

The Sufficiency of Understanding for Moral Justification in Cultural Appropriation

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Abstract: In contemporary debates on cultural appropriation, “understanding” is frequently seen as a moral defense. This paper argues that such appeals are conceptually and structurally insufficient for moral justification. Conceptually, I argue that moral evaluation must distinguish between the quality of an agent’s motivation and the normative status of the act. To ground this claim, I turn to deontological ethics, particularly Kant’s insight that an action has moral worth only if done from duty, not merely in accordance with it. From this perspective, understanding is an empirical motive that falls short of the demand to act out of respect for moral law. Consequentially, I situate this analysis within real-world conditions of structural inequality, showing how a focus on individual understanding often diverts attention from systemic harms, such as epistemic injustice and unequal cultural benefit. The paper concludes that treating epistemic virtue as sufficient for moral justification involves a category mistake in applied ethics, and that clearer distinctions are needed in evaluating cultural practices under conditions of social inequality.

1. Introduction

In 2017, the Whitney Museum of American Art exhibited *Open Casket* by the American artist Dana Schutz. *Open Casket* was a painting that portrays the mutilated body of Emmett Till, a Black teenager lynched in 1955. Schutz and her defenders framed the work as an attempt to foster understanding of racial trauma with empathetic engagement regarding Black historical suffering across the color line.^[1] Curatorial and philosophical discourse surrounding the painting maintained that its artistic value, together with the artist’s extensive research into the historical event, made the work a respectful gesture of cross-racial solidarity. Critics, however, questioned whether such seemingly sincere understanding, could justify the representation of Black suffering by a white artist operating within a mainly white art institution. In 2012, the Navajo Nation filed a trademark infringement lawsuit against Urban Outfitters over its use of the “Navajo” label on products decorated with geometric patterns drawn from Diné weaving traditions. The company later defended the practice by describing the designs as generic and appreciative, and by denying any intent to offend.^[2]

While the previous two cases represent explicit and highly visible examples, other forms of cultural appropriation operate more quietly without open defense. Consider the widespread

circulation of the “Clean Girl Aesthetic” on TikTok, a style that draws heavily on aesthetic practices of Black and Latina culture, and is now performed by primarily white content creators worldwide. Presented as a universal expression of Minimalist fashion, the trend largely escapes ethical scrutiny. Its cultural origins are blurred, even as its visual codes are rewarded by algorithms. Appropriation becomes morally invisible precisely because it is viewed as a neutral and inclusive aesthetic instead of a culturally situated practice.

These examples varied in visibility are connected by a moral instinct that understanding can function as a source of moral justification. In museums, understanding appears as research intent. In commercial contexts, it takes the form of aesthetic appreciation or claims of homage. Across these settings, a common assumption that understanding is sufficient to render cultural use morally acceptable emerges. Yet this assumption remains philosophically questionable. What, exactly, does understanding justify, and what does it fail to justify?

This paper approaches that question by drawing a clear distinction between the agent’s psychology and the morality of the act. While understanding may reduce personal blameworthiness, it still remains a feature of the agent’s inner state. It cannot resolve the deeper, normative question of whether the act itself is morally justified. To explore this, I first employ a Kantian ethical framework, arguing that even the most sincere understanding fails as a moral justification if the act of appropriation is based on a rule that cannot be universally applied, or if it instrumentalizes a cultural community for the agent’s own ends. This reveals a conceptual flaw in the “understanding defense” that it confuses subjective feelings with objective moral reasons. Following that, I examine how this flawed defense operates within contexts of structural injustice. In situations featured by historical inequality and asymmetric cultural power, personal understanding often serves to individualize and obscure systemic issues such as the ongoing exploitation or the erosion of cultural sovereignty. I will present an argument of cultural appropriation with a dual framework of analysis: one that exposes the logical insufficiency of “understanding” as a moral defense, and another that reveals its role in perpetuating unequal social structures.

2. The “Understanding Defense” and its Philosophical Relevance

In contemporary discourse, “understanding” has become a common defense against accusations of cultural appropriation. When criticized for using elements from marginalized cultures, appropriators often cite their appreciation or deep knowledge of the source culture. This defense relies on a seemingly reasonable moral intuition: if one acts from genuine understanding and respect, one’s actions cannot be morally wrong. The philosopher James O. Young captures this intuition when he suggests that “the real problem isn’t that it’s difficult to decide who owns culture; it’s that the very idea of ownership is the wrong model” ^[3]. This perspective, which emphasizes the fluid and shared nature of culture, underpins the common defense that understanding and appreciation render appropriation permissible. In *Cultural Appropriation and the Arts* (2008) ^[4], Young acknowledges that while many instances of appropriation cause genuine harm, art as a practice cannot develop without the transformation and re-contextualization of existing cultural materials (Young 2008, p. 91). He also proposes that when appropriation involves “sufficient transformation” and serves a “genuine aesthetic purpose,” it may be permissible even without explicit consent, precisely because the artist’s deep understanding of the source material’s aesthetic value justifies such creative re-use (Young 2008, p. 105). Another important defense of understanding-based justification comes from post-colonial cultural theory, particularly Homi Bhabha’s claim that culture is dynamic and historically hybrid, and it is not fixed or owned by certain cultural groups. In *The Location of Culture*, Bhabha argues that appeals to cultural authenticity rest on essentialist narratives that often obscure how cultures are continually shaped through forms like communication and reinterpretation (Bhabha 1994) ^[5]. From

this ontological view, the moral issue cannot be reduced to obtaining permission from an imagined original owner, since there exists no such primordial cultural proprietorship. Instead, ethical evaluation centers on the nature and depth of the engagement itself. An appropriator's understanding becomes the central basis for moral legitimacy when expressed through informed and respectful practice. If culture does not possess natural boundaries, then meaningful participation can be seen as contributing to cultural vitality.

