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## Reviewer Invitation for Effect of Cultural Appropriation on the Cultural Garment Weaving Industry: The Case of Weavers in Addis Ababa, Ethiopia

**Cogent Social Sciences** <em@editorialmanager.com>

15 September 2023 pukul 13.21

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## Effect of Cultural Appropriation on the Cultural Garment Weaving Industry: The Case of Weavers in Addis Ababa, Ethiopia --Manuscript Draft--

<b>Full Title:</b>	Effect of Cultural Appropriation on the Cultural Garment Weaving Industry: The Case of Weavers in Addis Ababa, Ethiopia
<b>Manuscript Number:</b>	COGENTSOCSCI-2023-1647
<b>Article Type:</b>	Research Article
<b>Keywords:</b>	Cultural appropriation; weavers; cultural cloth; imitation; preservation; protection
<b>Manuscript Classifications:</b>	50.14.1 Anthropology - Soc Sci; 50.15.4 Tourism; 50.5.3 Culture & Development
<b>Abstract:</b>	<p>The study examined the effect of cultural appropriation on the cultural garment weaving industry. The research adopted parallel mixed methods approach. Out of 292 questionnaires 235 (80%) were properly filled and returned. Descriptive and inferential statistics indicated that the cultural cloth designs were appropriated in the absence of consultation with Weavers', cultural appropriation has strong effect on the level of Weavers' income and authenticity of the imitated designs. In order to ensure legal protection of the cultural clothe designs and rights of the weaving community, the society, weavers and the responsible government authorities should work together.</p>

# **Effect of Cultural Appropriation on the Cultural Garment Weaving Industry: The Case of Weavers in Addis Ababa, Ethiopia**

**Simret G/tsadik**

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April 2022

Addis Ababa

## **Abstract**

*The study examined the effect of cultural appropriation on the cultural garment weaving industry. The research adopted parallel mixed methods approach. Out of 292 questionnaires 235 (80%) were properly filled and returned. Descriptive and inferential statistics indicated that the cultural cloth designs were appropriated in the absence of consultation with Weavers', cultural appropriation has strong effect on the level of Weavers' income and authenticity of the imitated designs. In order to ensure legal protection of the cultural clothe designs and rights of the weaving community, the society, weavers and the responsible government authorities should work together.*

*Key words: Cultural appropriation, weavers, cultural cloth, imitation, preservation, protection.*

## **Introduction**

### **1.1 Background of the study**

Culture, which is made up of layers of underlying philosophies, values and artefacts is related with identity of those groups who have subscribed to such cultural components and the designated meanings (Tan, 2009, Schein, 2004). The human world is filled with diverse cultures that dictated the acceptable styles of behavior such as dressing, singing, and greeting, feeding, and communicating with people. Cultural diversity is the spice of life and the base of tourism. The cultural elements are not creations of the existing generation at any period and space, but they are inherited from ancestors. That is why the preamble of the United Nation's declaration on the rights of Indigenous peoples has recognized that respect for Indigenous knowledge, culture, and traditional practices contributes to sustainable and equitable development and proper management of the environment (UN, 2007).

Traditional clothes worn by specific Indigenous groups are one of the cultural heritages that call for respect and protection from getting appropriated or abused by outsiders (Young, 2002). Since traditional clothes are composed of unique motifs and artistic styles, they are placed under the intellectual properties' category (Vezina, 2019). In many countries, intellectual properties are protected through the formal legal mechanisms and institutions. However, cultural intellectual properties (CIPs) do not assume such privilege since they did not fulfil the legal requirements of authenticity, fixation, reproducibility, authorship, and originality (Shand, 2002). As a result, they

are mostly being considered as parts of the public domain to which everyone has free access (Fredrickson, 2019).

The CIPs status as public domain properties are getting criticized based on the principle of tragedy of the commons. According to this principle, allowing unrestricted access to the pool of common properties is dangerous in the sense that it might result in depletion and extinction of the resources (Tan, 2009). These authors strongly argue for provision of intellectual property (IP) protection to CIPs to stimulate creativity and innovation. Besides, it enables creators to control access to their works and demand recognition and payment from those who wants to use their works of art in any form.

Nevertheless, the fashion industry is not that much regulated by the IP laws because; it is mostly filled with knockoff goods and modifications. Besides, clothes are mostly considered as basic needs of people rather than works of art and they are made based on some inspirational elements existing in the common pool of resources.

On the other hand, the claim for protection of CIPs is becoming stronger from time-to-time. As a result, in 2007, UN enacted declaration on the rights of Indigenous people. Consequently, individual countries are engaged in identifying the appropriate protection model, enacting relevant laws, and establishing concerned institutions (Fredrikson, 2019). Authors in the area such as Vezina (2019), Zhao (2018) and Tan (2009) raise their concerns on the fashion designers' act of appropriating cultural designs. They said that modifications and imitations of traditional clothing designs will result in distorting the cultural resonance that harmoniously flows between philosophies, beliefs and values of a specific community and the wearing members of that cultural dress. When economically powerful textile companies plagiarize cultural designs, they devoid the design of its original meaning and subject it to sale at the mass market.

In fact, Young (2005) produce a new perspective which seems able to loosen the tension created between the arguments for and against cultural appropriation. He emphasized on the point that cultural appropriation (CA) did not became immoral just because outsiders have appropriated CIPs from insiders. However, CA should get legally restricted if it is in a context that could cause profound offense on the members of the appropriated culture. Further, Young explained that presence of profound offense in a certain case of CA could be checked based on evaluation of the social value of the act, value of free expression, time and place of the act, extent of tolerability and reasonableness criteria.

Ethiopia is one of the culturally diversified countries in the world. The dress type and vestume is one of the ways diversities is manifested in the country. Especially, the traditional cloth known as “*Tibeb*,” which is made up of hand-woven cotton threads with decorated edges, is widely recognized and worn on private ceremonies, national and religious festivals in the country. Many people, in different parts of Addis Ababa, are engaged in weaving these traditional clothes. Particularly, *Gullele* sub-city, where the famous, *ShiroMeda* traditional clothes’ market is located, is known for its accommodation of the largest number of weavers in the city. As a result, the government is supporting the weavers by enabling them to get organized in the form of micro and small enterprises (MSEs), providing them with loans, trainings, and working premises (Belete, 2018).

Nevertheless, since 2018, imported power loomed imitations of the Ethiopian cultural clothing designs are flooding over the local market. Many people (especially women) seem attracted by the imitations. The researchers have observed, many women wearing these imitations for various celebration, just as if they are the fashions of the day. Therefore, the purpose of this study is to assess the intellectual properties’ legal topography of the country, the manner of CA and its consequence on Weaver’s income and authenticity of the imitated designs as well as scrutinize consumers’ reaction to the imitated designs of cultural clothes.

## 1.2. Problem statement

CIPs are part of the spiritual and cultural identity of the Indigenous people and intrinsic element of their cultural heritage (Moody, 2019, Tan, 2009). CIPs are used to explain the forms in which traditional culture is represented. These may include songs, music, dance, art, designs, names, signs, symbols, performances, handicrafts, narratives, and other types of artistic or cultural expressions (Vezina, 2019).

By taking the vitality of CIPs into consideration, Article 31(1) of the United Nations declaration on the rights of Indigenous peoples (2007) provided that *Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage,.... as well as the manifestations of their cultures, including designs,.....and protect and develop their IP over such cultural heritage, traditional knowledge, and traditional cultural expressions.*

Based on the UN declaration, the African regional intellectual property office (ARIPO) enacted the Swakopmund protocol in 2010. In its preamble, the protocol justified the need to assign legal

ownership of communities on their CIPs, importance of these CIPs for scientific development, the drawbacks of CA and the need to develop a sui generis law that fits to the special nature of CIPs. Even though Ethiopia is not member of the ARIPO, Article 41(9) of the FDRE constitution provides that “the state has responsibility to protect and preserve historical and cultural legacies and to contribute to the promotion of the arts and sports.” Since, CIPs are one aspect of historical and cultural legacies; the government has constitutionally committed itself to ensure their preservation and promotion.

The weaving art producing culturally unique design patterns has been practiced in Ethiopia for thousands of years. Ethiopian, in both the rural and the urban areas, wear hand-woven cotton garments for public and religious holidays. These clothes are considered and venerated as inextricably connected icons of nations and nationalities. Besides, they create a sense of purity for those who wore them for religious rituals (Temesgen, Tursucular, Eren, Ulcay, 2018).

However, recently, it is publicly noticed that the highly respected innovations of the Ethiopian weavers are getting machine printed and reproduced on modern textiles such as the *chiffon*, and bulkily imported into the Ethiopian textile market including *ShiroMeda*. Moreover, the researchers have practically observed that many women are wearing these imitations especially during religious and national festivals disregarding its effect on cultural identity, authenticity, livelihood, and creativity. Therefore, the purpose of this study is to find out the effect of cultural appropriation on the cultural garment weaving industry, specifically to find out the intellectual properties’ legal topography of the country, the manner of CA and its consequence on weavers’ income and authenticity of the imitated designs as well as consumers’ reaction to the imitated designs of traditional clothes.

