Plagiarism and loss of identity

DOI: 10.46932/sfjdv4n6-027

Received on: August 28th, 2023
Accepted on: September 25th, 2023

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ABSTRACT
The widespread plagiarism in various European and eastern countries of Latin American handicrafts can no longer be ignored. This puts at serious risk the design in the areas that are subject to the crude imitation, since patents, not fought for ignorance, ignorance or apathy of the governments, gradually take away the opportunity that local designers, graphics, industrial, textiles, etc., are able to claim the formal codes originating from their regions. This is a niche of research and debate, which should not be ignored, because it is a subject that refers to the legitimacy, origins, identity and, together, the culture of peoples. We have the right and obligation to commit ourselves to the struggle to recover what proudly belongs to us. If we do not do so, we will leave open the door to impunity and cynicism for those who care only about going to the most important regions of our continent and appropriating what they have not sown or harvested. When talking about identity, one's gaze often does not turn to the most important thing, which is origin, onset, root, and source. It is thought that globalization forces us to pretend an internationalization of “universal” codes that do not really exist, when observation should examine what is appropriate because it is private, exclusive and unmistakable. Alternation is in our own environment, let's not reject it and work to rescue it.

Keywords: identity, culture, plagiarism, ethnicity, contexts.

1 INTRODUCTION: BELONGING AND ITS CONCEPTUAL CONTEXTS

From the Greeks to contemporary theories of needs, it is accepted that individuals need to recognize themselves, first of all, in a tacit acceptance of their qualities and abilities, of their limitations and inconveniences. Then, there is the requirement of otherness, that is, identification with the human beings that surround us is the acquisition of certainty about belonging to a space and time, to various groups that define and define us socially.

Identity is the coupled set of characteristics of an individual or group that are constituted as a symbolic and value system based on which everyday situations are faced. It is a sieve that supports their analysis and understanding. It is the digest that each person carries out of the indications of proceeding, communicated by various social ways. Each one assimilates these principles according to his experience and his individual consciousness. Balzat, 2002
The concept of identity transits between three aspects that manage it according to a series of conveniences. There is the traditional idea, arising from philosophy, anthropology and in general from the humanities, according to which identity is an essential part of the life of peoples who, without it, do not find their place and the certainty of their being and existing.

In the face of a strong concept, both modernism and postmodernism are located, both have developed theories that consider identity a stigma, a worn notion. Modernism, however, recognizes that identity exists although it calls individuals who legitimately display it as “marginal” (Goffman, 2012: 139), a derogatory term that points to codes of conduct as standardizations from which individuals are manipulable entities.

Postmodernism ultimately nullifies all possibility of social affiliation, since, theorists like Lipovetsky, Bauman and Hall assert, the current rhythm of civilization, besides transforming it into an aqueous element that cannot be stopped, has generated subjects in constant change. Human beings, from this view, do not have a stable identity, it is in constant becoming, (Hall, 1992) dependent on cultural systems and therefore, there is no way to define their ways. It is stated from the liquid world that:

> We think about identity when we are not sure where we belong, that is, when we are not sure how to position ourselves in the obvious variety of styles or patterns of behavior and make the people around us accept that situation as right and appropriate, so that both sides know how to act in the presence of the other. “Identity” is a name given to the search for a way out of this uncertainty. (Bauman, 2011: 41)

In short, here we find one of the great foundations of both neoliberalism and globalization. If we have no identity, then we wander the world and are at the mercy of its determinations dictated by the big economies. To declare that identity does not exist means overcoming the colonialism and imperialism that territory and capital sought to open the doors to the globalized world, that of the monoculture in which the dictates of the leadership must be followed.

In this dissertation, the strong and determinant concept of traditional culture is taken as a basis, the one in which, according to Giddens (1990:37-38), human groups are constituted in societies identified by the origin and the common past, by values, uses and traditions that prolong customs and lessons learned generation after generation. The idea that is taken up goes beyond the nihilistic instant, returning to the fusion of past, present and future as the alternative of peoples to shape their lives with social practices that make them unique and unrepeatable.

