

Experience as Property?

A Dialogue in Three Parts

Trudy Govier

Characters

Ben Dewar is a professor of philosophy at a small liberal arts college.

Nancy Wright, an administrator for a local art museum, is a friend of Ben's.

Leila Lopez McLeod, works in a local bookstore and hopes to gain admission to a creative writing program at the college.

Setting

Ben's living room. The three are chatting over coffee after an afternoon stuffing envelopes for a charitable campaign.

Ben: What have you heard about your application, Leila?

Leila: Not too much, and it's a bit discouraging. I'm going to call them tomorrow and try to find out what their timeline is.

Ben: Good idea. I don't quite understand why there is so much competition to get into a creative writing program, but given that there is, the least they could do is administer it efficiently.

Nancy: Right. Leila, this program is not only selective, it's quite expensive. Are you sure you need it, for what you want to do?

Leila: For sure. I'm going to write a novel, and I'm just starting out. I need help.

Ben: It will be a hard path, I fear. What will your novel be about?

Leila: Well, I have a various ideas but my favorite one is about Colombia. I would explore a serious issue there, about attitudes to twins among some of the indigenous people. Apparently in some groups it is believed that one twin is always evil, so twins should be destroyed; a tradition, for that reason, is to kill twins. As I understand it, the legal system in Colombia is a plural one, and gives status to indigenous customs. Of course, as in most legal systems, murder and infanticide are illegal. So there is a contradiction about the practice regarding twins, and terrible dilemmas arise.

Nancy: Leila, how would you know enough to write a novel about this?

Leila: It would be about people who save newborn twins, and the struggles they go through to protect them as they grow up. As well as the twin issue, I would like to explore themes of peace and reconciliation – you know, the recent settlement between the government and the FARC rebels after 50 years of civil war in Colombia. Divided families, problems of reintegration, even identity issues for former fighters.

Ben: The project sounds fascinating. Just by themselves, the reconciliation issues will be considerable, to say the least. But surely this project would require a lot of research.

Nancy: Leila, how would you know enough to do this?

Leila: It would take a lot of research and that's one of the things I'm looking forward to most.

My mother was born in Bolivia and Spanish is my first language, so I have a big advantage there. After my program here, I'd hope to get a job in Colombia, perhaps in an art gallery in Bogota or something like that, and from there I'd do travelling and interviews.

Ben: Big project. You'd need a lot of background knowledge, that's for sure.

Nancy: Yes, but getting a lot of new knowledge is not the real issue. It's something else I'm really worried about – a moral problem. This doesn't sound right to me.

Leila: A moral problem?

Nancy: Right. You would be appropriating material from another country and culture, using it for purposes of your own, for your own career and profit.

Leila: I want to do research and write a novel.

Nancy: What you face here is the issue of appropriation – much discussed and, I would have thought, widely understood. Appropriation occurs when you take the property of a group or culture that is not your own, and you use it for your own projects and profit. When someone from a dominant culture takes on the products of an oppressed culture, failing to respect the ownership and dignity of the originating culture, it's a kind of colonialism. It's wrong: it's a kind of theft.

Ben: People who talk about appropriation worry about all kinds of things, don't they? Food, fashion, art, artifacts, even practices like yoga and meditation.

Leila: Oh, wasn't there an issue a couple of years ago about a yoga program for disabled people at a Canadian university? The students' union banned it or something on the grounds that the sponsors were appropriating, taking over from Indian culture. But remember, I'm talking about researching and writing a novel.

If there's an issue here, it's about experiences and stories.

Ben: Nancy, why do you think it would be wrong for someone like Leila to try to research the situation in Colombia and write a novel about it? Apparently there is a plural legal system in Colombia, and there are contradictions in the laws; also there must be personal and political dilemmas of reconciliation in the aftermath of a long civil war. From what Leila says, I gather that these are plain facts about Colombia. They are public facts, though they seem to be little-known ones. And they are very interesting facts, facts that deserve attention, facts on which we could reflect and learn. Nobody owns facts, for heaven's sake. If Leila wants to study this situation, what would be wrong with that?

Nancy: What I'm talking about is the experiences of the Colombian people and their stories. Leila is not one of them; she is not an insider to this group, and their stories are not hers to exploit.