### 1.3 Research questions

Up on its completion, this study is expected to answer the following questions.

1. How does CA take place and what was the reaction of weavers towards the act?
2. What is the effect of CA on Weavers’ income and authenticity of the imitated designs?
3. What does the IP legal topography look like in terms of protection for CIPs in Ethiopia?
4. What is the consumers’ perception towards the AUCCs and their imitations?

## 1.4 Scope of the study

Furthermore, the study is delimited to the *Gullele* sub-city of Addis Ababa where most of the traditional cotton garments, *Dorze* community, weavers are concentrated. Particularly it covers *Shiromeda*, which is the largest traditional clothes market in the city. Conceptually, this study dealt with the issues of CIP, public domain, legal protection, CA, and consumer behavior. Time wise, this study is a cross-sectional one where data was gathered and analyzed at a single point in time.

## 1.5 Significance of the study

It is believed that findings and recommendations of this study will benefit people engaged in traditional garment weaving and all Ethiopians in general by contributing to the effort to figure out legal protection of CIPs in Ethiopia and ensuring perpetuation of our cultural identity and unique creativity. Tourists will also benefit from this study because, legal protection of CIPs enable preservation of diverse cultural heritage that could attract tourists to purchase it as a unique resource of the place they have visited. Moreover, it also benefits government agencies engaged in job creation for sustainable livelihoods. If CIPs get legally protected and secured, the youth could get formally trained on how to weave traditional cotton garment and supply to the market in mass, and it will also help to clarify the grey area of contention as to whether CIPs are part of the public domain or not.

# 2. Review of Related Literature

## 2.1. The concepts of culture and heritage

Anthropologists tried to define culture based on their understanding and the purposes for which they planned to use it (Bennett, 2015, Spencer-Oatey, 2012, Bertsch, 2011). For instance, Bertsch (2011:19), summarized culture as “*The predominant and totality of behavior patterns, beliefs, and attitudes that characterize the functioning of a group and are passed from one to another through training or education.*” According to Avruch (1998) cited in Spencer-Oatey (2012:200), there are three different understandings of culture as it refers to; Special intellectual or artistic endeavours or products; A quality possessed by all people in all social groups, who nevertheless could be arrayed on an evolutionary continuum; and the uniqueness of the many and varied cultures of different peoples or societies. Culture broadly represents philosophical assumptions and values of the society which are reflected in the artefacts, intellectual and artistic efforts of the group used to produce unique products (Schein, 2004).

Sometimes, the phrases cultural heritage and cultural property are interchangeably used to denote the properties of unique characteristics which are inherited from ancestors of a particular group of people and that keeps transferring from one generation to the other (Loulanski, 2006). Appiah (2006:118) and Thompson (2003:252) cited in Matthes (2018), defined cultural property as artefact, artwork, style, place, and the like that could be the property of a cultural group and allows the group to enjoyment of property rights of ownership, access, and use, even if title to the property is held by a particular individual.

## **2.2. The concept of public domain**

Based on Boyle (2008:38), “*The public domain is a material that is not covered by IP rights.*” The issue of public domain is considered as an opposite to the notion of legal protection vested on IP (Taubman, 2007). The two cases by which an IP could be part of the public domain are either it did not fulfil the requirements of IP registration such as originality and authenticity, or the right has expired due to the time limit assigned to it by the IP law (Vezina, 2019, Taubman, 2007).

Further, Erickson et al. (2015:9) have listed Intangible properties whose IP protection is already lapsed; Intangible properties which predate establishment of the IP system and that did not get protection then after; and Works that did not satisfy the necessary requirements for IP protection as IPs that could be placed within the public domain.

## **2.3. Cultural Appropriation**

Cultural appropriation (CA) is said to have been practiced by Europeans at the time of colonization in the 16<sup>th</sup> and 17<sup>th</sup> centuries (Fredriksson, 2019, Vezina, 2019, Tan, 2009). Rogers (2006:474) defined CA as “*the use of a culture’s symbols, artefacts, genres, rituals, or technologies by members of another culture.* Similarly, Susan Scafidi (2005) Cited in Siems (2019:409) defines CA as the ‘*taking ... of IP, cultural expressions or artefacts, history, and ways of knowledge*’ of other communities.’

Furthermore, Sharoni (2017:10) as cited in Vezina (2019:5) defined CA as “*the act by a member of a dominant culture of taking a CIP whose holders belong to a minority culture and repurposing it in a different context, without the authorization, acknowledgement and/ or compensation of the CIP holder(s).*”

While CA is seen by its proponents as an intrinsic element of the fashion and textile industry (Heyd, 2011:38), authors who argue against CA stated that taking a property of another without

consent of its owner is equated with the act of theft which is both morally wrong and legally punishable act (Fredriksson, 2019, Vezina, 2019, Tan, 2009). Besides, Young (2005:141), asserted that, *'artists who appropriate the culture of another, not for the sake of self-realization and inquiry but purely for pecuniary purposes commit an offensive and morally wrongful act; particularly, when an un-offensive way of creating the art are available.'* Further, Young (2005:144-145) stated that an act of CA could result in three types of offenses on originators of an appropriated cultural property. These are **Representation offense:** refers to instances in which the subject of the art is represented in a distorted manner. **Consent offense:** happens when the appropriator is supposed to seek consent of the specific groups who own the cultural art but failed to secure that consent. **Violation offense:** This happens when a sacred or private work of cultural art is appropriated and misused.

Besides, those authors who consider CA as morally offensive and harmful have summarized its consequences in to three dimensions namely loss of potential income, loss of authenticity and loss of cultural identity (Vezina, 2019, Fredriksson, 2019, Heyd, 2011, Tan, 2009). Loss of potential income means when the insiders' source of livelihood is appropriated by the dominant groups; they automatically lose income which may aggravate poverty and migration within that cultural group. Loss of authenticity means when the appropriators did not worry about the cultural philosophies, values and meanings attached to that work of cultural art (Vezina, 2019, Tan, 2009).

Hence, this scenario harms members of the appropriated culture because they are systematically detached from the meaning, they placed on their work of art. Moral rights allow the Indigenous people the right to disseminate, to be considered as collective authors or creators and to keep integrity of their creations (Harms, 2018). Regarding threatening cultural identity, Shand (2016) believes that CA has ability to silence voices of the Indigenous groups. A typical example could be the case of the Swastika symbol. Before Hitler used it, the Swastika has been used as a symbol of good fortune in almost all cultures of the world (Campion, 2014). Coca Cola was highly attracted to this symbol and adopted it as a benign symbol of good luck and fortune. However, today the symbol lacks its original cultural meaning.

## **2.4. Theories of Cultural appropriation**

### **2.4.1. The aesthetic handicap theory**

Aesthetics in this sense refers to the assumptions, values and principles guiding production of a certain traditional artwork. When outsiders appropriate a cultural art from another culture and reproduce it in a different context, they obviously produce some sorts of aesthetic failures (Vezina, 2019, Young, 2006). Artistic cultural works are composed of contents of the culture within which they are produced. This scenario guides the observer how to see and interpret that artwork (Tan, 2009). Young (2000) argued that cultural appropriators could produce aesthetically the same artworks with those produced by members of the culture if they get cultural experience within that group for a certain period.

### **2.4.2 The cultural harm theory**

Cultural properties that could be subject of appropriation are diverse. They could be categorized in to five as material, non-material, stylistic, motif, and subject appropriation (Young, 2000). The important point here is that no one, neither an individual nor a culture, has the right to control a general idea. Copy right covers individual works, not works of a culture group. If artists ought not to appropriate styles from another culture, their liberty is constrained (Cox & Jenkins, 2005). However, the constraint is a reasonable one. The authentic voices of the culture are overwhelmed and distorted (Vezina, 2019; Tan, 2009; Shand, 2002).

Moreover, Heyd (2011) analyzed the harm caused by CA on the cultural group as it goes to the extent of questioning their survival as a distinct group with unique philosophies and values regarding reality, truth, time, and space (Schein, 2004). He said that *'misappropriation and misuse [is] not simply a violation of moral rights leading to a collective offense, but a matter of cultural survival for many Indigenous peoples'*. (P.10).

## **2.5. International conventions on the protection of CIPs**

According to the general IP law, the standard requirements of materiality or fixation, originality, authorship, reproducibility, and authenticity should be met by the IP work for which a legal protection is sought (Vezina, 2019, Shand, 2002). The problem in the case of claims for IP protection to CIPs is that their essential nature did not exactly fit in to these criteria.

Nowadays, this provision of the convention is being broadly defined to include IP rights that are commonly held by a particular community (Alderman, 2011). Currently, protection of cultural creations is high on the world intellectual property office's (WIPO) agenda, and it is negotiating

to come up with a law on the protection of CIPs through its inter-governmental committee (Vezina, 2019).

In fact, CIPs are unique by their nature, and they need a *sui-generis* legal protection. Protections under the IP laws are time bounded, and they get lapsed at the end of the given period. While the legal protection needed in the case of CIPs is of a perpetual nature so far as the group claiming right over the CIPs exists. Even, when such a group gets extinct from the surface for different reasons, Taiwan's law on cultural intellectual creations assigns that right to all existing Indigenous people of Taiwan (Karjala & Paterson, 2017).