Examining the implications of the "understanding defense" through a philosophical lens is significant. In a Kantian framework, such defenses are fundamentally inadequate. Kant maintains that the only thing possessing unconditional moral value is a good will, and that an action has genuine moral worth only when it is undertaken from duty, meaning out of respect for the moral law itself, rather than merely conforming to duty or arising from personal inclination ^[6]. Within this framework, the moral evaluation of an action hinges on whether the maxim guiding it can be rationally willed as a universal law without generating contradiction. This deontological perspective offers a systematic foundation for assessing cases of cultural appropriation, including situations in which the agent acts with sincere appreciation or benevolent intent. The categorical imperative, especially the Formula of Universal Law and the Formula of Humanity, provides a normative criterion for such evaluation. On this account, moral justification requires that the agent's maxim be universally permissible and that the action treat persons, including members of the source culture, as ends in themselves rather than merely as means. Thus, the ethical status of cultural appropriation depends on whether the practice can be coherently universalized and whether it adequately respects the autonomy and dignity of those whose cultural expressions are appropriated. In Christine Korsgaard's Kantian interpretation ^[7], moral worth does not arise from personal feelings such as empathy or aesthetic appreciation, but from acting out of respect for duty. An action is morally justified only if it is motivated by recognition of the moral law, not by contingent emotional inclinations. Applied to cultural appropriation, this distinction reveals a fundamental weakness in appeals to "understanding." An appropriator may claim that their conduct is justified by sincere appreciation or deep cultural knowledge when their motivation remains grounded in subjective preference rather than in a duty to respect cultural autonomy. Although such behavior may conform to moral norms in outward form, it fails to satisfy the Kantian requirement that actions be performed from duty, not merely in accordance with duty. As a result, "understanding" may soften judgments about the agent's character, but it cannot, within a Kantian framework, confer genuine moral justification upon the act itself.

The "understanding defense" also conflates descriptive claims about cultural fluidity with normative permission by overlooking the unequal power relations that structure cultural exchange. Critics point out that even if cultures are inherently hybrid, the social and economic systems governing their circulation remain highly asymmetrical, determining who is able to benefit from cultural mobility (Shahvisi 2020) ^[8]. For many postcolonial subjects, culture is dynamic and hybrid, but its hybridity is not freely chosen; instead, it is historically produced through domination. Unless discussions of cultural hybridity confront the question of who appropriates and how such practices are configured by power and interest, they will likely serve to legitimize ongoing extraction while masking such practices as cosmopolitan openness.

In liberal societies, ethical evaluation often prioritizes the agent's inner state. An appropriator moved by genuine appreciation appears morally distinguishable from one driven by mockery or exploitation. Such prioritization resonates with ethical traditions that value subjective sincerity above the external effects of conduct. Yet this emphasis on subjective sincerity is ethically problematic: prioritizing psychological states in moral evaluation obscures the normative status of the act itself. This approach moves away from the question of whether the conduct honors the rights and agency of cultural communities, instead grounding ethical legitimacy in personal sentiment. When extended to more real-world contexts, its limitations become even more apparent, as it reflects a broader cultural

tendency to individualize moral responsibility. Such reasoning is not enough to address forms of injustice that operate at the structural level. Cultural appropriation frequently takes place within structures shaped by historical inequalities and ongoing economic exploitation.

The central question this paper addresses is whether understanding is wholly sufficient to justify cultural appropriation. My position is that it is not. Understanding alone cannot establish the overall moral rightness of the act. In a Kantian framework, moral worth arises only when actions are guided by duty and respect for persons, rather than by subjective appreciation. Even sincere engagement fails to establish moral legitimacy if the act instrumentalizes a cultural community or rests on a rule that cannot be universally applied. Moreover, prioritizing understanding overlooks the broader structural context in which appropriation takes place, where social and historical inequalities shape who benefits and whose culture is marginalized. Understanding can inform our assessment of an agent's motives, but it does not secure the moral rightness of the act itself. A comprehensive ethical appraisal must attend to both the normative quality of the action and the systemic effects of cultural appropriation.

3. Definitions

To ground the subsequent argument, it is essential to clarify the key concepts under discussion. For the purposes of this paper, cultural appropriation is defined as the adoption and use of cultural elements by members of one cultural group from another, undertaken without permission and often involving disregard for the original meaning or contextual significance of those elements (Young, 2008)^[3]. Such appropriation typically occurs when members of a dominant cultural group adopt and use cultural elements originating from a marginalized or distinct cultural community. By contrast, cultural integration denotes a reciprocal process of cultural interaction: different cultural groups retain their unique identities while engaging in mutual exchange within a broader social framework free from relations of domination^[9] (Berry, 1997).

Power is not simply possessed but exercised through discourse, knowledge, and social practices. (Foucault, 1977)^[10]. Power is productive, it operates through factors which in turn determine which cultures are seen and valued. In the cultural domain, these factors also determine which cultural elements are commercialized or marginalized.

Understanding, for the purposes of this analysis, is defined as the rational capacity to comprehend core cultural principles and act in accordance with universally valid maxims^[11]. In debates surrounding cultural appropriation, this concept of understanding is frequently mobilized as a moral defense, one that holds an agent's informed, respectful engagement with a culture's symbols, practices, or norms as sufficient to render acts of appropriation morally acceptable. Kazez described this approach as "serious, respectful and non-feistic investigations"^[12], indicating that careful attention might reduce ethical issues. However, this defense views private cognitive as sufficient to go beyond structural issues such as historical power asymmetry.

Moral justification is defined as an action when "an action is morally justified if and only if it can be justified to each person affected, no one could reasonably reject the principle that permits it"^[13]. Kantian and contractualist approaches to moral justification emphasize that an action must be guided by a principle that could be willed universally and must treat those affected as ends in themselves rather than instruments of someone else's purposes. In line with this perspective, understanding alone cannot establish the moral permissibility of cultural appropriation, as ethical evaluation must also attend to the collective autonomy of the relevant cultural community.