Ben: 'Exploit' is a loaded term, Nancy.

Leila: I don't understand what you are calling appropriation, Nancy. Really... if I do this research and try to write this novel, my intentions will be entirely honorable. It's not as though I'll be stealing or anything like that.

Nancy: I don't doubt your intentions, Leila, but I see some deep problems here. Appropriation is taken very seriously these days, especially by creative people from marginalized groups. You do not belong to Colombia; you have not been raised in that culture and it is not your heritage. It goes without saying that you have no connections to indigenous cultures there. Those stories are their own, not yours. To use them as the resource for a project of your own would amount to stealing. Haven't colonizers and settlers taken enough from these marginalized people?

Ben: Are you saying that it would be morally wrong for Leila to write such a novel? Or even try?

Nancy: I am. Appropriation – or voice appropriation as it’s sometimes called – is simply wrong.

Leila (shocked): It’s wrong to study the history and stories of another group? To imagine what people could be going through in another culture? To do all this research and work to try to understand, and then do your very best to imagine and construct absorbing stories in a strange land? I don’t get it.

Nancy: I can’t believe you haven’t heard about this issue of appropriation. It’s been in the news for at least 20 years.

Ben: I’ve heard of claims about art objects reclaimed by the source country – disputes between Greece and some British museums, for instance. And then there are these issues about fashion – say when First Nations groups object to people wearing feather headdresses on Hallowe’en, or people from India protest when white people use the bindi as a kind of fashion accessory. Yes, and then that problem about yoga – it was ridiculous. I know there have been controversies about those things and even lawsuits. But it doesn’t really make sense. Cultures in today’s world are all mixed up together.

Nancy: Are you rejecting the whole issue about appropriation?

Ben: Whether I agree or not, I can at least understand the problem when the disputed items are tangible objects. But with regard to Leila and her plans, your claim about appropriation deals with experiences and stories. When you say they are wrongly appropriated, you presume that somebody or some group owns them, having a kind of property right, and then, if somebody else takes them over, that person is stealing. You seem to be thinking of described experiences and imagined stories as though there were objects, things that can be owned.

Nancy: Yes, and what’s the problem?

Ben: It’s a flawed model. Look at it this way. Say Joe owns a bicycle and Manuel takes it from him so that Joe can’t use it any more. Manuel has stolen the bike; Manuel has wrongly appropriated Joe’s property and that amounts to theft. For the analogy to fit, we would have to suppose that Joe had an experience and then Manuel imagined and described a similar one, and that meant that Joe had lost his experience and couldn’t describe it any more. Then you would say, well Manuel wrongly appropriated Joe’s experience, implying that what Manuel did was wrong. But it doesn’t work this way. Joe still has his experience, in memory, which is the only way he could still have it. And Joe can go on to tell whatever stories he wants to tell about that experience. The model doesn’t work. Experience is not a thing like a bicycle or a totem pole. It can’t be owned, so it can’t be stolen.

Leila: To add to Ben’s argument, thinking of a novel, the problem would be even worse, because the experiences described would be imagined. If I wrote a novel about indigenous people in Colombia, or former guerrilla fighters there, I would be imagining experiences and then describing them. I wouldn’t be stealing anyone else’s experiences.

Nancy: Even assuming for the sake of argument that your research would be extremely good, the experiences imagined for your book would be of a type that only people in those groups could have. They are their experiences, not yours, and for you to take them over would be disrespectful and wrong. You would be pretending to be what you are not.

Leila: But I have no intention of pretending to be Colombian. Some people have various experiences; others do not. Would you say that if I never had lung cancer, I couldn’t write a book from the point of view of a cancer sufferer? Surely not.

Nancy: As well as stealing experience, there would be problems of authenticity and accuracy. They say, speaking for the Other is silencing

the Other. If you tell the other person's story, he can't tell it himself.

Ben: Nancy, I can't really understand the idea of owning an experience. Or a story or a cultural style, for that matter. The experiences that are depicted in a novel – or in a non-fiction work, for that matter – are at that point abstract things. They are not like statues or art works or totem poles. Culture is not a commodity. Now if you insist on speaking of ownership, who would you say owns these experiences? Individuals, or the cultural group?