The Navajo nation in the USA or the Mexi community in southwestern Mexico is known by the society at large for their unique clothing designs and patterns in which their identity, philosophies and values are embedded (Fredriksson, 2019, Vezina, 2019). Thus, it will be naturally immoral to deny this fact and refrain from providing specific legal protection. Thus, due to these unique features of CIPs, the law needs to be *sui generis*.

## **2.6. Cultural clothes and social identity**

Cultural clothes visually signal cultural belongingness of the wearer to a certain group. Cultural clothes are not only worn for the sole purposes of protecting and decorating the human body but also, they have hidden meanings to the wearer and hidden messages to the community within which the wearer lives (Tajuddin, 2018).

For instance, Botswana's traditional clothing was initially composed of skin, fur, Indigenous bronze, leather bands of rhinoceros hide and bracelets from elephant teeth. Such way of dressing denotes status and rituals since some of them were seen as protective medicine against sickness, harm, and jealousy (Denbow & Thebe, 2006, cited in Disele, Tyler, & Power (2011:5). Besides, in modern day Botswana, women wear calf-length dresses; cover their heads with headscarves and their shoulders with shawls whereas men wear jackets when they are attending meetings and funerals. The meaning ascribed to such costume is showing respect to the authority of the chief and paying tribute to the deceased.

The clothing styles of an individual connote his/her belongingness to a certain group. This scenario is highly evident in traditional cultural clothing (Danso, Adom, Eshun, & Adamtey, 2019). Traditional cloth is "the ensemble and design which is representative of the community or is identified with a particular cultural behavior and particular cultural values" (Disele, Tyler, & Power, 2011). Making traditional clothes by Indigenous communities has various advantages to

the makers. As stated by Zhao (2018), preservation of cultural and group identity, spiritual and sacredness of imagery and healing of dark times or events occurred in the community or in personal lives of members.

## **2.7 International and regional legal frameworks for protection of CIPs**

At the international level, WIPOs (2003) declaration on the rights of Indigenous peoples is the basic legal framework that provides for the need of legal protection for CIPs of Indigenous peoples of member countries.

The WIPO (2003) legislation on the rights of Indigenous peoples and the WIPO draft article on the protection of traditional knowledge (TK) and traditional cultural expressions (TCEs) of 2018 are foundations that give choice for nations to protect their CIPs either under the general IP law or a *sui-generis* law. This *sui-generis* protection of CIPs was proposed by the WIPO-UNESCO Model consisted of: principles of protection; the scope of subject matter; the manner of obtaining authorization; the exceptions to and limitations on authorization; the moral rights attached to copyright; civil and criminal sanctions; the designation of the competent authority to administer copyright; the protection of expressions of folklore of foreign countries.

In Africa, an intellectual property office was established since the 1970s. Membership to the ARIPO is open to member states of the African Union or the economic commission for Africa (ECA). Initially, the purpose of this regional body was to avoid wastage of resources by separately dealing with IP issues in each country and to capacitate the continent with its own IP system. However, gradually, it was learned that the CIPs of the continent's diversified communities are at risk of being misappropriated by outsiders. At regional level, the Swakopmund protocol (2019) on the protection of TK and expressions of folklore within the framework of ARIPO is a guideline for ARIPO member states on how to protect their TK and folklore.

## **2.8. Factors that affect consumer behavior**

The concept 'consumer behavior' refers to consumers' buying characteristics which are reflected in their decisions and actions in purchasing products and services (Eze& Bello, 2016). Rani (2014:52) defined consumer behavior as it refers to "*selection, purchase and consumption of goods and services for the satisfaction of their wants.*"

Basically, two theories namely the distinctiveness theory and the social interaction theory dictate how consumers' decision-making on purchase runs out (Rajagopal, 2011). According to these

theories, the individual purchaser strives to strike balance between two seemingly conflicting interests. On one side, there is a need to get assimilated to a group by adhering to its norms including the dressing code whereas on the other hand the individual has an urge to feel unique and distinct from the group. The social interaction theory also emphasizes the point that clothing is a mode of aesthetically presenting oneself to a group. But this is highly influenced by prevailing cultural values that guide peer evaluations (Yin, Wang, Xia, & Gu, 2019).

Various empirical studies were conducted to figure out practical applicability of these theories on the ground. A study carried out by Rajagopal (2011) on consumer culture and purchase intentions towards fashion apparel in Mexico concluded that brand value, brand reputation, price, simulation facilities, personalization possibilities, store attractiveness and interpersonal influences are factors that affect consumers' preference in buying fashion apparel. Based on these findings, Rajagopal recommended that the basic assumptions of apparel retailing should be transformed from individual referenced indicators to value and lifestyle perceptions driven by peer influence and socio-cultural forces.

Rani (2014) also stated that there are wide arrays of factors that intervene in the buyer's decision-making process. These are cultural, social, personal, and psychological factors. Specifically, Islam, Rahman, and Hossain (2014) conducted a descriptive study to identify factors that influence female consumers' fashion apparel buying behavior in Bangladesh. Findings indicated that brand status, attitude, popularity, image, premium, self-respect and influence of reference groups are factors that determine female consumers' choice in the apparel industry.

Ogbonnaya and Ogwo (2016) found that product quality, distribution, and promotion are determinant factors of customer preference to foreign textile materials. They concluded that the predictor variables have positive relationship with customer satisfaction. Likewise, Ezeand Bello (2016) found that age, quality, and level of income are factors that affect consumer choice in the clothing market.

## **2.9. Empirical cases of CA**

These days, the industry is getting more inspired by contents and subjects of cultures of ethnic groups found in different parts of the world (Vezina, 2019, Cox & Jenkins, 2005, Young, 2005). Besides, CIPs did not get legal protection since they do not fulfil the existing criteria set by

western laws on IP protection. Hence, CIPs are seen as part of the public domain to which everyone has free access to use, dispose and abuse (Vezina, 2019, Karjala & Paterson, 2017).

On the other hand, it is emphasized that, CIPs have economic and moral values to their creators and their descendants. So, it needs extension of legal protection. As a reflection of this argument, UN (2007) produces declaration on the rights of Indigenous peoples, and says people with CIPs have the right to get legal protection of their properties from getting appropriated or abused by outsiders without their consent.

Countries are also expected to enact CIP laws based on their practical context. Taiwan is a good example which produced promulgation in 2011. In other countries also, case law is recognizing ownership rights of Indigenous groups over their cultural creation. The following cases are typical examples of how countries have responded to the act of CA.

**Japan's Kimono:** Japanese women were wearing kimono with its entrenched cultural meaning for years. But later, from 1982-2012, the demand for high-end kimono market gets collapsed due to introduction of western fashion styles that attract the majority. When French designers came up with new lines of fashion inspired by the Japanese kimono, Japanese textile industries welcomed it happily. They reciprocate by showing their fascination and accreditation of the western styles (O'Dwyer, 2015).

**The Metis people:** Valentino, the Italian well-known brand collection, was criticized for appropriating the Metis peoples' of Canada beaded and embroidery flower designs in its resort 2016 collection, without allowing the Metis people a chance to work for it. Since the artistic legacy of these people is inseparable from their economic lives, the act of Valentino contains both moral and economic harm. When these embroidered or beaded designs are imitated and get mechanically printed on textiles, they lose the meaning and identity, hence this scenario creates disassociation between the design and the making, the creator, and the wearer. It is plagiarism, meaning distortion and humiliation to the originators (Vezina, 2019, Zhao, 2018).

**The Navajo case:** The Urban Outfitters have used the Navajo nation (living in Arizona, Utah, and New Mexico) name without asking for the community's permission. The court decided that urban outfitters should pay monetary compensation to the Navajo nation based on the size of sale accruals from the Navajo themed products dating back to 2008. It also gives injunctive order that

prohibit urban outfitters from using the Navajo name in any products thereafter. Finally, in 2016, the Navajo nation and urban outfitters reached an agreement.

**The caribou skin parka case:** An Australian designer KokonToZai created a caribou skin parka for the 2015 runway. The designer has appropriated a former style designed in 1920 by a shaman named Ava. Relatives of the shaman have the story and photograph of that design and they know that it was designed by their ancestor. The shaman tried to contact the designer on different occasions. But it was not possible. The final resort they found was to air the issue on the media. Consequently, retailers began to take it off their shelves which they were selling for about \$925 Canadian dollars. Finally, the designer issued public apology for his act of appropriation (Holloway, 2016).

**The Maori people's case:** A New Zealand swimwear manufacturer named Moontide came up with a new line of women's swimming suit with curvilinear designs taken from the traditional Koru art of the Maori people. The designing process was done in consultation with elder representative of the Maori people. Series of negotiations were conducted regarding the use of the motif. Accordingly, the manufacturer was bind by the obligation to ensure commercial viability and cultural respect. This agreement was realized via the manufacturer's act of providing royalty based on the sale accruals from that product. When the fashion gets debuted in the Sydney fashion week of 1998, it attracted considerable press attention due to its ethical and exemplary act of apparently proper handling of the rights and interests of Indigenous peoples (Shand, 2002).

