

## FASHION, ARTS AND BUSINESS

### FASHION AND CRAFTS

#### A RETURN OF INVESTMENT FOR GENERATIONS TO COME

*The idea behind the FABtalks is to host fresh fashion talks in an inspiring environment and connect them with business-networking in a new innovative way. The aim is to trigger interesting discussions about the topic of fashion and let experts respond to open questions. Ultimately, we want to build an interdisciplinary network and establish and implement projects together in the long run.*

The 17th edition of the ABURY FABtalks was hosted on the 4th of July 2018 during Berlin Fashion Week and the Ethical Fashion Show at Kraftwerk Berlin to discuss cultural appropriation, the idea of cultural intellectual property and the possibilities to empower traditional artisans. The first speaker was cultural intellectual property lawyer Monica Moisin. She talked about challenges artisans face in cultural appropriation cases and the possibilities to get involved in creating a fair and safe legal framework. Afterwards, Andrea Bury and Lisa Jaspers, founder of the fair fashion platforms and stores ABURY and Folkdays gave insights into the working habits of a brand working with artisans and the benefit sharing model.



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## Summary of the Presentations:

### 1. Monica Moisin

Monica introduced the audience to the problem of cultural appropriation with the prominent case of haute couture brand Dior stealing traditional patterns from the indigenous Bihor - community in Romania. This case caused a massive social media backlash and raised awareness and questions about cultural appropriation in fashion and how to deal with it legally. For ABURY and every label that works with traditional designs this case raises the question of how to deal with cultural appropriation. To fully understand the meaning of it here the exact definition: The act of a dominant culture taking something from a minor culture that is not their own without giving anything back. not even mention the origins.



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This problem is critical especially if appropriated designs are used in a commercial way or if used designs, wardrobe or items are sacred for the original owner. Fashion in some way is the commercialisation of culture and heritage often without paying back to its origins. So the question is how to develop businesses or markets that pay off equally. Regarding the legal side we have copyrights and trademarks but only for personal - or companies' intellectual property.

Monica stated that the last two years unfortunately marked a highpoint with big fashion houses using traditional patterns without mentioning their origins. In case of Dior they falsely claimed the used patterns were African influenced. And the list of cultural appropriation in fashion goes on. A British fashion label stole coat designs worn by Inuit shamans without giving any credits. Isabel Marant had a lawsuit filed by Mexican indigenous people and ended up in court.



Besides the ethical aspects the legal dilemma is clearly that at this point there are no copyright laws regarding cultural intellectual property as mentioned before for personal intellectual property or trademarks. Without ethical responsibility and any legal protection it is an open field for exploitation. The idea behind Monica's *Cultural Intellectual Property Rights Initiative* is to set the legal groundwork to protect this from happening. Cultural intellectual property belongs to the craftsmen and -women as the keepers of the manufacturing techniques and designs for centuries. So they should be included in the processes of the modern fashion industry with a fair monetary share. This pool of heritage and knowledge can be a great resource for inspiration and should be kept alive. There is just the question of incorporation in modern industries. One option could be craftsmanship hubs like fashion brand Valentino has.

You can find further information about the *Cultural Intellectual Property Rights Initiative* under [culturalintellectualproperty.com](http://culturalintellectualproperty.com).

## 2. Lisa Jaspers

Lisa Jaspers of Folkdays runs an online platform and store for handmade artisan crafts from around the globe. She sees her organisation as a social business rather than a design business. So the question of cultural appropriation did not really occur for her as giving back fair wages to the communities they source from is integral and common sense. Folkdays doesn't want the copyrights to their designs because the communities should be able to sell them to other companies afterwards to create a better situation for themselves. Communities should have full rights to their heritage especially if co-created designs are mostly based on the existing traditional designs. This of course becomes more problematic for big fashion labels that need to hold copyrights for their products.



Mentioning the origin of goods and designs is not just an act of political correctness, but it is a marketing strategy for Lisa. It adds a benefit to the product and tells a great story which raises the value. So you can see that as something very positive. From the other perspective artisans do not only maintain an income by sharing their knowledge but also a certain level of pride if people are wearing their designs around the world.

To conclude, the goal should be to get global players like IKEA, H&M, etc. in on this idea of including artisans in modern markets so everyone can profit from it. Their skills are a great resource and the fashion industry should be aware of it. Why for instance is Dior embroidering their crafts in Italy? That must be way more expensive than getting it done in the regions the design actually comes from.



## Open Discussion

The second part of the event was an open discussion and the question first question raised was, how to approach communities that have not been in touch with businesses yet. Indigenous people like Masaai women in Tanzania for example can be difficult to reach, a person from the audience mentioned.

There are different levels of organisation. Some artisans have exported already, some have people for these matters in charge. Of course it is most difficult to work with communities that are not organised yet. It takes a long time and patience to establish trust and develop systems for quality management for instance. You do not have to go to this long process as there are networks of artisans you can contact in case you want to make business and they will connect you. It is important to include more and more communities in such platforms to provide

information for that matter. These networks can also be used to give legal advice over rights and value of their heritage. Lawyers in London were able to inform Masaai about the first big case of cultural appropriation by Louis Vuitton. This is very important because communities like this do not have the resources and are left in a much more vulnerable place than western companies.

Another question raised during the discussion was: How can cultural intellectual heritage be protected if copyrights for intellectual property legally void after 70 years? As mentioned before there is no legal framework so far. And of course it is difficult to apply existing copyright laws to ethnic groups or communities. How to collect a not always homogenous group or interests? It is also questionable if national or international law should regard that matter.



One important thing mentioned at the end was that cultural heritage can be a great source for everyone in the spirit of cultural diversity and exchange if not commercially exploited - although some things are off limits like sacred pieces. Famous example for this specific appropriation are the Navajo headdresses by

Victoria Secret: These headdresses are sacred for their people and they do not want them to be used in any form. Unfortunately there is no law securing that.

A more general question towards cultural appropriation came from Refinery29: What to do if the origin or ownership of certain designs that clearly have a context or meaning are not really traceable like hijabs, native American headdresses or afro hairstyles? What is appropriate and what not can become more of a philosophical question. You may wear a certain hairstyle out of admiration for an ethnic group and you might be well connected with it. If it is okay or not is difficult to answer but you are clearly aware of its context and meaning and that is what is most important. Fashion should be a role model and educate for that matter. Raising awareness in fashion will lead to awareness and a positive impact on other more general aspects of cultural appropriation.

The audience and speakers agreed that you should not be too restrictive otherwise you might oppose your own idea of cultural diversity and to spread the beauty of things around the globe. Just do it with respect. There is already a positive development and more and more people become aware and want to know about the story of products they are purchasing. Cultural fashion will be a market in the next years to come - it is important for all of us to decide how this market should look like in the future.

Thanks to our partners FLAIR Magazine, Ethical Fashion Show and Greenshowroom.

**SEE YOU NEXT TIME!**