Nancy: I never really thought about that. The group, I guess. The cultural group.

Leila: But even if we just think about Colombia, there are so many cultural groups. They intersect and they interact.

Ben: Surely not all members of a group have the same experiences. There is lots of variety within groups. Anyway, there is no sense to the notion of a collective owning an abstract thing. Why say this?

Nancy: Well, ok, I'll avoid technicalities about collectives. Let me envisage an individual case. Suppose a woman goes through a terrible family trauma, with incest, pregnancy, and birth and then many subsequent problems with health agencies, and she tells someone all about it, and then that person goes ahead and writes a book using just this sequence of experiences. Wouldn't that writer be guilty of something? Call it exploitation or theft, or whatever; I do think there would be something wrong.

Leila: In this case, I'd agree. But obviously this isn't the kind of thing I would have in mind for my novel. Are you saying the writer would ask permission? Or not?

Nancy: If he did ask, and got permission, and gave the woman credit, that would be all right. But suppose he did not ask permission. Wouldn't there be something wrong with that?

Ben: You've got me there. It seems almost as though it would be plagiarism – copying a story without crediting it to the person who told it, and then writing it up as though it was yours – or had been invented by you. I wouldn't use a property model, though, not for experience.

Nancy: Picky, picky. The point is, it would be wrong, and you acknowledge that.

Ben: I do, but I wouldn't take the point any further.

Nancy: There is so much you're missing Ben. What you're speaking is what they call 'idealized hegemonic discourse'. You just don't understand how people in these minority cultures feel about their stories. There are so many marginalized people who have been dominated, denigrated, abused, unrecognized. Given this oppressive and disadvantaged background, they have no famous representatives speaking out for them. They have gone through so much, and only they know what it is like to go through these things. People who pretend to speak for them will not get it right, and will only perpetuate simplified, harmful stereotypes. They will be people of privilege, taking over the resources of the marginalized.

Leila: So it's a matter of accuracy then? Not just the ownership of experiences and stories. Is the point that someone like myself, even doing her best with research, would inevitably get things wrong?

Nancy: That's part of it.

Ben: There is no guarantee that a person outside the culture would get things wrong. And for that matter, having an experience is no guarantee that a person inside it would get things right. An insider could make mistakes.

Leila: I have to remind you both: these would be imagined experiences, in a novel.

Nancy: The experiences would be imagined so as to be similar to the experiences of abused and

marginalized people, people oppressed by privileged people in just the kind of position you would be in.

Leila: Privileged? Nancy, I do have to remind you, aspiring novelists are usually pressed for cash.

Nancy: You are a white Canadian, culturally privileged, historically privileged. The fact that you are a nice well-intentioned person does not wipe out your background as a person of privilege and member of a dominant group.

Leila: Dominant in Colombia? Come on. I've never been there.

Nancy: Yes, that's part of the problem.

Ben: You're shifting now from ownership to accuracy, Nancy. Leila wants to do research and study and get information, and you seem to be saying that doing that would be immoral. Anyway, I just don't think your presumptions about accuracy and firsthand knowledge will hold up. These critics of appropriation seem to be relying on an over-simplified theory of knowledge, thinking only first-hand knowledge counts. Actually, having first-hand knowledge is not necessary for understanding a thing, and it's not sufficient either.

Nancy: Ben, I won't try to dispute with a philosopher on theory of knowledge. But isn't it obvious that first-hand experience is the best way to understand something? Yes, it's possible for insiders to make mistakes but it's far more likely that outsiders will make mistakes. Anyway, knowledge and accuracy are not the only issues with voice appropriation. There are issues of opportunity as well.

Leila: What do you mean?

Ben: Ownership, then accuracy, then opportunity. You're changing themes again, Nancy.

Nancy: If persons of privilege take over the experiences and stories of a subjugated culture

and use those stories as a resource for their own development, the result is that opportunities will be denied to persons inside the culture, persons in the subjugated group. Others will speak for them and they will be denied opportunities to speak for themselves. Taking away opportunities: that's another way that speaking for the Other will silence the Other.

Leila: Nancy, we're not talking about jobs or money. We're talking about writers and their projects.