2 SOCIAL STEREOTYPES AND THE BREAKDOWN OF IDENTITY

Coinciding with the ideas expressed by postmodern theorists, in fact, nowadays an invisible power is exercised to encourage the identification of people with consumption, applying a series of hidden
strategies in advertising propaganda to persuade them to acquire products through which they will “apparently” appropriate a fake identity, a social status that allows them to enter a certain standard of living.

The openness of the hidden forms of propaganda is based on a pioneering work by Vance Packard (2007) who researched psychological methods to exploit our unconscious desires in order to convince people of what brands and products offer them. The thesis is that unconscious motivation through visual communication is one of the strategies currently used to create stereotypes and false identities using techniques and strategies that emerge from market research.

It is considered that the mimetic action, characteristic of the human condition, leads to the incarnation of a series of characteristics that belong to diverse fields, and that allow us to reaffirm the differences that one establishes with respect to the others. “Identity is affirmed in difference and the subject seeks to make this presence evident which allows him, without affirming accuracy, to consolidate affinities and similarities that coincide with others.” (Heidegger, 1990: 89) The most important function of social identity is the conformation of cultural paradigms that serve as a significant model for communities.

Through origins, understanding of the past, social associations and transcendent facts for peoples, man captures the links between temporality, birth, death, sexuality, fertility and so on to fuse the intergroup context with the attraction to social units of which he is part, fostering the interdependence of beliefs and personalization.

Images participate decisively in the process of forming the identity of groups, making explicit the values in which they are recognized, consolidated and disseminated. They establish our psychological relationship with the visual world to recognize and remember it, generating symbolic and representative functions, and project it into perceptual schemes that make it possible to structure reality, imagine it or confront it with the data previously found. Van Knippenberg, 1999

Stereotypes are an important part of the phenomenon of identity through the image, trying to be a compendium of substantial features present in the individual and collective memory of the social environment, is the psychological continuity that guarantees personal identity. Collectively, our social identity is also shaped by a pattern of more or less memories of the past. Azuela, 2005

In the construction of social identity processes, the memory of references such as customs, activities, objects, people, ideas is used to transform them into stereotypes; it is the persistence of specific cultural burdens that indicate what is, or should be, and at the same time what is not, or should not be, identities that are validated, adopted and reproduced. However, the models imposed by the political, economic and cultural domains also weigh, with their ideological connotations that conceive in the background universal prototypes that tend to Americanization, as Gilberto Giménez (1995) states.
The most important niche of this game of power and subjugation of consciousness is advertising and its necessary effect, consumption. Advertising sells, before products, expectations based on the most ambitious persuasive techniques, ranging from slogan to subliminal advertisement.

The manipulation and the survey of consumers is carried out from the findings of motivational psychologists and some mass psychoanalytic techniques that add more and more explanatory elements of why people act as they do. Thus, advertising strategies of identity are deployed that promise status, beauty, power, sexual attraction, etc., promoting models supported by projective evidence and statistical studies that have subdivided the population into layers, assigning to each of them specific identity conditions that are reflected in the ads and the whole sequence of advertising immersion: “I am totally Palace” is a motto of social identity whose strength is recognized in our society, so we can recognize from the highest social level, to the manipulation of young people with “Pokémon GO makes possible the impossible” that at the time directed the looks and actions of millions of children and adolescents in the world.

An important part of behavioral science has become consolidated in a very important social juncture, because far from vanishing, and although it is presented in the form of “fashion” or “trend”, it is strengthened. Advertising, with its persuasive techniques and the definition of identity patterns, satisfies economic, political and sociocultural needs arising from the emergence of neoliberal models.

What shapes advertising is not the shoppers’ guidelines, it is the minds of human beings with deeper approaches and expectations that have nothing to do with product placement. The postulates of advertising forms expand to other areas that need to be addressed from the ethical derivations of the application of updated knowledge whose origin is in neuroscience.

3 POLITICIZATION OF CULTURAL IDENTITY AND ITS HORIZONS

The term culture has been exhaustively explored by social anthropology and from it there are multiple definitions, which do not doubt that culture is something that is shared, so that it is related to collective life.