**The Maasai people:** It is said that more than 1000 companies have used Maasai imagery and iconography without getting permission of the people including well-known fashion brands Diane von Furstenberg, Ralph Lauren, and Calvin Klein, have allegedly each made more than US\$100 million in annual sales using the Maasai name and visual culture (Rosati, 2017, cited in Vezina, 2018). This is an economically significant loss of benefit to holders of the designs. The Maasai, an Indigenous group living in Kenya and Tanzania, own trademarks whose licensing revenue was, by 2013, as high as US\$10 million a year within a decade. Using a trademark in connection with CIP based fashion creations, for instance, can enhance the creation's reputation as part of a marketing strategy to promote its distinctiveness and authenticity and to prevent others from using the trademark in connection with competing products. Except in the case of

Japanese Kimono, the above cases indicate the culture consciousness of Indigenous people and the moral response of the appropriators as well as the media.

## **2.10 Historical background of weaving in Ethiopia**

Weaving as a traditional craft is being practiced all over the world. Weavers' uses this craft either as the main source of income or as a subsidiary business. However, the exact time and location when and where weaving was started in Ethiopia is not known. Rather, there are two contradicting propositions made by senior weavers. These propositions are highly related with expansion undertaken by emperor Minilik-II (1889-1913). On one side, it is stated that "the emperor took professional weavers from Shewa along with his troops to different newly integrated parts of the country and let them teach the skill to residents of those areas."

The second argument is that "once the emperor arrived around the Gamo area, southern part of the country, he observed the weaving skill and how important it is to the nation's civilization of those days. Then, he brought professional weavers from Gamo to Shewa and made them teach weaving to residents of different localities." Further, weavers around Axum are said to have learned the skill from Gamo personalities who went there as troops during the war of Adwa in 1896. Senior weavers from the Gamo community explained that, after the war of Adwa, some of the Gamo soldiers settled in Ankober, North Shewa and commenced weaving there. After certain years, many weavers came from Gamo to Addis Ababa and settled on foots of Entoto mountain, which is known as *Shiromeda*, located in the Northeastern part of Gullele sub-city.

There is another proposition that weaving was started around Wollo. Due to draught and famine, people from Wollo migrated to the southern part of the country, especially Gamo and began producing *Buluko* and *Gabi*. At that time, weavers from Wollo did not know about motif or "Tibeb", their work was simply a plain fabric. Looking at their weaving, the Gamo people learned how to weave and innovated the decorated edges "Tibeb" by mixing colours. Hence, the current beautifully decorated "Tibeb" is result of gradual modifications of that Gamo peoples' wisdom. Even though there is no tangible proof to these propositions, the Gamo people are highly recognized for their refined quality motifs of traditional clothes (Mathiszig, 2015, Gibson, 1998).

Cotton, the basic input for weaving Ethiopian traditional clothes is said to be cultivated on the Ethiopian soil and hand spun by Ethiopians for thousands of years (Temesgen et al., 2018). According to Belete (2018), the traditional weaving material was made up of locally available

woods such as the eucalyptus and bamboo. These days, it is getting replaced with modern weaving materials with similar basic structure but made up of metal which are easy to be dismantled, move from place to place and re-assembled. The main input used to produce cultural clothes is cotton produced locally as well as imported from abroad.

Weavers produce various traditional clothes namely *netela*, wraps of various sizes known as *Kuta*, *Gabi* and *Buluko*; *Qemis* (dress), *Meqent* (waist band), *Yeangetlibse* (scarf) and men's traditional clothes. Except the *Qemis* (dress), others are stoles that vary in size and thickness in a descending order from *Buluko* to the scarf and waist band (Belete, 2018, Temesgen et al., 2018).

These clothing items are made up of pure cotton and they are white in colour. Normally, the edges of these traditional clothes are decorated with colourful bands of jacquard design, often made from silk, rayon, acrylic, wool and metallic threads like silver and gold. This decorated design is traditionally known as "*Tibeb*." The *Tibebe* is made up of three-dimensional forms and the two dimensional features such as lines and colours and it is designed in a way it reflects philosophies, values and culture oriented aesthetics of the community (Kashim, 2013, cited in Temesgen et al, 2018).

There are two types of fabrics produced by traditional weavers namely "*menen*" and "*saba*." These fabrics vary in texture. The *saba* could be produced in various colours and it has relatively thick texture whereas *menen* is light textured and white in colour. *Saba* is mostly used to make scarfs, dresses as well as men's traditional suits.

Traditional clothes are mostly worn during special occasions such as religious and national festivals and weddings. As per the nature of the occasion, the way traditional clothes are wearing transmit messages that are understandable to the community whose members have subscribed to that collective meaning (Schein, 2004). Belete (2018, p.93) provided a typical example of how the vesteme of the *netela* (stole) conveys different messages to the spectators who should be subscribers to that meaning either as member of that group or as an outsider who has experienced those cultural beliefs (Young, 2009). Belete's statement runs as.

*When a woman is going to church, the netela is opened and the pattern lies on both shoulders. For funerals, as a sign of mourning, the netela is worn with the patterned end to the face. In casual contexts, the pattern is worn over the left shoulder. (p.11)*

Currently, imported imitations of the traditional hand-woven clothes with cheaper prices are flooding over the *Shiromeda* market. Even so, buyers prefer the hand-woven ones due to the superior quality and comfortable texture of the hand-woven fabrics and the unique feature of the weavers' art of handloom embroidery. Besides, the cultural meaning, emotional resonance and poetic significance embedded within the hand-woven fabrics have kept the attachment of the buyers less distracted by importation of these imitated designs (Tan, 2009).

Belete (2018) also explained that weavers of traditional clothes are innovating intricate design patterns but the benefit from their innovation is only within the lead time; until it gets copied by others. This is so because their creations are not protected by the formal IP system of the country. The reason for this lack of IP protection is the bureaucratic processes, lengthy process for examination and unaffordable costs for registration.

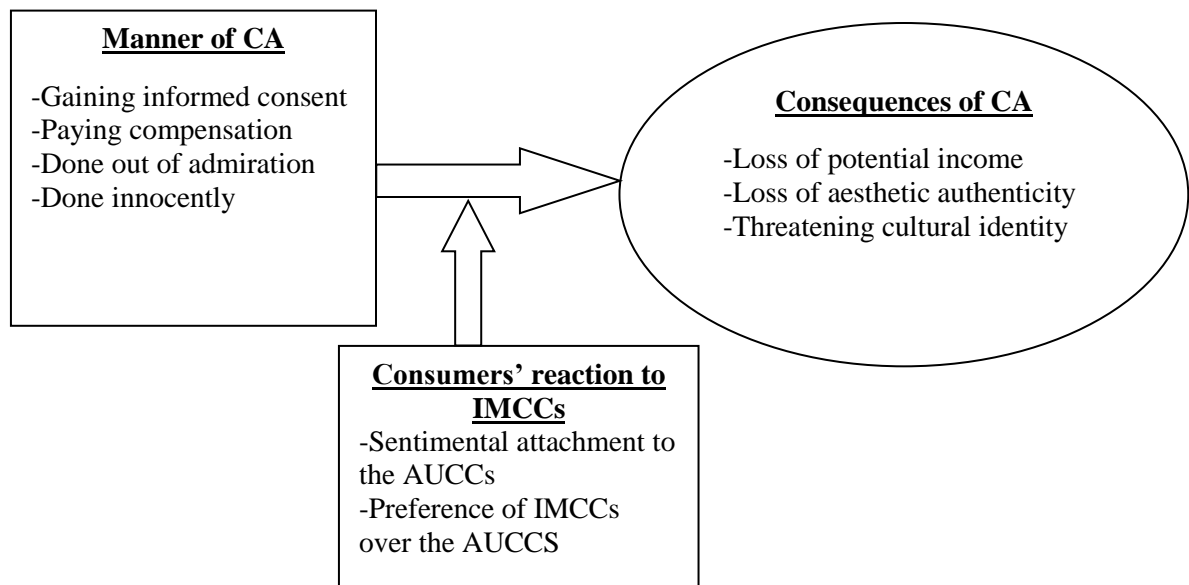
However, Belete's study focused on IP protection for intricate design patterns created by individual or group of weavers currently. The study does not address how IP protection could be assigned to CIPs which are cultural heritages of communities and the public in general. On this regard, Abiyot (2020) conducted a detail review on the availability of legal protection for CIPs in Ethiopia. The researcher found out that legal frameworks are already set at the international and regional levels. In Africa, member states of the ARIPO have adopted the Swakopmund protocol based on which member states could design their own CIP laws voluntarily. Kenya took the lead by enacting a comprehensive CIPs law to protect her CIPs and sustainably maintain the economic and socio-cultural benefits of her people. However, in Ethiopia, the CIPs are left unprotected.

Therefore, this study will contribute to fill this research gap by assessing the manner CA took place on the cultural weaving industry, identifying endeavours being undertaken to design IP laws convenient to the nature of CIPs, scrutinize consumers' reaction to the imitated designs of traditional clothes and analysing CA and its consequence on authenticity of the designs and income of the weavers.