Ben: Nancy, that sort of argument might be made if you were talking about political appointments, or positions at a university. Even in those contexts, I'm not sure I'd agree. Think about it: an effective representative could create more positions, whereas your argument seems to assume that there would be one and only one available position or resource, a kind of finite pool, so that if one person gets it, no one else can. It doesn't work like that.

Nancy: You don't understand.

Ben: How could one person's novel deny opportunities to another person? Successful or not, a fiction writer is not taking over a resource no one else could have. And she doesn't claim to represent anyone, in virtue of writing a novel.

Nancy: Not so fast. Fiction or non-fiction, many writers need funding. And to be successful, all writers need a publisher. Funding and publishing resources are scarce and for that matter, so is public attention. To the extent that these resources are taken over by persons of privilege, they're not available to the oppressed. That's how marginalized people, who have never had access or a voice, lose opportunities when members of dominant groups appropriate their stories.

Ben: These points are pretty hypothetical, Nancy.

Nancy: Ben, be realistic. And be fair. Funding and attention are not infinitely expandable resources.

Ben: I don't think anyone would ever be in a position to know that because one person published a novel and succeeded, some other person was prevented from successfully publishing a novel about the same subject. After all, it might work in just the opposite way, with the first novel stimulating interest that could benefit the second one.

Nancy: You have to know that even writers who shouldn't claim to represent oppressed groups are often presumed to represent them and speak for them. There are notorious cases – Ward Churchill in the US and Joseph Boyden in Canada, not to mention Grey Owl decades ago. All these men claimed indigenous heritage and got a lot of attention for their writing and speeches by doing that. Then research eventually showed that they had falsely claimed aboriginal heritage. These three men did presume to speak for aboriginal peoples; they got lots of attention and considerable financial rewards for representing groups they never belonged to. They were sympathizers, then they claimed to be of aboriginal descent, and in the end they became fraudulent spokespersons.

Ben: I'm not defending fraud.

Leila: The idea that you would steal opportunities assumes a lot of success as a writer. Your novel gets written, accepted by an effective publisher, published and marketed, recognized; then you yourself get recognized and recognized to the point where you are invited to represent the groups you wrote about. All this goes pretty far. Personally, I can't even imagine getting to that point – not that I wouldn't want to.

Ben: Even apart from the confusions about ownership, there is a kind of zero sum thinking behind these ideas about opportunity: you are assuming that if person #1 takes an opportunity and succeeds, persons #2 and #3 will be denied opportunities. Even for things like a university job, that wouldn't always happen: #1 could get a job and create considerable interest in a group

and its culture and history, thereby opening up further opportunities for explorations by #2 and #3.

Nancy: Possible but not likely.

Ben: It's not zero sum in the sense that what is won by one person has to be lost by another. And the point is even more clear for writing than for jobs. Work #1 can create interest that will open up access for further funding and publicizing, enabling other writers to produce and market works on related topics.

Leila: So you're suggesting that if I wrote my novel and it turned out to be a success, that success might inspire others to think more, imagine more, research more, and lead to further opportunities for aspiring Colombian writers.

Ben: It could happen. That's a possibility and that's why I'm saying that this matter of opportunities doesn't have to be zero sum.

Nancy: I can see all this at an abstract level, but your account is purely hypothetical, Ben. In practical terms, resources for access and attention are not inexhaustible. They are far more limited than you suppose and when they are awarded by persons of privilege to other persons of privilege, they are not available for marginalized persons and groups. Whatever your theories about this 'zero sum,' that's how things operate in the real world, and that's why appropriation leads to a denial of opportunity.

Leila: You seem so pessimistic.

Nancy: There are only so many resources; there is only so much attention; there are only so many people out there buying books. If Leila were to write her novel and succeed with it, she would only be depriving authentic Colombian writers of opportunities they need. I'm sorry, Ben, but when you don't understand these facts about limited resources, you're just reflecting your own position of privilege.

Ben: Ad hominem, attacking the person, not the position. Please, Nancy, don't go in that direction.

Nancy: We need to be more sensitive to oppressed people. These people have been put down and denigrated. They haven't been heard, they are not on committees that give grants, they are not editors, not judges for prizes. They lack power, and because they lack power they lack voice.

Ben: It seems to me that you're just being hyper-sensitive.