Initially, the term culture emerged to oppose human creation to nature, meaning that it is the total way of life of a given human group. Later, in the nineteenth century, anthropology took it to distinguish the differences between human groups and validate the existing ways of life, in its anthropological sense, as collective responses to the geographical, social and historical context that supposes a peculiar worldview. Although some of these concepts are constantly debated, this view is based on a general consensus.

Culture is defined as “the set of processes where the meaning of social structures is elaborated, reproduced and transformed through symbolic operations”. García Canclini (1989:25) Also determines as cultural elements “all the resources of a culture that it is necessary to put into play to formulate and
realize a social purpose” including material aspects (that come from nature or civilization), logical, epistemological, semiotic and psychological.

However, it is not enough to recognize that each human group has its own culture, it is necessary to define the semantic field of approach to it, starting with the most important, the political or cultural political dimension. This includes the possible links between the State and tangible or intangible heritage, the relations between society and cultural manifestations, the encouragement of artistic creativity and the dissemination of art and culture, defining categories of analysis, planning, development and evaluation of the terms in which culture is understood, in particular the so-called popular cultures.

Thus, two ways of conceiving heritage are identified. The first perceives it as an inventory more than can be disposed regardless of its destiny, in the second historical processes are understood in which the memory of the peoples is important for the persistence of uses and customs.

In other words, even though, from the conception of the social sciences and humanities, culture encompasses all transformation of nature carried out by the human being in his or her desire for civilization (a concept that is contained by the category of culture), by speaking of culture in terms of politics, the concept is fragmented by virtue of the fact that one part is subject to legislation and institutionalization while another part is possible to remain in marginal terms, sometimes alienated. This has indeed been the objective of the cultural policy of many governments and entities linked to culture, particularly in Latin America.

The problem with this approach is, of course, how different actors - governments, groups, individuals - value different cultural manifestations. Under what criteria are determined which cultural manifestations are considered better than others, which merit promotion and protection and which do not.

The conception and postulation of cultural policies is a process of articulation and dispute between different social figures and in this, it is common that politics and the public are considered from reductionist views, which lead to residues of weakness in the characterization of the public, one of which is linked to popular culture, horizon that forces reflection:

This polysemy is also where its weakness lies. The popular does not correspond precisely to an empirical reference, to subjects or situations clearly identifiable in reality. It is an ideological construction, whose theoretical consistency is yet to be achieved [...] one of the key problems is the divergence between two opposing scientific tendencies: anthropology and communication studies. (García Canclini, 2013)

It is an assumption that cultural policies should promote the links of plurality, equality and importance of cultural manifestations, understanding that these projects must be long-term, ensuring their continuity. However, we note the ambiguities in thinking about culture, since it comprises from what it calls “cultural activities” libraries, reading rooms, bookstores, museums, theaters, cinemas, cultural
houses and cultural centers; cultural industries or creative industries (radio, television, telephones, computers, etc.) and handicrafts.

Moreover, there are differences between what is understood as immovable heritage - historical monuments, archeological sites - and what concerns cultural and ethnolinguistic diversity. The latter concept of diversity is given special attention because it has to do with the emergence of the concept of “multiculturalism”. This multiplicity of ways of understanding culture has to do with the conjuncture, history and class traditions that present numerous analogies in the countries that make up Latin America.

4 DIFFERENT VIEWS ON THE SAME CONCEPT AND ITS SEMANTIC AFFECTATION

It is obvious the weight that globalization and neoliberalist principles have in the design of public policies, which is evident in the characterization of international free trade agreements, the power of private initiative and resistance to this project from local economies. Lourdes Arizpe (2001) adds that one cannot lose sight of “the power to define and impose meanings about how we see the world” which is currently concentrated in the large transnational cultural industries, among these practices stand out:

- **Historical view**: that it is a way to legitimize certain social activities by giving them meaning for their links with the development of a region or country.
- **Culture and development**: this orientation sustains the autonomy of culture development to improve the living conditions of human societies and respect cultural diversity.
- **Institutional perspective**: the State is the main actor in the definition of cultural policy, it reduces the field to what is considered from the institutional point of view. Even if social actors are not downplayed, it must be recognized that they are not often involved in policy-making.
- **Cultural policies as public policies**: through a negotiation with society and institutionalized discussion that has the effect of peculiar treatment of what is understood as culture, from graffiti to handicrafts, integrating heterogeneous discourses and practices of management of cultural goods.