4. A Kantian Critique of “Understanding” as Moral Motive

4.1 The Normative Gap of Motivation between Acting in Accordance with Duty to Acting from Duty

The understanding defense argues that when an agent sincerely recognizes and respects a culture, this internal attitude can justify acts of cultural appropriation that might otherwise be morally questionable. To assess this claim, we turn to Kant’s well-known distinction between actions that merely conform to duty and those performed out of duty. Kant argues that moral worth belongs only to actions grounded in respect for the moral law itself, as such actions embody a good will, the only thing he deems “good without qualification.” Good will derives its value from unwavering commitment to moral obligation, different from “kindness” or “virtuous temperament”, reflecting an agency governed by principle, where moral requirements take precedence over inclination.

The unconditional value of a good will appears in two related ways. First, unlike traits such as bravery or intellectual ability, the good will’s adherence to the moral law cannot be reasonably compromised or traded off under any pressure, as exceptions to moral duty are never morally acceptable regardless of circumstances. Second, other goods, including pleasure, happiness, and intellectual accomplishment, retain their worth only insofar as they align with moral conviction. For this reason, the good will’s value hinges on its inherent fidelity to the moral law: even when ineffective in achieving external goals, it preserves its moral standing, embodying a basic orientation toward duty and a readiness to act because morality demands it. As finite rational beings, humans experience competing desires, so the moral law presents itself as a categorical imperative that governs their inclinations. By contrast, a divine will, were it to exist, would follow the moral law effortlessly, without inner resistance. What makes acting from duty possible for humans, then, is not the struggle between inclination and rational requirement itself, but their capacity to overcome this struggle through respect for the moral law. Kant further emphasizes that actions motivated by duty differ fundamentally from those that merely coincide with it: conduct driven by self-interest or other affective motives, even if outwardly moral, lacks genuine moral worth, as its conformity to the moral law remains merely contingent. Only actions motivated by respect for the moral law itself truly express such a will.

Applied to the understanding defense, this Kantian framework reveals a critical flaw: the appropriator’s appeal to “understanding” or “appreciation” fails to meet the criterion for a good will. These attitudes do not stem from recognition of moral obligation but from personal inclination or sensibility, treating psychologically admirable dispositions as if they could supply adequate normative justification.

Even when an agent’s motives approximate the good will, Kantian ethics insists that moral worth cannot rest on intention alone. What ultimately matters is whether the maxim underlying the action possesses a rational structure capable of universalization. Accordingly, evaluating the permissibility of cultural appropriation requires redirecting attention away from motivational states and toward the maxim governing the act itself. The understanding defense thus collapses a critical normative distinction: that between the quality of an agent’s motivation and the moral status of their conduct. To clarify, an appropriator motivated by sincere admiration may exhibit greater moral awareness than one driven by indifference or mockery, but this difference pertains to the agent’s character rather than the permissibility of the act. In Kantian ethics, moral legitimacy hinges on whether an action is performed out of duty and guided by a universally adoptable principle. Attempts to justify cultural appropriation by invoking personal “understanding” thus amount to a category mistake, as they confuse normative evaluation with psychological explanation. Ultimately, actions shaped by aesthetic interest or personal preference lack the distinctive moral standing associated with acting from duty.

4.2 The Limits of Motivational Justification

Acknowledging these limitations does not mean that “understanding” lacks moral relevance entirely. Critics of Kant often challenge his claim that duty-based action holds greater moral merit than action motivated by love or sympathy, an objection that carries particular weight in the context of personal relationships. In cases of cultural appropriation, understanding can lessen moral blame by demonstrating that an agent acted without malicious intent and with a measure of reflective care. In this regard, understanding provides mitigation in place of full moral vindication. Kant does not dismiss the significance of emotionally rooted motives, yet he holds that moral deliberation demands duty to carry decisive normative weight. A morally exemplary agent regards duty as a sufficient reason for action, remaining steadfastly committed to moral requirements even in the face of competing inclinations.

Even when benevolent motives are present, the permissibility of an action turns on whether its maxim satisfies the Categorical Imperative. Can the maxim be rationally willed as a universal law without contradiction? Does it treat persons as ends in themselves, instead of mere means to an end? So long as appeals to “understanding” are grounded in subjective aesthetic appreciation alone, they fail to meet this normative standard.

Consider the implicit maxim underpinning the “understanding defense”: If one sincerely understands and appreciates a culture, one is permitted to use its elements even without the consent of the originating community. If this rule were universalized, the principle would authorize unrestricted cultural appropriation grounded solely in personal admiration. Over time, cultural meanings would become severed from their historical and communal contexts, while the authority of cultural communities over their own traditions would be eroded. No rational agent could coherently will such a world, as it would undermine the very conditions that sustain meaningful cultural expression. The maxim therefore fails the universalizability test.

Understanding may shape our assessment of an agent’s intentions, but it cannot determine whether an action conforms to the moral law. Upholding the distinction between motivational appraisal and normative evaluation remains essential, for it ensures that ethical scrutiny of cultural appropriation does not rest solely on the inner attitudes agents claim to hold.

5. Why a Well-Intentioned Will Is Insufficient

5.1 The Formula of Humanity as a Standard for Moral Permissibility

After clarifying the limitations of the motivation-based understanding defense, our analysis must refocus on the moral status of the actions themselves. Kant’s Formula of Humanity provides a normative standard for evaluating such actions, one that reorients our evaluation criteria away from the agent’s subjective intentions toward how others are involved in and affected by the conduct. In his *Groundwork of the Metaphysics of Morals*, Kant states that “humanity itself is an end, not merely a means.” The Formula of Humanity requires us to treat others as dignified individuals in all our actions, in lieu of reducing them to mere tools for achieving personal goals. It clearly distinguishes human dignity from material or instrumental purposes, demanding that we respect others’ capacities and rights as independent beings in any interaction or action. This means that regardless of personal motives, judgments of moral behavior should not focus exclusively on the agent’s internal intentions; they must also consider the action itself and its impacts on others’ rights.