## **2.11. Conceptual framework**

As it can be clearly understood from the conceptual frame work diagram, even though CA seems normal to many authors in the area of textile and fashion industries (Young, 2005), Vezina (2019) proposed that unless CA is done in consultation with owners/stewards of those cultural elements, paying compensation and getting their informed consent, the act of CA will constitute

an illegitimate act even though it was done innocently and out of admiration and inspiration by the unique features of those cultural artefacts.



**Figure 1: Conceptual framework of the study**

**Source: Developed by the researchers based on literature review (2022).**

On the other hand, burgeoning of imitations of cultural artefacts depends on the consumers' reaction towards those products. That is, if consumers have better understanding about the difference between authentic and imitated products and they are also sentimentally attached to the authentic ones, imitated products might not stay long in the market. But there is also a contrary scenario in which, even in the presence of sentimental attachment and awareness about the difference between imitated and authentic products might not protect the market from being flooded over by imitations. This could happen either due to lower price of the imitations and the unique features they have in colour diversity, ease to care for, durability, wearability and availability.

If the market is overwhelmed by IMCCs, it will have three detrimental repercussions on members of the culture from whom those works of art are appropriated. These are loss of potential income and loss of authenticity of their artistic cultural works which finally leads to diluting their cultural identity.

### 3. Methodology

### **3.1 Research approach and design**

This study employed a mixed methods research approach (both quantitative and qualitative data) which enables the researchers to give breadth and depth to the findings (Creswell, 2014, Gray, 2004), with the convergent parallel design in which both qualitative and quantitative data are collected at a roughly the same time (Creswell, 2014). Primary data were collected from weavers, female residents of Addis Ababa, leaders of weavers' association (WA) and leaders of relevant government organizations namely the Ministry of Culture and Tourism (MoCT) and the intellectual property office (IPO). While the primary data were gathered by administering a questionnaire, organizing focus group discussions and interviews, the secondary data were collected from different documents such as relevant government policies, international conventions, and cases as well as domestic laws.

### **3.2 Population of the study**

According to the MSEs office of the Gullele sub-city (2018), there are 52 MSEs membered by a total of 1,219 (1,117 male and 102 female) weavers. Most of these weavers are found concentrated in the government provided working premises located in a particular place known as *Shiromeda*.

### **3.3 Sample size determination and sampling technique**

While purposive sampling was used to determine resourceful interviewees from the weavers' associations and government agencies that have relevant authority to promote and protect the CIPs, the probability sampling technique was used to determine respondents from the weaving community. Accordingly, 292 weavers were selected from the population by using the mathematical sample size determination formulae set by Kothari (2004).

On the other hand, sample size taken from consumers of traditional clothes was determined based on Tabachnick and Fidell (2007:123) which provides that a representative sample size could be determined by applying the formulae  $N > 50 + 8m$ . Hence, 135 consumers were selected from the population by applying the availability sampling method. Since, female members of the society are the main users of cultural clothes; the study sample has excluded males from the category of respondents.

Two types of questionnaires, filled by weavers and consumer were prepared in English language. Both instruments were translated from English to Amharic language. Questionnaires were

distributed by personally visiting the respondents. Responses for all variables were measured using 5-point Likert scale (5) strongly Agree, (4) Agree, (3) neither Agree nor Disagree, (2) Disagree, (1) Strongly Disagree.

### 3.4 Reliability and validity of the instruments

The commonly applied test of reliability, the Cronbach's alpha, which calculates the average of all possible split-half reliability coefficients, was used to systematically test reliability of the instruments. The standard figure for reliability test is 0.70. However, there are instances in which lower figures up to 0.60 are taken as acceptable for reliability (Bryman, 2012, Field, 2009).

Table 3.1 below presents the reliability test of the items.

No.	Indicator	Cronbach alpha	No. of items
1.	CA	.607	4
2	Weavers' reaction	.628	5
3	Effect of CA	.746	6
1	Users' perception about authentic cultural clothes	.740	9
2	Users' perception about imitations of cultural clothes	.645	8

Table 3.1: Reliability test of the items

Source: own analysis based on pilot test (2022).

As presented in Table 3.1 above, all items of the questionnaires have beyond the minimum threshold alpha coefficient values, hence, they are reliable. At the questionnaire preparation stage, validity was also checked by repeated scrutiny of the contents of the questionnaire against the theoretical and conceptual underlining of CA, consequences of CA and consumer reaction.

### **3.5 Data analysis**

According to the convergent parallel strand of the mixed methods design, both quantitative and qualitative data are collected and analyzed at a fairly the same time. To this study, the researchers chose the side-by-side comparison analysis method according to which the statistical quantitative results are presented first followed by qualitative findings in each corresponding thematic area. Both descriptive and inferential statistics were used to analyze the quantitative data. Besides, the qualitative data gathered via interview, focus group discussion and document review were analyzed using the narrative technique and presented textually. Both data were mixed at the interpretation and discussion part of the study. Moreover, all participants were assured that their data would be treated anonymously and assured them that the responses will be kept confidential to provide candid responses.

## **4. Results and Discussion**

### **4.1 Response rate and demographic data**

Besides the interview and focus group discussions, a total of 292 questionnaires were distributed to weavers, out of which 235 (80%) were returned and used. To this study, sex, age, level of education, family size, acquaintance with weaving and years of experience in weaving were considered as relevant demographic characteristics of respondents. Majority 198 (84%) of the respondents were male and the age category of the majority is 114 (49%), 120 (51%) were grades 1-8 while 78 (33%) were grades 9-12 completed. While the family size of majority 160 (68%) of the respondents is 1-4 members, followed by 63 (27%) of 5-8 members.

Regarding customers, among 200 questionnaires distributed, 172 (86%) were returned and utilized. While the whole respondents were female, majority (89%) of the respondents are aged between 18-42, and 62% had their first and second degree, and majority of the respondents earn less than 5000 birrs while 34% earn 5001-1000 birr per month.

Weaving as an industry requires the right knowledge, skill, and attitude. Majority of the respondents, 220 (94%) learned the skill from their ancestors through experience. Whereas the remaining few 15 (6%) learned weaving because of education and training they got from TVET institutions. Majority of the respondents 99(42%) have experience of 16 years and above followed by 55 (24%) of 11-15 years of experience. Therefore, respondents of this study were

well experienced in the job and know the internal and external environments of the weaving industry.

## 4.2 Effect of CA on the cultural garment weaving industry

### 4.2.1. CA of the hand-woven cultural designs

A questionnaire composed of ten items on manner of CA, weavers' reaction, and authenticity of the imitated cultural clothes (IMCCs) was administered to weavers. The responses on these issues are presented in Table 4.1 and the analysis is done using both descriptive and inferential statistics.

Table 4.1: The manner of CA

No.	Cultural appropriators	Response category							
		DA		SA		AG		Mean	S. D
		F	%	F	%	F	%		
1	gained prior informed consent of the weavers	220	94	6	3	9	3	1.1	.41
2	give formal recognition to Ethiopian weavers	227	97	8	3	0	0	1.0	.18
3	have paid compensation to weavers	225	96	10	4	0	0	1.1	.44
4	CA was done due to admiration and respect for the designs	196	83	17	7	22	10	1.3	.62
5	Cultural appropriators committed the act innocently	205	87	15	6	15	7	1.2	.55

Source: field survey, (2022).

The data revealed that the process of CA did not (220, 94%) begin by recognizing the weavers' right over the designs and securing their willingness to the act, and 227 (97%) of the respondents also disagreed whether the appropriators gave formal recognition to Ethiopian weavers during the act of appropriation. This shows that the appropriators have simply duplicated the designs without placing any mark on the fabrics that declares sources of the designs. Moreover, 225 (96%) of the respondents declared that the appropriators do not paid compensation which portrays that CA took place without compensating the owners.

While 196 (83%) of the respondents showed their disagreement that CA was done due to admiration and respect for the designs, 205 (87%) confirmed their disagreement whether the cultural appropriators committed the act innocently. Thus, majority of the respondents believe

that the foreign companies have done the appropriation intentionally to get undue enrichment at the expense of Ethiopian weavers and the community who used to produce and guard the designs starting from an unmemorable period.

Similarly, the interviewees and FGD participants revealed that to appropriators CA is a lucrative business. They said that ‘had it been out of admiration, they would have used it themselves in its authentic form’. However, during the FGD, some participants raised the idea that *“the appropriators might be innocent; they may have no information on whether these traditional designs have owners. Instead, it could be some greedy Ethiopian merchants who sold the traditional designs to foreigners for industrial printing and duplication.”*

The official from the Ministry of Culture and Sports (MoCS) stated that *“there is a rumor that it is not the foreign companies who have copied and reproduced the authentic cultural designs. Instead, they were given the designs and a business order by Ethiopian merchants engaged in importing textile products from the foreign markets to Ethiopia.”*

Furthermore, the FGD participants elaborated that there is no legal and institutional framework that enable preservation, protection, and commercialization of the authentic cultural designs. This scenario makes them highly exposed to imitation by any interested party. People come to the Weaver’s workshop and buy the AUCCs and copy the design.