Nancy: But why am I saying 'they'? Why am I not saying 'we'? I'm a woman after all and it was not so long ago that women were in this position. Men wrote about us, wrote in our voices under the pretense of being able to describe our experiences, purported to know our desires and needs, to speak about us, to speak for us.

Leila: Do you think men should never write about women?

Nancy: Well, no. Men do write about women, that's obvious, and many men are very successful when they do that. Still, a man should be very careful if he is writing in the voice of a woman, I mean trying to describe events and experiences from her point of view, in her language. Anyway this issue looks better now than it did thirty years ago, because we do have women academics and editors and publishers and judges. As women acquire power and gain a stronger voice for themselves, they speak for themselves. Or should I say, we speak for ourselves.

Leila: So would these appropriation theorists say that, over time, a person in a dominant group could write the stories of an oppressed group without being wrong to do that? I mean, once the passage of time and some resource allocation brought power and recognition to the oppressed? So perhaps if I wait thirty years I could write about Colombia without committing any moral wrong?

Nancy: It's not that predictable.

Ben: The status of the oppressed over time would determine what works could be written without moral offense? That's absurd.

Nancy: You still don't get it, Ben, you just don't get it. Really, the approach you are taking here is racist.

Ben: Racist! Look, Nancy, let's discuss this problem in a sensible way. Let's not exchange insults here.

Leila: What do you mean when you say it's 'racist,' Nancy?

Nancy: You shouldn't write in the voice of another.

Ben: Yes, you've said that. But why? And why is that racist? And how far are these restrictions going to go? These ideas about voice appropriation are only going to lead to censorship and self-censorship. Leila, look at your case. You've come up with an idea, an original idea, a bold idea. Pursuing it you could travel, live in another culture, come to know many things about a world that is now foreign to you, write and imagine amazing experiences, and possibly write a wonderful book. No one can know whether you could do that, but you could certainly try and you could possibly succeed and offer a creative product to the world. And now you get the message that all this would amount to moral error, even racism, according to this appropriation theory that is reportedly taken very serious in literary circles. You will be self-censoring, if you just decide not to even try.

Leila: It's discouraging, that's for sure.

Ben: And if this sort of code were accepted, there would be a lot of self-censorship. Only Jews could write about Jews, only Hispanics about Hispanics, blacks about blacks, the elderly about the elderly and on and on. Taken to their limits these restrictions would be ridiculous. How many others have been discouraged from how many other challenging projects? Nancy, if your ideas were enforced, we would

have a very strict censorship. Not by law, but by the writing and publishing community.

Nancy: These would be social norms, not legal restrictions. And the restrictions would only apply to persons in dominant groups seeking to write about the oppressed. They are not supposed to work in every direction.

Ben: Oh, and what about your authenticity arguments? Logically, those arguments have to be extended to all groups. Is it only oppressed groups that are authentic? Only supposedly oppressed groups for whom accuracy matters? Only those who have a cultural identity worthy of respect and preservation? Only oppressed groups where we have to worry about misrepresentation?

Nancy: An elder said it to me: you have not walked in my moccasins, but I have walked in your moccasins. What he meant was, just because the dominant culture is dominant, people in minority cultures have enough exposure to it to know that culture. Obviously, that doesn't work the other way around. And I remind you, Ben, resources are limited.

Ben: Really! Nancy, what would Leila need, on your theory, to make her project all right?

Nancy: She would have to be Colombian, to belong to that culture.

Ben: Sympathy for a group wouldn't be enough, not even with an enormous amount of careful research, is that what you're saying? Given what you've said about Grey Owl and Ward Churchill, it seems that for you belonging would require more than adopting the cultural practices of the group, or politically identifying with it, or taking on an ethnically suitable name, or having a typical physical appearance. So it's a matter of blood heritage that is going to determine what people can say. And you accused me of racism. Surely, to say that what people should write about is appropriately restricted by their genetic inheritance is racist.