When applied to cultural appropriation, we must evaluate whether a given act of appropriation respects the autonomy and moral status of the community from which cultural elements are taken. Under conditions of power asymmetry and in the absence of meaningful consent, appropriation frequently treats cultural producers as tools for aesthetic or commercial gain. A notable example is

Dior's 2019 Fall/Winter collection, in which the brand employed traditional patterns and designs associated with Indigenous South American communities without explicit authorization. Dior's "Etnies" footwear line and related garments incorporated culturally significant elements that function as identity markers within Indigenous traditions. Although Dior may have been motivated by appreciation for these cultures or superficial associations as inspiration, it did not engage in meaningful communication with the relevant communities. This act directly resulted in the company selling Indigenous designs without authorization or compensation, reducing cultural heritage to a profit-making resource while disregarding the rights and agency of the communities that sustain these cultures.

From a Kantian perspective, this practice violates the Formula of Humanity. Regardless of the appropriator's professed appreciation or cultural sensitivity, such conduct fails to treat the affected communities as ends in themselves. In this case, cultural symbols were reduced to marketable fashion elements, valued primarily for their economic utility in place of their historical and social significance to their originating groups. Even if Dior claims its intent was to honor or celebrate these cultures, its actions do not demonstrate genuine respect for Indigenous autonomy or self-determination.

A similar case can be found in Zara's 2018 release of a T-shirt featuring the Chinese term "Xi Qing" (meaning "festive" or "celebratory"). In Chinese cultural contexts, this term carries specific symbolic and situational meanings, yet when placed into a global commercial setting by Zara, it was stripped of its cultural depth and treated as a mere decoration. This use failed to recognize the term's linguistic and cultural value within Chinese society. Such appropriation again falls short of treating cultural communities as ends, instrumentalizing their symbolic resources for commercial advantage.

Proponents of the "understanding defense" may object that sincere admiration signifies genuine respect in place of exploitation. However, Kantian respect demands more than aesthetic appreciation or symbolic reverence. Understanding and respect are not equivalent: within Kantian ethics, understanding relates primarily to cognitive recognition, whereas respect constitutes a deeper moral obligation requiring the practical acknowledgment of others' autonomy. Understanding may remain superficial, engaging only with outward cultural forms, while respect requires recognizing and upholding a community's actual rights and authority over its own culture. In many cases, the "understanding defense" is limited to surface-level appreciation and does not extend to genuine recognition of cultural ownership or agency. Consequently, it cannot satisfy Kantian moral requirements.

Cultural appropriation rarely can be grounded in authentic respect for cultural subjects, as appropriators typically do not share the lived historical burdens faced by the communities they draw from, including colonial oppression, genocide, or cultural erasure. While artistic freedom allows individuals and groups to express responses to shared histories or collective memories, mainstream cultural actors command disproportionately greater legal, economic, and communicative power. Even when appropriation is motivated by empathy or remembrance, the presumption that dominant groups may speak for marginalized communities risks further constraining those communities' interpretive authority over their own histories. In effect, appropriators assert control over cultural narratives and claim authority over how cultural resources are used.

As illustrated in earlier examples, some Western brands that appropriate culturally sacred or historically charged symbols often disregard their original emotional and spiritual significance, treating them as mere marketing devices. Such practices reinforce cultural hierarchies and weaken marginalized communities' control over their own cultural resources. In the absence of consent, appropriation subordinates the interests of source communities to external goals.

In sum, even well-intent appropriation carries the risk of treating cultural communities merely as means. The moral failure lies not in the agent's emotional disposition, in fact, it lies in the failure to respect the rational agency and self-determination of those whose cultural labor is being appropriated.

5.2 Instrumentalization and the Structural Dimension of Cultural Appropriation

The moral problem of cultural appropriation grows acute when it takes the form of instrumentalization. Drawing on the Kantian framework outlined earlier, instrumentalization in cultural appropriation consists in reducing cultural expressions to tools for advancing one's own projects, while neglecting the interests and rights of those who produce and sustain such cultures. Appropriators frequently take symbols, styles, and traditions out of their original social contexts, repurposing them within markets or cultural industries that primarily benefit more dominant groups. These groups already enjoy disproportionate creative authority and communicative power, which enables them to reinterpret cultural symbols outside their original contexts and to circulate them on a large scale without acknowledgment of origin.

They can also circulate these symbols on a large scale without acknowledging their origins. Consequently, appropriated cultural forms often forfeit their original meaning within the source community. In instances of greater severity, they become distorted or suffer aesthetic trivialization, justified in the name of creative freedom. Such transformations can reshape public understanding of the source culture itself, fostering misrecognition instead of genuine engagement.

This type of instrumentalization is exacerbated by structural inequalities that govern cultural circulation. Groups with greater economic and institutional power can extract value from marginalized cultures while remaining largely shielded from accountability. Power asymmetries afford value appropriation without reciprocal obligations of recognition, consent, or compensation. Under these conditions, appropriation cannot be defended on the basis of the appropriator's appreciative attitude alone. Regardless of individual intent, the practice continues to perpetuate patterns of domination and exclusion. The understanding defense may obscure this structural dimension by emphasizing the agent's intentions. Appreciation, nevertheless, does not counteract instrumentalization. An individual can value a cultural practice while still reducing it to a means for personal or commercial gain. Genuine moral respect, by contrast, demands that interactions with a cultural community uphold their authority over their own expressions and preserve their capacity for self-determination. When these conditions are absent, understanding does not function as a source of moral justification. Its primary role is that of a rhetorical strategy, one that mitigates yet fails to resolve the underlying ethical problem.

6. A Deontological Critique of the Virtue Ethics Defense of Cultural Appropriation

6.1 The Virtue Ethics Defense: Jane K. Cowan on Respectful Cultural Engagement

Within the ethical debate on cultural appropriation, virtue ethics offers an influential line of defense. Proponents like Jane K. Cowan^[14] argue that an agent's character traits, including intellectual humility, sincere regard for others, and a spirit of openness, alongside a serious grasp of cultural context, can make other factors in moral evaluation, such as rights and duties, comparatively secondary. In this virtue-based framework, the moral permissibility of cultural appropriation rests chiefly on whether the agent embodies these virtues. Its relevance does not hinge on the consequences for others or the impact on their rights.