Hence, whether the AUCCs designs were copied by Ethiopian merchants or the foreign textile companies, what matters here is that the act of CA was done without securing informed consent of the weavers, without giving them formal recognition and paying compensation. Moreover, it was done to get profit by distorting the cultural values embed within the AUCCs and in violation of the rights of the weaving community.

#### **4.2.2. Reaction of Weavers to appropriation of the cultural designs**

When CA took place, a positive, neutral, or negative reaction is expected from the weaving community. The cases of the Navaho community in the USA and the Sharma in Australia are good examples whereby the privileged communities get re-instated to their rights through court order. On the other hand, the Japanese were not that much sensitive about appropriation of their Kimono by the western fashion industry. On this regard, weavers were asked to state their feelings towards the act of CA and their responses are presented in Table 4.2.

**Table 4.2: Reaction of Weavers to appropriation of the cultural designs**

No.	What makes weavers disappointed with the act of CA? I feel irritated	Response category							
		DA		SA		AG		Mean	S. D
		F	%	F	%	F	%		
1	when I see the imitated designs at markets	20	8.5	40	17	175	75	2.7	.63
2	when I see people wearing imitated cultural clothes during holidays	17	7	60	26	158	67	2.6	.62
3	because the designs are cultural heritages	16	6	32	14	187	80	2.7	.58
4	because the designs have religious contents	13	6	48	20	174	74	2.7	.57
5	because the designs are sources of my income	0	0	12	5	223	95	2.8	.59

Source: Field survey, (2022).

According to Table 4.2, 175 (75%) of the respondents stated that they feel irritated when they see the appropriated designs displayed in the cultural clothes' market. Likewise, 158 (67%) respondents confirmed that they feel irritated when they see the IMCCs worn during holidays. This shows that the public's act of wearing IMCCs during holidays creates resentment in the weavers. This was further explained by one of the FGD participants who underlined that *"the Ethiopian AUCCs are normed as clothes of honour and pride and holiday celebrations should be accompanied by wearing these clothes; not the ordinary machine-made fabrics."*

In addition to considering CA as a morally wrong and legally punishable act; Vezina (2019), Fredriksson (2019), Heyd (2011) and Tan (2009) identified grounded factors that trigger owners/stewards of those CIPs resentment about the act of CA. These were affecting their cultural heritages, religious values and the means of their livelihoods. In relation to these implications, weavers were asked about what makes them feel irritated on the act of CA.

While 187 (80%) feel irritated because these designs are cultural heritages that require legal protection, 174 (74%) do not feel good because the designs have religious contents, and 223 (95%) revealed that the CA's effect on their income is the cause of their irritation. In their response to the open-ended items, respondents stated that weavers oppose the act because; it unlawfully took their intellectual creations and heritages away. The act could aggravate joblessness and poverty. Many weavers are leaving their profession and getting employed as security guards for different organizations.

In conclusion, the FGD participants stated that:

*This special weaving skill is naturally given to Ethiopian weavers. The appropriators mass produced the authentic cultural cloth designs in a distorted manner, and they provided it to the market for a lower price. We try to voice our*

*claims to responsible bodies of the government, but there was no positive response. Our intention is not to stop sharing the knowledge and skill we have, but we want recognition and compensation from everyone who uses the designs for commercial purpose. If it is going to happen, CA should be done by giving due recognition to the weavers and respect to protection of cultural values and ownership right of the community.*

#### **4.2.3. Effect of CA on the weaving industry**

Since this study adheres to the conservative approach towards preservation, protection, and promotion of culture; effect of appropriation of the AUCCs from the weaving industry was measured from the perspectives of income, authenticity, and distortion of cultural identity. Respondents' response towards this issue is presented in Table 4.3.

Table 4.3: The influence of CA on the AUCCS

No.	Indicator	Response category							
		DA		SA		AG		Mean	S. D
		F	%	F	%	F	%		
1	The act of CA has reduced weavers' income	14	6	28	12	193	82	2.8	.55
2	The act of CA has created unfair competition in the market	14	6	44	19	177	75	2.7	.58
3	The act of CA has resulted in cultural identity distortion	14	6	20	8.5	201	85 .5	2.8	.53
4	The forged designs have distorted the cultural meaning embedded within the original designs	18	8	30	12	187	80	2.7	.60
5	The appropriators have ignored the cultural values embedded within the original designs	10	4	36	15	189	81	2.8	.52
6	Complexity of the cultural designs make appropriators come up with low quality products	15	6	19	8	201	85	2.8	.54

Source: Field survey, (2022).

According to Table 4.3, 193 (82%) respondents agreed that CA has reduced their earning from the weaving business. While 177 (75%), 201 (85%), 187(80%), 189 (81%) of the respondents perceive that CA has created unfair competition in the market, resulted in cultural identity distortion, resulted in distortion of the original values, and the appropriators' lack of concern towards preservation of the values is the cause of distortion, respectively.

Hence, it could be concluded that the practice of CA influenced the weavers' life in different ways. It has reduced their income, created unfair competition, distorting cultural identity and above all the appropriators' have no care whether the cultural property is preserved or not.

#### **4.2.4 The relationship between CA and Weavers' level of income and authenticity of the IMCCs**

As a preliminary stage to inferential analysis, all the assumptions are met without violations. To ground the descriptive findings, an inferential analysis was done using correlation in order to scrutinize the direction and strength of relationship that exists between CA and level of weavers' income and the level of authenticity of the IMCCs. Results of the correlation analysis are displayed in Table 4.4.

Table 4.4 Correlation analysis between Overall CA, Income and Overall Authenticity

Overall CA	Pearson Correlation	Overall CA	Overall income
		1	-.299**
	Sig. (2-tailed)		.000
	N	235	235
Overall Income	Pearson Correlation	-.299**	1
	Sig. (2-tailed)	.000	
	N	235	235
Overall CA	Pearson Correlation	Overall CA	Overall Authenticity
		1	-.319**
	Sig. (2-tailed)		.000
	N	235	235
Overall Authenticity	Pearson Correlation	-.319**	1
	Sig. (2-tailed)	.000	
	N	235	235

Table 4.4 Correlation analysis between Overall CA, Income and Overall Authenticity

**\*\*.** Correlation is significant at the 0.05 level (2-tailed).

Accordingly, the correlation coefficient between CA and the level of weavers' income is -.299 and that of CA and authenticity of the IMCCs is -.319. These results are statistically significant at  $p=.05$ . The negative (-) sign indicates that the variables are correlated in an opposite direction. That is, an increase in the level of CA results in decrease of the weavers' level of income and level of authenticity of the IMCCs. The other essence of these correlation coefficients is that they tell us strength of the relationship between the variables. According to Cohen's standardization of correlation coefficients ( $r$ ) (Cohen, 1988, pp. 79–81) as  $r=.10-.29$ =small;  $r=.30-.49$  medium and  $r=.50-1.0$  large; the strength of the relationship between CA and income of weavers (-.299) and between CA and authenticity of the IMCCs (-.319) is of a medium size.

#### 4.3. Effect of CA on Weavers' income and authenticity of the IMCCs

A standard linear regression analysis was conducted to examine the effect of CA on Weavers' level of income and the level of authenticity of the IMCCs. Results of this analysis are presented below in the Table 4.6.

Table 4.6: Effect of CA on overall income and overall authenticity

Multiple R=.299 R <sup>2</sup> =.085 Multiple R=.319 R <sup>2</sup> =.098					
ANOVA Table					
	Sum of Squares	df	Mean Square	F	Sig.
Regression	3.413	1	3.413	22.870	.000a
Residual	34.774	233	.149		
Total	38.187	234			
Regression	2.210	1	2.210	26.359	.000b
Residual	19.531	233	.084		
Total	21.740	234			
Variables in the Equation					
Variables	B	Std. Error	Beta	t	Sig.
Constant					
Overall INC	-.367	.077	-.299	-4.782	.000
Overall AUT	-.295	.058	-.319	--5.134	.000

Predictors: (Constant), Overall CA

Dependent Variable: Overall Income

Dependent Variable: Overall authenticity

As it could be grasped from the data in the Tables 4.6, CA affects the level of Weaver's income by 8.9%,  $F(1, 233) = 22.87$ ,  $P < .005$ . The beta value of the analysis shows that a one-unit change in CA results in decrease of income by .367 with standard error of .077, which is significant at  $P < .05$ . Similarly, CA affects the level of authenticity of the IMCCs by 10.2 %,  $F(1, 233) = 26.36$ , at  $P < .005$ . The unstandardized beta coefficient also shows that a one unit increase in CA decreases the level of the IMCCs authenticity by .295 with a standard error of .058.

According to Cohen (1988, p.535) the validity of effect sizes varies based on the context in which the study is embedded. That is, an effect size of 1% could be as valid as the effect size of 50% depending on the nature of the variables and seriousness of the consequences of the variation caused on the dependent variable by the independent variable. Based on this proposition, even though it is statistically significant, the 8.9% effect size of CA on the weavers' income could be trivial and insignificant. Because, weavers could get more income by weaving AUCCs that attract the economically well to do groups and sell those products for higher prices. However, the 10.2% effect size of CA on authenticity of the IMCCs will have serious consequence of distorting the cultural and religious values embedded within the AUCC s and washing them away from the public memory on a gradual basis.

