 2018; F. Fukuyama, *The Demand for Dignity and the Politics of Resentment*, Farrar Straus and Giroux, New York 2018; L. Dubreuil, *La dictature des identités*, Gallimard, Paris 2019.

⁵⁶ Cf. Interview with Ariane Mnouchkine by J. Gayot: *Ariane Mnouchkine: "Les cultures ne sont les propriétés de personne"*, cit.

⁵⁷ Cf. M. St-Hilaire et C. Bellavance, *La critique d'appropriation culturelle : nouvel iconoclasme*, in "Inter, Art actuel", 132 (2019), pp. 8–15; I. Barbéris, *L'art du politiquement correct*, Puf, Paris 2019.

ought to be thought out and invented afresh. The process should delve deep like Kant – though going beyond Kant⁵⁸ –, challenging the system of *a priori* forms that underlie what presents itself to our perception and judgment; a process that challenges the configuration of what can and cannot be seen, the world in which the visible may include or exclude, re-thinking the relationship between particular and universal starting from the *absolute given* of the context, the spatio-temporal juncture with its historical past from which we think and observe. We wonder, then, if and how the *a priori* form of transcendental subjectivity is still indispensable to define the aesthetic experience and define the criteria for evaluating it, including disinterestedness as the principle of universally valid judgment.

Again, the emergence of Cultural Studies in recent years has both brought crisis upon aesthetics, and prompted a revival of it⁵⁹. Which makes one think that Lepage and Mnouchkine's statements of position may be consistent rather with the aesthetic principles of the Modern Age, while the First Nations' statements demand that we rethink aesthetics in relation to the present time. Thoughts and experiences by members of underrepresented groups and from non-European traditions could cast light on the philosophical concepts of the aesthetic. Should one in that case conclude that cultural appropriation has to do exclusively with cultural studies involving anthropological, social and political matters and not aesthetics proper? While the discipline of aesthetics has always extended over an area of uncertain boundaries, nowadays it cannot ignore either the issue of cultural diversity or the ethical and political identity implications which are now no longer an exclusive appurtenance of sociology or ethno-anthropology⁶⁰. Aesthetics must succeed in doing this not just by using categories taken from other disciplines (it is actually other disciplines that

⁵⁸ Cf. J. Winchester, *Understanding Aesthetic Judgments Across Cultural Borders: bell hooks, Kant, and Cornel West and the Understanding of Aesthetic Judgments of Others*, in "The Southern Journal of Philosophy", XXXVIII (2000), pp. 499-525.

⁵⁹ On the relationship between Aesthetics and Cultural Studies see at least: M. Bérubé (ed. by), *The Aesthetics of Cultural Studies*, Blackwell Publishing Ltd, Oxford, UK 2005; M. Roelofs, *The Cultural Promise of the Aesthetic*, Bloomsbury, London 2014; N. Holm, P. Duncan, *Introduction: Cultural Studies, Marxism and the Exile of Aesthetics*, in "Open Cultural Studies", 2 (2018), pp. 746–757. DOI: <https://doi.org/10.1515/culture-2018-0067>; among the Italian studies: G. Patella, *Estetica culturale. Oltre il multiculturalismo*, Meltemi Roma 2005; A. Contini, *Estetica e diversità culturale*, Aracne editrice, Roma 2013.

⁶⁰ On the theme of aesthetics in relation to cultural diversity in contemporary multicultural society and the questioning of the epistemological foundations of judgment based on Kant's theory, see E. Elliott, L. Freitas Caton, J. Rhyne (ed. by), *Aesthetics in a Multicultural Age*, Oxford University Press, USA 2002.

unwittingly use aesthetic categories), but searching within itself for the implicit and essential ethical and political core assumptions by which to interpret the present.