In the view of virtue ethicists, cultural participation rooted in deep understanding and a non-instrumental attitude can be morally permissible, even commendable, when it avoids mockery and exploitation. This line of thinking dovetails with Aristotelian ethics^[15], which holds that moral judgment centers not on adherence to abstract universal rules (such as Kant's categorical imperative). Instead, it focuses on whether the agent cultivates excellence of character, exercises practical wisdom in specific situations, and strives toward personal flourishing alongside the common good. Cowan's argument resonates closely with this Aristotelian intuition: a morally admirable agent engages with

other cultures with genuine seriousness and respectful attention. The unique contribution of virtue ethics lies in its insistence that cultural appropriation cannot be treated as a morally uniform category. The agent's motivational orientation, underlying attitudes, and overall character all play a role in shaping ethical assessment.

What has yet to be adequately addressed, though, is a more fundamental question from Kantian deontology: whether good character alone can grant moral legitimacy to actions that may infringe on others' rights and autonomy.

6.2 Virtue Does Not Equal Moral Permission

From a deontological standpoint, moral evaluation turns on whether the maxim guiding an action can lay claim to universal validity. Virtue ethics frames moral assessment around whether an agent embodies good character, while deontology focuses on whether an action aligns with principles that all rational beings could recognize as morally binding.

For Kant, a good will does not automatically grant moral permission for an action. An individual may engage with another culture out of a sincere intellectual curiosity, rigorous scholarly engagement with its traditions, or a genuinely respectful stance toward it, yet still overstep the normative boundaries that safeguard the autonomy of other cultural communities. Good intentions, in such cases, do not provide adequate moral justification for such conduct. This underscores a sharp distinction in Kant's thought between the goodness of a person's will and the moral permissibility of their actions: a will may be morally praiseworthy, but an action is morally right only if the maxim upon which the agent acts can be universalized and does not treat others merely as a means to an end.

Virtue lacks the capacity for universalization in the same way that a moral maxim does. The Categorical Imperative is impartial and content-neutral, whereas virtue pertains to character traits shaped within specific cultural and situational contexts. Kant's universalization requirement mandates that all rational beings could abide by a given moral rule, with the morality of an action lying in whether its underlying rule can be logically universalized without generating contradiction. This means setting aside the specific contexts and substantive content of an action to examine the pure logical form of its maxim, and it holds that moral worth must derive solely from respect for rational moral law, unclouded by sensory inclinations. Virtue, by comparison, consists of states of character inherently bound up with affective dispositions such as honesty, and forms a kind of second nature forged through consistent moral habituation, making it deeply context-dependent.

Virtue ethicists might push back against this view by arguing that moral evaluation should focus on whether an agent truly possesses virtues like respect and justice, and whether they have acted in a way that fits a specific situation to advance the common flourishing of all involved. If these conditions are met, then the act of cultural appropriation in question could be morally good.

We cannot overlook, though, that an individual may claim to possess the virtue of respect in their inner life, with no objective way to verify this claim. If such an individual acts on the maxim that one may appropriate cultural elements without consent, universalizing this rule would unravel cultural meaning systems and undermine notions of cultural ownership a logical contradiction that renders the action inherently morally impermissible.

Thus, even if we grant that the respectful curiosity Cowan emphasizes counts as a genuine and valuable virtue, the mere fact that an agent possesses a given virtue does not justify the conclusion that this virtue alone is enough to override the rights and moral duties they owe to the relevant cultural communities. A virtuous character may lessen moral blame for an action, but it cannot take the place of a proper normative justification for the moral permissibility of that conduct.

6.3 Virtuous Curiosity and the Risk of Moral Overreach

Defending cultural appropriation through virtue ethics carries the risk of inadvertently eroding the moral boundaries that ought to exist between distinct cultural groups. By spelling out the implicit moral principle underpinning Cowan's defense, we can clarify its core logic: "If I engage with another culture with genuine respect, earnest engagement, and a non-exploitative approach, I hold moral entitlement to make use of its cultural expressions."

Upon testing this principle against Kant's universalization standard, its insufficient moral weight becomes evident. If anyone wishing to use elements of another culture only needed to judge themselves as having virtuous intentions to deem their actions morally justified, the moral authority of originating communities over their own traditions would be systematically undermined. Decisions regarding a culture would no longer rest with the community itself; their determination would hinge on an outsider's self-assessment of their own moral character. This lays bare the central flaw in virtue-based defenses of cultural appropriation: they misplace the locus of moral decision-making authority. Such defenses transfer the moral right to make use of another culture from the original community to the appropriator. In Kantian terms, this inverts the equal moral standing of all rational agents, placing one party's personal character on a higher moral plane than the other's fundamental right to cultural self-determination. Even an appropriator possessing profound knowledge, intellectual humility, or genuine sincerity can never self-grant the moral permission to engage in such an act.

6.4 The True Meaning of Respect: Recognition of the Other's Autonomy

Virtue ethics often characterize respect as an internal quality like an attitude, a dispositional sentiment, or a distinct perceptual frame on the world. Within the Kantian deontological framework, by contrast, respect amounts to more than a mere psychological state, it is a moral stance enacted through concrete action, one that requires us to recognize that other beings, as entities capable of independent thought and moral judgment, hold an inherent right to make moral decisions regarding matters that concern them directly.

Respecting a cultural community, then, entails far more than valuing, engaging in scholarly inquiry into, or expressing admiration for its cultural expressions. It demands substantive recognition of that community's inherent authority and right to cultural self-determination over its own cultural forms. In concrete terms, this entails honoring the community's legitimate voice in determining how its cultural symbols ought to be represented, whether its cultural expressions may be commercialized, and whether certain cultural elements hold sacred status or possess defined boundaries for their use.