#### 4.4 Users' perception towards authentic cultural clothes

The perception that users have towards a certain product or service determines their behavior in buying it. As the values range from .51 up to .78, it shows that values placed within the best acceptable margin and imply that the data are concentrated around the mean. The first question posed to respondents was about their understanding of the values embedded within the AUCCs. The mean value of the responses is 2.5, which implies that majority of the respondents have knowledge of the values of cultural clothes.

The mean value of respondents' frequency of wearing cultural clothes in holidays is 2.4, which could be interpreted as "most of the time." An item which runs as "the values embedded within the cultural clothes enables me to communicate my unique Ethiopian identity to the world" was posed to respondents and they answered with a mean value of 2.7, which is almost all the respondents have agreed. Respondents also said that they feel fulfilled whenever they wear AUCCs (2.8).

Respondents were also asked about aesthetic quality and durability of the cultural clothes. The mean value of their responses towards the item 'Authentic cultural clothes are very beautiful' is 2.8 which show almost full agreement, however, the mean value of 2.4 shows that respondents have slightly agreed to the ability of cultural clothes to be worn for a long period of time. Regarding comparison between authentic and imitated cultural clothes in terms of understanding their difference in substance, quality and price, the mean value of 2.5 shows that majority of the respondents understand the substantial difference that exist between authentic and imitated cultural clothes, authentic cultural clothes have better quality than their imitations (2.8) and authentic cultural clothes are more expensive than the imitated ones (2.6).

The above findings tell us that users are not having awareness and sentimental problems towards the values of AUCC and their difference from the IMCC. Rather, there are other factors that forced users to prefer the IMCC over the authentic ones.

Similarly, timeliness and nature and availability are used to measure the users' perception about IMCCs, the SD values range from .77 up to .94, which are still less than one and within the acceptable margin. The mean value of the response on the statement that "imitated cultural clothes are the fashion of the day" is 2.3 which means majority of the respondents have slightly agreed to this idea, 'IMCCs could be worn for both occasion and casual days' is 2.0 which means slightly Agree, 'if they feel comfort wearing the IMCCs' is mean value of 1.6, which

could be rounded off to a slightly Agree. Further, the responses mean values about ease to care and ability to be used for long time without losing its quality is 2.0 and 1.8 respectively. Hence, respondents have slightly agreed to these items. These show that, it is not the timeliness or nature of the IMCCs that make them preferred by users.

The logically subsequent question here is that “if so, why do users prefer to buy IMCCs over the AUCCs? Three items were designed in the questionnaire to address this question. The first one runs as “Imitated cultural clothes are readily available in different body sizes” to which the response mean value is 2.7 (Agree), “Imitated cultural clothes are available in all open clothing marketplaces of the city.” is also 2.6 (Agree), and “Imitated cultural clothes are produced with different colours.” is 2.5, which could be considered as “Agree”.

The final item included in the users’ questionnaire runs as “the price for imitated cultural clothes is cheap compared to the authentic ones”. The mean value is 2.8 (Agree). Since this is the highest among the mean scores under the availability category of items, it could be the most determinant factor for users’ preference of the IMCCs over the authentic ones.

Generally, availability of the IMCCs in different body sizes, in all open clothing markets of the city, in different colours and their lower prices are attracting people to buy and use them. This claim is further strengthened by the finding that the income of majority (57%) of the respondents is less than 5000 birr per month. Hence, it could be concluded that the extreme price difference between AUCCs and the IMCCs is the main factor behind users’ preference of imitations over the authentic ones.

In the open-ended part of the questionnaire, respondents were asked about their views on the act of CA as well as the reason behind users’ preference for imitations over the authentic ones. Regarding CA, respondents have two contradicting views. One group said that ‘they feel sorry, because Ethiopian cultural dresses (*Tibebs*) reflect the long-standing tradition and customs of Ethiopians. Ethiopians should have detail understanding about their culture and be proud of what they have. CA has resulted in distorted images of the authentic clothes “*which does not feel Ethiopian.*” Respondents in this group added that:

*Hand-woven cultural clothes are next to none. However, majority of the users donot have awareness about the imitations of cultural clothes. Instead, they consider the imitations as having the same cultural value and meaning. On top of that, there are few people in society who considered wearing woven traditional clothes as backward and old*

*fashioned. These groups deem the imitations as modern and fashionable. Besides, they have negative perception to the weaving profession. That is why they want to buy the machine-made imitations of cultural designs.*

Respondents underlined that compared to the previous decade or two, the rate of wearing the AUCCs for occasions has increased these days. This shows that people are getting more understanding and concern towards their cultural value and meaning. They also explained that CA is immoral and disrespectful. They reasoned out that using domestically produced AUCCs could boost the national image and economy in the eyes of the world, whereas using IMCCs takes away the scarce foreign currency of the nation. On top of that, cultural identity and creativity could be eroded from the local people, which further cause economic and moral sufferings to weavers. One of the FGD participants also raised similar concern by stating that.

*“Most of us decided not to train our children in weaving. Why should they suffer? The toil and exploitation should stop on me. I am suffering; my father and my great grandfather have suffered too. I fear after few years the profession will vanish. As you know, there are more than 600,000 people earning from this industry. If we stop the weaving, hundreds will starve. Our life is bitter.”*

While the other group reflected the idea that:

*We are in an era of globalization and the free market economy. Within this environment, only industries that cope up with the changing demands could sustain in the market. Instead of criticizing the act of CA, respondents in this group appreciate the competence of foreign companies in copying the intricate designs and availing the products for all income groups. They said that the act helped low-income groups get the feel of equality in wearing the cultural clothes. Literally, it enables them buy clothes with intricate cultural designs that are on average valued for 15, 000-25,000 birr in the authentic form for 1500 birr in the imitated form. Thus, CA should not be criticized.*

These groups of respondents are also of the view that:

*People have already assigned religious and cultural vitality to cultural clothes. Hence, it is not lack of awareness or concern about the cultural values and meanings embedded within the AUCCs that force people buy the IMCCs, instead, it is the sentimental attachments they*

*have towards the AUCCs that drive them buy the imitations. They buy it because, it resembles to the AUCCs, which is too unaffordable for them. CA enables them to satisfy their cultural urge to feel Ethiopian.*

#### **4.5. Major challenges faced by Weavers.**

The major challenges faced by those engaged in the weaving industry are discussed from the perspectives of the IP legal topography of the nation and provision of input and various facilities by the government.

##### **4.5.1. The legal topography of CIPs in Ethiopia**

Symbolic cultural artefacts are intellectual creations of nations or communities of a certain nation; hence they deserve to get legal protection. At the international level, emphasis is given to protection of CIPs either by the general IP law such as copy rights and trademarks or by enacting a special law, *suigener* is that accommodates the specific features of CIPs. In Ethiopia, IP rights are protected by the copy right and neighboring rights protection proclamation No. 410/2004 and its amendment No. 872/2014. This law focuses on protecting artistic, literary, or scientific works that fulfill the requirements of originality, fixation, and existence of an identifiable author as legal owner of that IP work.

On top of that, the copy right and neighboring rights protection is given for a limited period which is limited to life of the author plus fifty years only. However, the nature of CIP requires perpetual protection due to continuity of generations. This implies the necessity to enact a *sui generis* CIPs law. Otherwise, the government could not discharge its constitutional responsibilities regarding promotion of cultural rights of the diverse communities of the nation (FDREC, 1995).

An official from the Ethiopian IPO was interviewed on the current IP legal topography and explained that as a western concept, the purpose of issuing IP related documents is to ensure legal monopoly of the owner for a limited period. IP rights should be traded and add value to society. Starting from 2001 till date, 41 round discussions have been conducted regarding IP rights and cultural heritages. These discussions were organized by the WIPO. Based on these discussions, an inter-governmental committee mandated to take care of CIPs is established.

The interviewee concluded stating that ‘it is impossible to protect IP rights of the weavers unless they gain total monopoly over the inputs (weaving tools, yarn, and design). However, some

attempts are being made to assign legal protection by applying the conventional IP law of copy rights and geographic indications. Practical examples are “*Yewello Gabi*, and *Yejiru Senga*” which get protected under provisions of the trademark and geographic indicators law. However, there is no special law that governs the case of CIPs in Ethiopia.

Moreover, an official in charge of the handcrafts’ development department of the MoCS was asked questions on “how the CA happens, measures being taken to curb the problem and the challenges they are facing. The interviewee begins by classifying the hand-woven cultural clothes as purely cultural, mixed, and purely modern. The CIPs issues are more related with the designs of cultural clothes which passed from generation-to-generation as they are. In fact, the act of mixing could also trigger questions on the products’ authenticity and alignment with cultural identity.