Currently, several specialists in the field emphasize the rise of cultural industries. The fact that nowadays the production, circulation and consumption of cinema, video, theater, music, books and magazines, among others, are mediated by large commercial companies makes the cultural panorama of the Latin American region complex.

On the one hand, there is a diversification of supply and demand, and an acceleration in the circulation of production, which is restricted to a certain sector of the population. On the other hand, there is a huge number of people who are left out: from small producers who find limited space for their products and alternative circulation companies, to consumers who do not conform to the rules of the global market.
In the midst of all these factors oscillates the understanding of popular culture that has diversified, has urbanized and has expanded without the theorists achieving a convergence in their considerations. This is based on the semantic load of certain cultural activities. The division between them is very clear:

The arts are considered those professional disciplines whose object of study and practice corresponds to the development of the sensitive qualities of individuals and are understood as products of the human spirit without utilitarian purposes. They have a playful and aesthetic intention, they are considered fields of knowledge by virtue of having their own theoretical corpus, multidisciplinary and interdisciplinary links. These include visual arts, movement arts, performing arts, literature, music and design.

In art they are integrated: creator, work, exhibition or staging and spectator or receiver. The works of art are valued for their use and sign value, as well as for their surplus of meaning that transcends to the emotion, receptivity and hyperesthesia of those who are participants in them.

The concept of art has varied substantially according to the time, has been the subject of multiple studies and disquisitions according to the events, beliefs and needs of each moment of art history, its definition has followed various lines that can be understood in the text History of six ideas of Tatarkiewicz. (1995)

Crafts are part of the heritage legacies of ancestral cultures, in which collections of objects with traditional techniques are made and are part of the imaginary of indigenous or ethnic communities that remain in their places of origin or have moved to large cities without losing their uses and customs. The results of the craftsmanship have in addition to use value, change value and sign value, a symbolic and historical value fundamental to understand the history of culture.

Artisanal objectivity carries peculiar narratives that preserve legends, ceremonial, religious and family customs, as well as preserving vestiges of the worldview of ancestral communities. Among the most important handicrafts are multiple manifestations made with rudimentary textile techniques, ceramics or mud, wood, basketwork or fabrics from vegetable sources, glass, metals, etc.

Artisanal models can be considered archetypes because they identify human values and virtues, have their own narratives and are susceptible objects of semantic readings.

In a different horizon are located the crafts, decorative works considered homemade, made with techniques to make ephemeral ordinary objects, seasonal or fashion and generally respond to transculturation, to the imitation of models external to the own traditions and are also considered a way to collect resources for people with low income. Although sometimes found texts that include them, should not be considered within the term of the arts, it is a conceptual misconception because they do not respond in any of their characteristics to this context.
The function of the crafts is of occupational therapy, labor expansion and socialization. School work is also considered in this area. Among its techniques are: pyroengraving, embossing, waxwork, weaving, embroidery, leathering, crimping, pastry, etc. The crafts start from commercial stereotypes that are repeated.

From this semantic field, the artisans are taken up for the purposes of this disquisition in their capacity as cultural heritage and heritage simultaneously tangible and intangible insofar as it adds to its objective qualities, that impalpable, immaterial but perceptible aspect that nests in the very spirit of the cultures that create them. As Martínez de la Rosa (2016: 13) postulates, “crafts are valued objects from belonging, their identity produces distinctions”.

5 PLAGIARISM AND ITS REPERCUSSIONS ON CULTURAL IDENTITY

Painfully considered minor or popular arts, crafts tend to disappear because of the low costs in which they are marketed, the indiscriminate theft of their ideas to reproduce or make them in other countries at low prices or the copies made by unscrupulous designers who print them on expensive supports to place them in markets of wealthy classes, demeriting the work of the craftsmen.

The crude copy, without recognition, is called plagiarism, has existed since the last century, however, nowadays the obviousness is so serious and the actions of plagiarism are so brazen and insulting, that not only damage entire communities, they are also considered an affront to the cultural heritage of the countries that suffer from these actions.