Leila: Oh, I would have advantages on this theory, because I can claim identity by genetic inheritance with at least three different groups. I was named after my father's mother, who was a Palestinian Arab Christian. Leila. My mother was Latin American, from Bolivia, and through her I speak Spanish and can claim identification with Hispanics. Lopez. Then my last name, McLeod, comes through my father and his father, who was of Scot-Irish background. McLeod. I'm Leila Lopez McLeod. Given this heritage, would I then be entitled to write about Palestinian Arabs, Bolivian Hispanics, Scots, and Irish? Would that be right?

Ben: It would follow, but surely it's absurd.

Nancy: (doubtfully) Well, I'm not exactly sure.

Ben: When your premises lead to an absurd conclusion, at least one of them is false. We've got a *reductio* argument here. Whether it's fiction writing or non-fiction writing, Leila's conclusions are absurd. Nancy's theory about appropriation is simply false, and that's it.

Leila: It does seem that this theory about appropriation would be awfully restrictive, Nancy. Surely you can't mean that people should only write about others who share their genetic heritage! These restrictions certainly aren't reflected in our literary traditions.

Nancy: No, in the past sensitivity to identity and marginalization has been lacking. Truly lacking. We want to tell our own stories, speak in our own voice, and define our own reality.

Ben: No one is saying you should not be able to do that. That's not a problem: do it. And if you write well, and tell interesting and significant tales, people will read what you write, talk about it, and benefit from your efforts and their own. The problem comes if you cultivate social pressure to restrict other people from writing about these things. If white writers or Jamaican or Pakistani writers – or someone like Leila, for that matter – want to learn about then

write about Aboriginal experience in residential schools, or on far-away reserves, or in the jungles of Colombia, they should be free to do it, without being accused of some deep moral sin.

Nancy: They wouldn't be able to do much of a job. And the 'jungles of Colombia'? Your style of speaking gives the show away.

Ben: Whether an outsider could write a successful work is just what you don't know for sure. With research and attention and effort and care, a sensitive and careful person could come to valuable insights.

Nancy: You're ignoring the very important advice given to writers. 'Write what you know.' 'Write from your own experience.' 'It takes one to know one.' This should be pretty familiar!

Ben: These sayings are clichés, just plain clichés, and they have no more profundity than any other cliché would have. Where is the room for imagination or for creativity, in all this? Surely we can try on other people's hats, imagine other people's experiences.

Nancy: Go too far from home, and you're bound to fail.

Ben: Look, people can make mistakes when they're describing their own experience and their own community. And they can get things right when they seek to understand something else. You agreed with those points earlier.

Nancy: Sure, those things are possible, but they're not very likely. Look, no one has a right to speak for a community that is not their own. It's arrogant and for the dominated community, it's humiliating. We need to write from our lives, to tell what we have been through, to speak to power, and seek our own solutions.

Leila: I don't think Ben is denying that, Nancy. What I hear him saying is that it shouldn't be only insiders who speak about a community, or stand up for its interests. When you think

of fiction, there is a sense in which all of it is inauthentic; the writer imagines what it would be like to go through experiences that are not her own, and then she writes about that. That is fiction and that has long been fiction, and we benefit from it.

Nancy: Ben is ignoring my point about opportunity. Insiders to these disadvantaged groups have been denied many opportunities in the past, and they need opportunities now. Anyway, returning to the accuracy issue, outsiders will have an implicit bias, one that stems from their upbringing and experience. I'll say it again, they come from a position of privilege, and when they study oppressed and marginalized people, they bring with them that position and its biases. It's impossible to step outside your own perspective, and that's the problem.

Leila: Surely outsiders who are concerned and interested should be able to study and write about a community too.

Nancy: They shouldn't take away opportunities and they shouldn't speak as representatives of that community. They shouldn't pretend to be what they are not. Take Joseph Boyden. He wrote from an aboriginal viewpoint, he spoke for aboriginal peoples, he adopted an aboriginal persona, and he won awards. But it turned out later that Boyden did not have aboriginal ancestry after all. So he shouldn't have pretended that he does, and he shouldn't appear at political events as a representative of First Nations people. Oh, another example, in the United States: there was that woman, Rachel Dalezal, who pretended to be black.

Leila: That was amazing. But Rachel Dalezal was not a writer; she was an activist. She shouldn't have deceived people, that's for sure. I think you can speak for the interests of others without pretending to be an insider or a spokesperson.