Further, the interviewee stated that the cultural designs were appropriated due to fraudulent acts of some greedy merchants who hand over photographs of the designs to foreigners. The imitation is not only conducted abroad but also, there is a rumor that the imitation is being done domestically either in *Merkato* or in some industry parks. But no one knows the exact place.

#### **4.5.2. Provision of inputs and related facilities**

These challenges are analyzed based on reflections of the interviewed official from the MoCS and the FGD participants. The weaving industry uses threads of various types for production of the AUCCs. FGD participants emphasized that lack of adequate thread of various types is the main challenge they face in the weaving process. Even though we know that threads named *Saba*, *Mennen*, *Suuf* and *Werqezabo* are imported from India, China, and Taiwan; weavers do not know who the importer is. Instead, weavers get market access to these materials at the fifth stage (Importer-whole seller-Retailer-Brokers-weavers). Involvement of multiple actors in the thread provision makes unnecessary delay and increase in the price of the materials without adding value. They added that they do not have direct contact with the main suppliers of inputs and buyers of their woven fabrics. A great role is played by brokers who benefit from the unnecessary price increase.

There are also domestic factories producing the thread types known as *Salayish*, *Asmera* and *Weldeyes*. However, weavers do not have direct access to these domestically produced threads for basically two reasons. The first one is presence of shortage of cotton as raw material for

production of the threads. These days, it is said that pure cotton is being exported in huge volumes to abroad. The other reason is that the thread supply chain is occupied by merchants/firms who are also the importers of the foreign made threads. Hence, they sell these inputs via the long value chain where prices increase due to change of hands; without adding value.

The official from the MoCS stated that lack of cotton and other yarns required for production of cultural clothes is another great challenge for the weaving business. Only 35% of the industry's demand for cotton is supplied from domestic sources whereas the rest 65% is imported. On top of that, the other decorative threads “*Tibeb and Werqezebo*” are imported from China, India, Taiwan, and South Africa. This increases the price of cotton and hence the price of the finished cultural clothes.

The value chain of the inputs is also unreasonably elongated and complicated. At every step in the value chain there is price increment without adding value.

Since, weaving is a labour-intensive industry; it could serve as an occupation for many people. In that sense, it could also contribute to minimization of the rural-urban migration. Despite that, adequate attention is not given to this sector. For instance, there is no tax exemption or deduction on imported inputs used by the weaving industry compared to treatments and support given to other investment options. The MoCS has a special agency named Heritage Preservation Authority, but the emphasis this agency gives to cultural clothing designs is almost null. They did not clearly determine which aspects of the weaving products needs preservation, and which aspects could be commercialized.

One of the FGD participants explained that:

*I spent the past 40 years in this profession. In Shero-Meda approximately more than 300,000 people are engaged in weaving and related jobs. But the government overlooked us. The government does not facilitate the market. We have no right even to sell what we produced. If you come to Sunday market, you will see how police chase us not to sell our products. We are not getting protection from concerned bodies. Besides, the weaving profession is not culturally respected. Even spouses who choose to wear the authentic cultural attires for their wedding and feels fulfilled and decorated may; when they sow a Weaver say “.... that archaic Shemane....*

Recently, the weaving knowledge and skill are dying away for two basic reasons: the profession is not respected and the price of the inputs that weavers use for weaving are exceeding. The market is regulated by unknown bodies. Weavers have no authority in the market. When weavers

scan the market, the ultimate beneficiaries are the importers, brokers and people who sell the cultural clothes.

For instance, AUCCs of a fine quality standard could be sold by weavers for 2000-2500 birr to merchants. The merchant sells that fabric for 5000-6000 birr to users, then, the tailors and embroiders also, adding value costs the user on average, especially up to 4000 birrs (depending on complexity of the sewing and the embroidered design). Finally, the user gets the AUCC for about 10,000 birrs.

### **Use of old aged technology**

Tools used by the weaving process are manual and do not get modified for a long period of time. The interviewed weavers and a professional in textile engineering stated that the traditional weaving technology could be modernized in a way it increases efficient production. However, such modified technologies could not produce the light, soft and fine texture as produced by the traditional ones. But they could be used for production of varieties of textiles with somehow modified traditional design. This shows the necessity to preserve that old technology and the required skills.

## **5. Conclusion and Recommendations**

### **5.1 Conclusion**

The following conclusions are drawn based on the major findings. In Addis Ababa more than 300,000 people are engaged in weaving. It is the source of income to hundreds and thousands. Weaving particularly the designing requires agility. The respondents obtained the weaving knowledge and skill from their own parents and the industry is male dominated. Currently the cultural clothe weaving become victim of appropriation. CA is practiced without the cultural clothe designers' consent and without moral and financial compensations. The weavers believe that the act of CA, the violation of the rights of the weaving community, is done not innocently but purposely for money making.

The act of CA is spoiling the honour and pride that weavers have with AUCCs and disturbing the cultural heritage status and religious vitality of the designs. The practice of CA affected the income of weavers, hiked the income of the appropriators, and erodes cultural identity and authenticity of the products. An increase in the CA deteriorates the level of the IMMCs and distorts the look and cultural values embedded within the AUCCs.

The study found that people have clear understanding regarding authentic and imitated cultural clothes in terms of substance, quality, and price; however, do not have sufficient awareness on ultimate consequences of IMCCs on the values of AUCCs. In terms of price, authentic cultural clothes are more expensive than the imitated ones and it is one of the main causes that triggered the customers to prefer the IMCC over the authentic ones. Moreover, the relative expensiveness of the cultural clothes has appealed the users, since it is not the timeliness or nature of the IMCCs that make them preferred, towards IMCCs which gives early warning to weavers and stakeholders to find compensation mechanisms, its limitation in day-to-day usability demands searching innovative ideas that make the fabrics fit for the purpose. Today, besides CA, the process of preservation and conservation of authentic cultural clothes are in danger. Weavers are also facing challenges such as lack of direct access to weaving inputs such as threads, market opportunity, financial scarcity, technological support, legal protection, and fear of losing original designs of their ancestors.

## **5.2 Recommendations**

The weaving industry is male dominated, and this makes the only source of income is male. The industry must expand the involvement of female in weaving by giving trainings as they do to boys. If they engage this relatively the idle force, the daily income of the family could increase. Community including the government should take responsibility to advertise the traditional designs to the world. Especially, leaders and the Diaspora community should take the lead in promoting Ethiopian traditional clothes. There should be agreement among different countries on how to give recognition and protection to the Ethiopian cultural designs.

Weaving traditional clothes is source of income for many families. Besides, these clothes glorify holiday celebrations. Therefore, the society plus the responsible government authorities should work together to ensure legal protection of the rights of the weaving community of Ethiopia.

To diminish as well as avoid forged traditional clothing designs and to get the basic inputs in fair price, weavers should establish well organized and competent national weavers association. This association shall have integrated working environment with the IPO, with the Ministry of culture and sport, and with Ministry of Commerce.

There should be a specific legal framework that focuses on protection of cultural heritages in the form of IP rights. Weavers should organize their production based on different quality standards and they should determine the reasonable price by themselves. If so, economically capable people could buy the AUCC of the best quality and others could enjoy it by buying an AUCC that is affordable to them. To do this the government or banks may give special loan as initial investment.

Any importer who imports IMCCs should be taxed with the highest rate to discourage that behavior. Ethiopian designers should play their role by designing AUCCs inclusive of the different features of cultural clothes worn all over the country. Professionals and leaders of the Audio-visual media should organize discussions on the issue and always wear the traditional clothes rather than machine made clothes that are irritating the waver community. Weaving as a TK and skill should be part of the national curriculum. Films and dramas should also be produced to teach the society.

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Reviewer Attachment ( Annisa Mardatillah )

Title: Effect of Cultural Appropriation on the Cultural Garment Weaving Industry: The Case of Weavers in Addis Ababa, Ethiopia

Manuscript ID : COGENTSOCSCI-2023-1647

This article has good potential for further development, with some important notes needing minor revision. That sounds like a comprehensive approach to providing revision notes to the author. Providing clear and specific feedback is important to help the author understand the necessary changes. (reviewer attachment)

The abstract should succinctly explain the research's objectives, who the research respondents or informants are, and what sampling technique was used in this study. Additionally, describe the analytical tools used for the quantitative and qualitative research. The research findings and contributions should also be highlighted as they are crucial.

The introduction should be presented more efficiently; there is no need to list the research problem and objectives with numbered sequences; instead, present them concisely. In the introduction, it's advisable to provide a clear elaboration of the study's relevance concerning previous research concerning variables as outlined in the conceptual framework of this study to reveal the interconnection between variables.

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The conclusion should begin by explaining the research findings related to the research hypotheses and then describe the research's contributions empirically and theoretically."



**Reviewer Recommendation and Comments for Manuscript Number COGENTSOCSCI-2023-1647**

Effect of Cultural Appropriation on the Cultural Garment Weaving Industry: The Case of Weavers in Addis Ababa, Ethiopia

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## Reviewer Recommendation and Comments for Manuscript Number COGENTSOCSCI-2023-1647

## Effect of Cultural Appropriation on the Cultural Garment Weaving Industry: The Case of Weavers in Addis Ababa, Ethiopia

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