Latin America is full of artisanal manifestations, it is estimated that in the region there are approximately 671 indigenous peoples, many of them living in rugged areas whose geographical features fortunately keep them away from civilizations. However, many of them are exposed to the eyes of others, especially when it comes to tourist sites absorbed by the circuits of tourism.

Already in this century, the United Nations Declaration on the Rights of Indigenous Peoples (2007) was made based on which the fundamental international standards related to the collective rights of indigenous peoples were established in the following categories:

- Right to non-discrimination.
- Right to cultural integrity.
- Right of ownership, use, control and access to lands, territories and their resources.
- Right to development and social welfare.
- Right of political participation.

In parallel, however, plagiarism has increased and become more frequent. Beyond the fact that plagiarism is considered internationally as a violation of copyright, when the work is used for commercial purposes, it affects the property right, which implies the right to economic exploitation of what one has
created. According to Méndez (2012: 2-3), “an original work of author is one fixed in a tangible medium of expression [and] plagiarism consists of presenting as own and original a work of others.”

Some examples will be mentioned here, but they are not the only or the most important ones, since any exercise of plagiarism, wherever it may be, involves the same gravity, to which is added the abuse of people in a state of helplessness, because indigenous groups often do not have contemporary communications, nor access to the means of dissemination that we know in civilized nuclei. This is how we find in this paradigm the following cases:

- The plagiarism by China of garments representative of various entities, resulting in the well-known emergence of numerous apocryphal objects made in China, whose prices are extremely low, but without quality and with materials of doubtful origin in terms of ecological considerations.
- Cristina Pineda's commercial use of considerable indigenous textile patterns from Mexico, with which she prints only chewed silk, ties and fabrics for her recent clothing industry in the company Pineda-Covalin.
- The theft of Otomi embroidery by the Pottery Barn interior design store, whose designs were replicated in the 2016 collection of cushions, chewing collections, swimwear, etc. made known by the brand in its catalog of the year. (Emeequis, 2016)
- The Argentinian brand Rapsodia has been plagiarizing iconography and traditional patterns of indigenous peoples for some years without their consent, “without collaboration agreements, without remuneration or recognition” according to Muñoz (2016) and Ricardez (2016), and describes the petition through the NGO called Change carried out by authorities and people of the Central Valleys of Oaxaca in Mexico.
- The designer Isabel Marant, of French origin, presented as her own a typical design of Santa María Tlahuizoltepec, an Oaxacan community in the Mixe Sierra, which received a statement warning that they would not be able to produce or market their blouses since they had been patented by Marant. Thanks to the support of the singer Susana Harp, who realized that the authorship of the same garment had been claimed to the French by the firm Antik Batik, the right over the plagiarized textile was recovered. Marant sold the copy for 230 euros when the price in the indigenous community barely reaches the equivalent of 10 euros. (Martínez Neri, 2016)

The above examples are only a few examples of the vulnerability of Latin American traditional designs, whose patents can be obtained in other countries of the world to officialize plagiarism and market in regions very alien to the peoples who created the objects. It seems that the concept of popular culture per se implies an attitude of discrimination towards certain sectors of society because of their origins,
geographical location, ethnicity and thus also marginalizes their cultural expressions, whatever they may be.

6 CONCLUSIONS

According to cultural experts and the recommendations of the UNESCO reports (2000), the main challenge is how to return to culture not as a product of the market but as a subject of development. Apparently, discussion has been opened to the different sectors of the population, and participation in decision-making has been open to a variety of actors.

There are many ways to assess this assumption, but both the objective cost-benefit dimension and the subjective dimension of the loss of identity of communities targeted by plagiarism need to be taken into account. Stealing their creations is the theft of the memory of their peoples, of the legacy of their ancestors. Plagiarism breaks down the unity of distinctive, mystical, tangible, philosophical and emotional features that distinguish each of the indigenous ethnicities.

It is essential that the Latin American design communities are involved in the defense of the cultural heritage of the entire region, because therein lies the being and understanding of the divergences and convergences that make up this part of the American Continent. Culture must be understood as a whole, from an analog perspective that maintains the balance between the equivocity and univocity of the conceptions already described and their antagonisms.
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