Ben: I'm not defending fraud by writers or activists or anyone, Nancy. And I'm sure Leila wouldn't do that either. No one should lie about his ancestry

and ethnicity, or assume a spokesman role for a group on the basis of fraudulent claims.

Leila: Of course not. But getting back to my plans, Nancy, I have no intention of claiming Colombian ancestry – my mother and my middle name ‘Lopez’ are Bolivian after all. I would never say they are Colombian. And however much I came to know and understand from my research and writing, I would certainly never try to be a spokesperson for Colombians – indigent or otherwise.

Nancy: I would hope not!

Ben: Obviously not.

Nancy: No one should pretend to be an expert on other people’s experiences. But novelists aren’t pretending to be experts.

Ben: Nancy, we started this conversation by talking about the writing of creative fiction, and travelling to another country, living there to find out about people in an unusual situation of transition from war to peace, and finding out more about what people have been going through. Actually, you could apply these arguments to non-fiction too, even though we have been concentrating on fiction. We started out discussing Leila’s ideas for a project. It’s not a matter of trying to be an expert, or claiming to be an expert; it’s a matter of keen interest, and seeking understanding.

Leila: Was the artist Emily Carr ever accused of appropriation, when she painted Indian totems in the forests of British Columbia? Her art is widely acclaimed. But she did represent artifacts and traditions of a culture that was not her own, and that culture was a marginalized one. Emily Carr had plenty of financial problems but she was ‘privileged’ in your sense, Nancy. She was a member of what you call a dominant culture, even though she was not well off. And she was a woman.

Ben: Emily Carr was not attacked for appropriation in her own time, and because people never

worried about that problem, we have the gift of her art today.

Nancy: But Emily Carr has been criticized for cultural appropriation in our time: we don’t take this kind of thing for granted any more. Anyway, there’s no point in trying to rewrite Canadian art history. Another problem is with grants and awards. As I said before, resources for research and writing and publishing are scarce. If pretenders – or any outsiders – use their previous achievements and positions of privilege to claim those resources, they are denied to the authentic members of the culture, the insiders who have a proper entitlement to them.

Ben: Nancy, really. Genetic identity doesn’t bring insight or creativity. I seriously doubt that cultural institutions will want to establish grants and scholarships based on ancestry. But if people really do want to allocate resources on the basis of these kinds of racist restrictions, they should say so in explicit terms and make their requirements clear. Something like ‘the recipient must be able to demonstrate First Nations – or black, or Chinese, or Japanese – whatever it is – heritage’ and state how just many ancestors from that group would be required and how recent those ancestors would have to be. For example, would you have to be one quarter Japanese or whatever? Or one eighth? Or would one sixteenth be sufficient? What sort of proof of ancestry would be needed? These terms would be clear, and should discourage those persons you understand to be outsiders or pretenders.

Nancy: You’re asking for a fixed rule. I don’t know about that.

Ben: But look, if you’re going to accuse people of fraud, you need a firm conception of what would be fraud and what would not be fraud. That presupposes a clear rule. I doubt that cultural institutions would be willing to stipulate a clear rule about genetic heritage: when you spell them out, these genetic grounds for identity have little appeal. There are echoes of Nazism and apartheid here, and people would fear guilt by association.

Leila: Would they be right to fear it?

Ben: That's a simple question. Yes.

Nancy: Indigenous people need to tell their own stories to foster their sense of community, which has been undermined by the oppression they have suffered in the past. So much has been taken from them – land, livelihood, languages, and even children. At some point, the culture and the state should give back. At the very least, the state should protect them.

Ben: Perhaps. But even if we grant this assumption, the question then arises as to how the state could best protect them. By a new form of racism? By reverse discrimination? By reigning in imagination and creativity? Surely these are not the ways to do it.

Nancy: There must be some valid strategies for cultural protection.

Leila: If I succeeded with my novel, I could bring attention to situations in Colombia.

Ben: Right.

Nancy: Whose attention? Do be very careful if you decide to go ahead with this project. I can only say it again, some positions of privilege are discursively dangerous.

Ben: From what I've heard so far, I don't think those dangers are real.

Nancy: I haven't studied much philosophy but I did take a political philosophy course once, where we learned about John Rawls and his proposed veil of ignorance. Here's another argument, from the veil of ignorance.