To merely profess respect for a cultural community while bypassing its legitimate consent, disregarding its stated wishes, and overlooking the entrenched power imbalances at play means that even genuine subjective respect objectively treats cultural creators as instrumental tools, as sources of aesthetic material, rather than as co-authors in shaping the meaning of their culture and establishing the rules for its use. From this vantage point, an ethical account rooted solely in personal virtue, yet failing to recognize the other party's autonomy, is inherently incomplete.

6.5 The Structural Blind Spot of Virtue Ethics

Cowan's line of defense faces another critical issue: it often reduces structural problems to questions of individual character. Cultural appropriation, after all, unfolds within specific power contexts shaped by colonial history, unequal capital distribution, the organizational structure of cultural industries, and imbalances in symbolic power.

Kantian deontology emphasizes that assessing an action's morality requires accounting for more than just the agent's subjective virtue, it also demands consideration of the institutional structures

within which the act is embedded, as well as whether it perpetuates existing injustices. Even the most sincere appropriator typically has access to resources and platforms in cultural markets, media, and academia that remain unavailable to the source communities.

By fixing its sole focus on whether an agent acts with sufficient respect, virtue ethics ends up hiding the structural deprivation of rightful benefits from source communities that inheres in many acts of cultural appropriation. It frames a moral issue fundamentally rooted in power as a purely individual question of moral cultivation. From a deontological view, if an action systematically undermines another's autonomy and cultural authority, the moral weight of such an action cannot be judged solely by the goodness of the agent's character.

In summary, Cowan's advocacy of respectful engagement with other cultures is a praiseworthy moral aspiration, yet from a Kantian deontological perspective, personal virtue alone is inherently insufficient to morally justify cultural appropriation

7. Cultural Appropriation as a Concrete Expression of Structural Domination

Collapsing cultural appropriation into a mere moral issue centered on individual actors fails to account for the profound ways in which it reflects broader social structures and power asymmetries. The appropriation of symbolic elements from marginalized cultures, while it may superficially register as acts of cultural sharing and fusion, in fact lays bare the structural domination exerted by groups in possession of considerable economic and political resources. Such groups frequently possess the power to commodify these cultural symbols without the consent of their rightful cultural stewards, reaping substantial profits via market systems in the process. The surface-level equality of cultural exchange masks deep-seated structural inequalities, facilitating a one-way transfer of cultural value that affords the original cultural stewards no formal recognition, material compensation, or legal restitution of their cultural rights.

7.1 Cultural Domination and the Centralization of Cultural Discourse

Theories of domination developed by scholars such as Romeo Holtz^[16] and Charles Taylor^[17] conceptualize domination as a condition in which the freedom of a group is systematically constrained, leaving it trapped within social positions that are difficult to contest or escape. Structural domination in cultural appropriation operates precisely through institutionalized mechanisms that turn symbols drawn from marginalized cultures into commercial assets or fashionable motifs. As a result, the communities that historically produced and sustained these cultural forms lose authority over their own cultural symbols and meanings. This form of domination diverges from the direct violence or oppression of traditional conceptualizations, internalizing itself as a social norm through institutional frameworks, legal systems, and cultural practices while being further consolidated by the centripetal tendencies of economic, political, and cultural power structures. In such a context, what was once genuine cultural sharing is reconfigured from an equitable, bidirectional exchange into a unidirectional, profit-motivated act of symbolic transformation.

7.2 The Concealed Nature of Exploitation

As noted, this form of structural domination differs from overt, violent oppression in that it is defined by its inherently concealed nature. Such exploitation operates insidiously precisely because it is now routinely packaged as an expression of "cultural exchange" or "globalization." In reality, it spreads through cultural commodification, mass media consumption, and a purportedly "globalized aesthetic", depriving source communities of their control over, and interpretive authority for, their own cultural symbols. True cultural exchange ought to be grounded in mutual benefit and equitable

partnership. Yet dominant cultural groups now utilize market operations to transform marginalized cultural symbols into profit-generating commodities.

This dynamic is strikingly illustrated by the production of Disney's 2019 film *Aladdin*. Creative control over the film lay entirely in the hands of Anglo-American creators. The Disney+ platform, which boasted 164 million subscribers at the time, reached an audience larger than the entire population of the Middle East and North Africa region (Disney Annual Report 2020, p. 23)^[18]. By contrast, the entire MENA region produced a mere 239 feature films in 2019, with a total box office of \$620 million, less than the standalone profit of *Aladdin* (UNESCO Institute for Statistics 2020)^[19]. This extreme market concentration means that creators from the region, even if they produce cultural narratives far closer to authenticity, they still cannot achieve comparable global reach. Hollywood, through its stranglehold on global distribution channels, effectively monopolizes the means of cultural reproduction.

While the film succeeded in bringing elements of Arab culture to a global audience, its cultural representation reveals profound problems of appropriation. Arab cultural symbols and traditions, though superficially presented with apparent faithfulness, were oversimplified and commercialized through the lens of a Western production team. This process of decontextualization divested these cultural elements of their original socio-historical context and inherent cultural complexity, turning them into consumable products tailored for a global viewership. The creators and cultural stewards of Arab culture received no corresponding economic returns or formal cultural recognition for the film's success. The production and consumption of these cultural symbols were controlled entirely by the film studio and its distributors, while the Arab community's right to interpret and govern its own cultural heritage was effectively seized.

In the music industry, cultural appropriation follows a clear, quantifiable pattern. Royalty data from ASCAP and BMI shows that between 2015 and 2020, rhythmic patterns created by African American musicians in funk, classic jazz, and traditional blues were sampled more than 12,000 times—78% of these sampling uses originated with white mainstream artists (ASCAP 2021 Report, p. 34)^[20]. These white artists earned an average royalty of \$47,000 per song from such samples, whereas the Black artists who originally crafted the rhythms received an average one-time sampling fee of just \$800, with no subsequent share of ongoing royalties. This stark structural disparity is a direct product of unequal market power.

The film and music industry cases collectively illustrate a dangerous centralization of discursive power. Mainstream culture, through channels such as mass media and the entertainment industry, exerts full control over the global production and consumption of cultural content. Some may argue that this dynamic allows for more widespread expression and documentation of marginalized cultures. Yet an undeniable harm persists: cultural symbols from source communities are oversimplified into marketable commodities, detached from their unique historical and social contexts to fit a purportedly “globally unified aesthetic standard.” A truly globalized world should cherish the distinct uniqueness of various cultures, instead of subjecting the world's diverse cultural traditions to a single universal norm. This process of cultural homogenization reveals a deeper systemic exploitation, eventually making the world's spiritual and cultural landscape increasingly monolithic.

Johann Gottfried Herder's theory of the *Volksgeist* (national spirit)^[21] posits that a culture's uniqueness and subjective identity are gradually forged through a People's historical evolution and intergenerational traditional transmission. This unique spiritual core cannot be easily replicated or dissolved by external cultures. Yet in the process of cultural appropriation, these very traits that demand genuine respect and understanding are continuously degrade down to marketable commodities catering to narrow and entertainment demands. Appropriation might misinterpret knowledge, foster bias or even risk entrenching oppressive practices within the cultural sphere. Symbols of marginalized cultures are consumed as exotic “foreign objects,” their underlying cultural

backgrounds and historical lineages completely disregarded, thereby continuously eroding the collective identity and cultural sovereignty of source communities. Herbert Marcuse^[22] warned that in a highly commodified society, cultural freedom is in fact regulated and constrained by market imperatives. The phenomenon of cultural appropriation stands as a concrete manifestation of this commodified logic suppressing and distorting genuine cultural freedom.

7.3 The Asymmetrical Cycle of Resource and Meaning Extraction

Through Foucault's "power/knowledge" framework, cultural appropriation entails more than a mere transfer of material resources: appropriators exert power over marginalized cultures by redefining or reshaping their core cultural symbols. In Foucault's theoretical framework, power functions through micro-mechanisms forged by the production and circulation of cultural discourse. How we articulate and interpret a given culture, and the subsequent production and circulation of such discourse, generates a subtle form of power that permeates all social strata. The central issue at hand is that mainstream cultural groups hold a monopoly on this discursive power: they dictate how a marginalized culture is narrated and interpreted, exercise exclusive control over the use of its cultural symbols, and extract immense benefits from this act of discursive domination. By contrast, marginalized cultural groups are deprived of their fundamental right to define and interpret their own cultural identity.

Exerting control over market production and cultural storytelling allows appropriators to turn source cultures into purely consumable cultural elements, but this process yields no reciprocal resources or cultural entitlements to the original cultural communities. This extreme concentration of economic gains and cultural control cause identity crises within source cultural communities, while further intensifying social inequities in the distribution of cultural discursive power.

8. Conclusion and Recommendations

This paper has argued that while understanding may offer a degree of moral defense for cultural appropriation at the motivational level, it remains insufficient to grant such acts full moral legitimacy. Understanding can inform our assessment of an agent's motives, but it does not secure the moral rightness of the act itself. A comprehensive ethical appraisal must attend to both the normative quality of the action and the systemic effects of cultural appropriation. Equitable mechanisms for cross-cultural exchange and the safeguarding of cultural creators' legitimate rights and interests constitute essential prerequisites for preserving cultural diversity in an increasingly globalized era.

A significant power asymmetry pervade the landscape of global cultural exchange. Such inequity finds expression in the transformation and reproduction of cultural symbols, as well as in the dispossession of rightful benefits and the gradual erosion of cultural discursive authority for marginalized groups. Beyond stripping these communities of control over their own cultural expressions, cultural appropriation further exacerbates the inequitable distribution of cultural and economic resources, thereby further eroding the social standing and economic interests of the creators and communities behind these marginalized cultures. In light of this, the establishment of equitable mechanisms for cross-cultural exchange and the protection of cultural creators' legitimate rights and interests has emerged as a pressing imperative in the current era of globalization. The thoughtful formulation of such mechanisms can foster genuine equitable cross-cultural dialogue and redress the entrenched injustices that pervade global cultural engagements.

8.1 Fair Mechanisms for Cultural Exchange

As philosophical ethics makes clear, individual conscience and intent ought not to be the sole

criteria for judging the legitimacy of public cultural practices. The fairness of cultural exchange hinges on more than just the equal participation of different cultural groups; it also entails the genuine respect and protection of cultural symbols and their inherent meanings. Current cultural exchange mechanisms overrely on informal norms of respect, while lacking clear, legally enforceable institutional frameworks. This deficiency leaves them unable to curb the injustices arising from cultural appropriation. Museums, fashion brands, film studios, and other such entities often claim to have respected source cultures, yet such claims frequently lack substantive legal support and enforceable accountability, devolving into a merely perfunctory exercise of moral conscientiousness. The lawsuit filed by the Navajo Nation against Urban Outfitters stands as a stark case in point, laying bare the hollow nature of the understanding defense. Only through legally enforceable agreements can cultural creators be truly guaranteed the respect and just recompense to which they are entitled.

The ongoing provisions for the protection of traditional cultural heritage being developed by the World Intellectual Property Organization (WIPO)^[23] present a viable framework for resolution. The organization proposes establishing a mandatory system of Prior Informed Consent (PIC) and ensuring Indigenous communities receive rightful economic benefits from the commercialization of their cultural symbols via Benefit-Sharing mechanisms. This framework affirms the principle of collective cultural sovereignty, guiding global cultural exchange toward a more equitable and sustainable trajectory. Similar institutional mechanisms can legally secure a community's control over its cultural assets, ensuring that cultural flow no longer operates as a unidirectional process of extraction, but rather evolves into a collaborative endeavor grounded in mutual equality, genuine respect, and equitable benefit-sharing.

8.2 Protecting the Rights of Cultural Creators

Safeguarding the rights of cultural creators is a crucial component of fairness in cultural exchange and a vital measure for resisting appropriation and resource inequality. Traditional intellectual property law has failed to adequately protect the collective rights of cultural creators, exhibiting significant gaps in its coverage of cultural expressions characterized by oral traditions and collective authorship. Most modern IP regimes are founded on theories of individual labor, which cannot encompass the nature of collective cultural production. This leaves original cultural groups unable to secure due recognition or recompense in cases of appropriation.