Leila: A veil? Based on ignorance? In philosophy?

Nancy: A metaphorical veil. Rawls asks us to imagine that people are in a situation of ignorance and are choosing basic principles of so-

cial justice for a society in which they would be members. He calls their situation 'the original position.' The original position is one of ignorance in the sense that people in this position do not know various basic facts about who they would be in the society. They might be slaves or free persons, male or female or transgendered; they might be Jewish or atheist or Muslim or Christian or Buddhist; they might be rich or poor; able-bodied or physically challenged; and so on and so forth.

Leila: Is their ignorance about these things supposed to make for the best choice? Ignorance producing wisdom? That seems strange.

Nancy: It's only for general principles of justice, because of the way it prevents bias. Rawls said that these people would be behind a veil of ignorance in the sense that they would not know whether or not they would have any of these qualities – male, female, black, white, talented or not, and so on. People in the original position would, however, know basic general facts about society – that human beings require food and shelter, governments need revenue to be obtained through taxes, and things like that. The idea was that the story of people choosing fundamental principles of justice from behind this veil of ignorance provides a model for the choice of fair principles. If you were behind the veil, you wouldn't know enough about yourself to be biased in favour of your own group.

Leila: You would not have the sort of knowledge you would need to be biased?

Nancy: That's the idea. Not knowing who you might be in the society, you would want to do as well as you could whatever social position you came to occupy. So you would select non-discriminatory principles, and you would try to protect the most vulnerable people, those who were in the worst-off groups.

Ben: Where are you going with this? Of course I'm familiar with these ideas of John Rawls. But

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fraud.**

I don't see just how they would apply to the issue of cultural appropriation.

Nancy: People in the original position would want to protect vulnerable groups and their members, because, for all they know, it would be possible for them to be members of those groups. That would mean protecting the stories and culture and resources of vulnerable groups. And all these would mean restrictions on cultural appropriation.

Ben: Not so fast, not so fast. Vulnerable groups might wind up worse off if there were rules about cultural appropriation that prevented outsiders from writing about them. After all, it can take an outsider to expose abuse. Preventing appropriation could just as likely restrict information about a group's needs as protect it from oppression.

Leila: How would these groups be identified? Where would blood heritage fit in?

Ben: Obviously, vulnerable groups can't be identified by blood heritage alone; that idea in particular just does not fit into a liberal theory of justice. Rawls intended this principle only to apply to choices of the most basic principles of justice. I'm not sure that cultural policies about literary administration and possible appropriation really qualify as most basic. And anyway, there are lots of criticisms of Rawls' veil of ignorance. It's a fascinating idea to be sure, but not really solid enough to give us reliable conclusions about social issues.

Nancy: So you don't agree with my appeal to Rawls?

Ben: No I don't, Nancy. I think there are reasons it wouldn't hold up.

Leila: You two obviously disagree on this subject. But it seems we all three agree on some things. A writer should not deceive the public about his or her ethnic identity, should not claim resources intended for a group of which he is not

a member, and should not purport to represent such a group. Fraud is ruled out.

Nancy: Right.

Ben: Right. But appropriation is not necessarily fraud.

Nancy: Ben, you have to have the last word. But I agree, appropriation does not have to involve fraud.

Leila: Ok so far. But I want to check just how far our agreement goes. Do we agree that it is permissible to imagine experiences you've never had, and try to describe them in a work of fiction?

Ben: Of course.

Nancy: Only under some conditions; you must not be taking away the stories of particular individuals without their permission, and you must not be denying resources or opportunities to members of less privileged groups.

Ben: All right. But I would still say that experiences and stories are not the sorts of things that can be owned. Second, opportunities can be enhanced rather than denied.

Nancy: And the problems of accuracy and authenticity?

Ben: Not insurmountable. As to Leila's project, there is nothing immoral about it, nothing at all. The challenges will be tough though.

Leila: I agree. I only hope I can get help from this program I'm seeking.

Ben and Nancy: I hope so too. •

Trudy Govier is a Canadian philosopher and Professor Emerita of the University of Lethbridge. Her many books and articles include A Practical Study of Argument, Forgiveness and Revenge, and Taking Wrongs Seriously.