Some nations have already adopted more innovative approaches, seeking breakthroughs in the protection of collective culture and creators' rights. For instance, Norway's Sámi Parliament enacted the Sámi Cultural Heritage Act^[24], which treats traditional knowledge as collective property that cannot be permanently sold or licensed. This approach shows the concept of stewardship over cultural heritage. It secures the creators' control over their cultural heritage through legal agreements, preventing the commodification of heritage while also ensuring the community's long-term authority over its cultural resources.

8.3 Promoting Equal Cultural Dialogue

Establishing equitable cross-cultural dialogue in the present day is highly linked to the governance of digital platforms. The digital era has accelerated the dissemination of cultural symbols at an unprecedented pace and expanded their global reach, and in this landscape, biases embedded in platform algorithms and content moderation policies exacerbate inequities in cultural discursive power. Social media platforms such as TikTok and Instagram, for instance, leverage their algorithms to bring cultural symbols from marginalized groups to widespread public attention, yet frequently divest these symbols of their original cultural and historical context in the process. Operating within a framework that quantifies content "value" through metrics like view counts and user engagement,

digital platforms currently lack robust systems to safeguard source communities' right to informed consent and their control over their own cultural symbols.

To remedy this shortcoming, digital platforms must develop more equitable systems for content review and curation. YouTube's Content ID system provides a valuable model for cultural heritage protection, enabling source communities to register their cultural symbols, claim a share of revenue from relevant content, or request its removal. The "Cultural Heritage Management" protocol put forward by the World Archaeological Congress (WAC)^[25] goes further to underscore the responsibilities of digital platforms in cross-cultural exchange, mandating that they recognize collective cultural rights on par with individual copyright protections. Such measures furnish robust support for equity in cross-cultural exchange and forge a more equitable foundation for global intercultural dialogue.

By reflecting on and refining existing institutional frameworks, we can work to ensure that cross-cultural exchange is no longer a unidirectional process of resource extraction, but rather an intercultural dialogue grounded in mutual equality, genuine respect, and equitable benefit-sharing. The future of cross-cultural exchange ought to evolve beyond mere informal norms of respect to formal institutional safeguards rooted in legal frameworks and transparent operational mechanisms. This will ensure all cultural groups secure an equal voice and fair economic returns within the global cultural discourse, an issue central to the sustainable development of the world's diverse cultures and the achievement of genuine cultural equality.

References

- [1] Schutz, D. (2017) *Open Casket*. Whitney Museum of American Art, New York.
- [2] *Navajo Nation v. Urban Outfitters, Inc.*, No. 12-cv-01950 (D.N.M. 2012).
- [3] Young, J.O. (2008) *Profound Offense and Cultural Appropriation*. *The Journal of Aesthetics and Art Criticism*, 66(2), 135-146.
- [4] Young, J.O. (2008) *Cultural Appropriation and the Arts*. Wiley-Blackwell, Oxford.
- [5] Bhabha, H.K. (1994) *The Location of Culture*. Routledge, London.
- [6] Kant, I. (1785) *Groundwork of the Metaphysics of Morals*. Cambridge University Press, Cambridge.
- [7] Korsgaard, C.M. (1996) *Creating the Kingdom of Ends: Kantian Ethics and the Ethics of Autonomy*. Cambridge University Press, Cambridge.
- [8] Shahvisi, A. (2020) *Cultural Appropriation: A Structural Analysis*. *Journal of Applied Philosophy*, 37(4), 727-743.
- [9] Berry, J.W. (1997) *Immigration, Acculturation, and Adaptation*. *Applied Psychology*, 46(1), 5-34.
- [10] Foucault, M. (1977) *Discipline and Punish: The Birth of the Prison*. Pantheon Books, New York.
- [11] O'Neill, O. (1989) *Constructions of Reason: Explorations of Kant's Practical Philosophy*. Cambridge University Press, Cambridge.
- [12] Kazez, J. (2021) *Cultural Appropriation and the Virtues of Cross-Cultural Engagement*. *Journal of Applied Philosophy*, 38(3), 456-471.
- [13] Scanlon, T.M. (1998) *What We Owe to Each Other*. Belknap Press of Harvard University Press, Cambridge, p. 153.
- [14] Cowan, J.K. (1990) *Dance and the Body Politic in Northern Greece*. Princeton University Press, Princeton.
- [15] Aristotle (2000) *Nicomachean Ethics* (Trans. R. Crisp). Cambridge University Press, Cambridge.
- [16] Holtz, R. (2014) *Domination and Freedom in Political Theory*. Cambridge University Press, Cambridge.
- [17] Taylor, C. (1989) *Sources of the Self: The Making of the Modern Identity*. Harvard University Press, Cambridge.
- [18] Disney (2020) *Disney Annual Report 2020*. The Walt Disney Company, Burbank.
- [19] UNESCO Institute for Statistics (2020) *Feature Film Production by Region*. Available at: <http://data.uis.unesco.org/>
- [20] ASCAP (2021) *Royalty Distribution Report 2021*. American Society of Composers, Authors and Publishers, New York.
- [21] Herder, J. G. (2024). *Ideas for the philosophy of the history of mankind* (G. M. Moore, Trans.). Princeton University Press. (Original work published 1784–1791). <https://doi.org/10.1515/9780691255705>
- [22] Marcuse, H. (1964) *One-Dimensional Man: Studies in the Ideology of Advanced Industrial Society*. Beacon Press, Boston.
- [23] WIPO (2022) *Draft Articles on Traditional Cultural Expressions*. World Intellectual Property Organization, Geneva.
- [24] Sami Parliament (2017) *Sami Cultural Heritage Act*. Sami Parliament, Karasjok.
- [25] World Archaeological Congress (2021) *Digital Heritage and Indigenous Rights: Policy Guidelines*. WAC, London.