

# Style Appropriation, Intimacy, and Expressiveness

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*This paper is about style appropriation: the use by someone of stylistic cultural innovations distinctive of a cultural group that is not her own. While I agree with the key insight of C. Thi Nguyen and Matthew Strohl (Philosophical Studies 176 (2019): 981-1002) – namely, that style appropriation is sometimes found objectionable because group intimacy is believed to have been breached – I disagree with their core claim that the settled beliefs of the group cannot be wrong about whether its group intimacy has, in fact, been compromised in this way. I accept that facts about group intimacy can generate normative reasons concerning style appropriation, but develop a distinctive account of how this comes to be so: one which holds that such facts are independently grounded, rather than being decided by group opinion (as Nguyen and Stroll think). This alternative picture of how group intimacy grounds normative reasons does better justice to the intuitive thought that reality, including its normative regions, is belief-independent. The paper ends with some replies to potential objections.*

## I

‘Style appropriation’, as it has come to be called (Young, 2008, p. 6; Nguyen and Strohl, 2019, p. 982), is a kind of cultural appropriation. It takes place when a person makes use of stylistic innovations distinctive of a cultural group that is not her own. *Prima facie* examples of style appropriation include Steve Reich’s incorporation of elements of the Anlo Ewe drumming style into his phase work, *Drumming*; Tokyo’s retro-Rockabilly scene, which replicates the look and sound of a sub-culture that emerged in the Southern states of the USA in the 1950s; Gordon Ramsey’s Lucky Cat restaurant in London, which claims to be an ‘authentic Asian eating house’, but which does not have an Asian head chef; and Adele’s decision to wear her hair in Bantu knots to mark what would have been the start of the 2020 Notting Hill Carnival.<sup>1</sup> This, and this alone, is the kind of cultural appropriation that is the topic of this article.

I start with a thought that is not itself original, but which I shall develop in a novel way. The said starting point is this: there can be appropriation claims—that is, requests by members of a cultural group that outsiders desist from specific acts of style appropriation—whose normative force is grounded in considerations of *group intimacy* (Nguyen and Strohl, 2019, p. 983). Such appropriation claims can articulate genuine *pro tanto* normative reasons to desist from the style appropriation at issue by virtue of the fact that the stylistic innovations they concern feature in intimate practices, practices that ‘embody or promote

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1 As reported in *The Guardian* newspaper, 1 September, 2020.

a sense of common identity and group connection among participants' (2019, p. 989). The practices in which the said stylistic innovations are embedded are ones that properly function to bind the relevant cultural groups together; so, since members of these groups gain meaning from such mutually recognized group attachment, and since the stylistic innovations at issue are understood by them to be involved in establishing precisely this shared sense of group identity, failing to abide by an appropriation claim of this type can, at least sometimes, be *pro tanto* wrong for constituting a *breach of group intimacy* (2019, p. 989).

There is a helpful analogy here with cases in which normative reasons are generated by interpersonal intimacy (Nguyen and Strohl, 2019, p. 982). A couple's love letters to each other are not just *expressions* of a distinctive kind of intimacy; they *establish* and *nourish* it, the feelings they express serving to promote, maintain, and strengthen their romantic bond. Plausibly, this fact gives rise to a strong *pro tanto* normative reason against another person's reading these letters without the couple's consent. An outsider's doing so would be a kind of barging in on an intimate space, a subversion of this space's intended purpose. On discovering that someone else had been rifling through their love letters, the couple would, no doubt, find these letters *less* meaningful, *less* valuable, since they could no longer be read as intended, as a means for the disclosure and take up of feeling between just the two of them. Analogously, a decision of a non-Jew to wear a kippah as a kind of fashion statement would be likely to prompt an appropriation claim to the effect that the person involved desist from this behaviour; and it seems right to think that the basis of this claim is that the kippah has a role in intimate Jewish practices and rituals that maintains group members' sense of their common identity. A gentile's decision to wear a kippah merely because, say, he thinks it goes well with his haircut and black Levi's would, it seems, be *pro tanto* wrong for being a breach of the said group's intimacy.

That considerations of group intimacy can generate genuine normative reasons to desist from acts of style appropriation is the key idea here. But it is important to see that this idea can be elaborated in more than one way. One such way, which I shall label 'expressivism', has been developed by C. Thi Nguyen and Matthew Strohl (2019). In expressivism, the basic insight that normative reasons can be grounded in facts about group intimacy is put to work explaining what is taken to be the distinctive normative character of what are called 'expressive' appropriation claims (2019, p. 983); and the account that emerges is one which has it that whether an act of style appropriation constitutes a breach of group intimacy is decided by the settled opinion of group members (2019, p. 983). Such stable belief on the part of the group cannot be wrong about this matter.

I, by contrast, deny that there are any appropriation claims that are 'expressive' in this sense, and I also believe that it is possible for settled group opinion to be wrong about whether their group intimacy has been breached. In what follows, I give a slightly more nuanced exegesis of expressivism, explain what I think is wrong with it, lay out an alternative picture of how group intimacy gives rise to the kinds normative reasons articulated by appropriation claims, and defend this picture against some objections.

## II

What makes an appropriation claim 'expressive'? At first blush, the defining feature of 'expressive' appropriation claims would seem to be that they 'stand without need for

a rationale' (Nguyen and Strohl, 2019, p. 984), are 'not normally open to direct contestation' (2019, p. 993), and are not themselves 'up for debate' (2019, p. 993). Nguyen and Strohl contrast appropriation claims of this kind with 'independently grounded' such claims, which admit of justification in terms of the (putative) obtaining of facts that are independent of the claims themselves, and which can be invoked to provide a broadly consequentialist rationale for not going in for the sort of style appropriation in question.

But things are not quite this simple. For the fact that we treat the makers of some appropriation claims as not having to cite a rationale for them (Nguyen and Strohl, 2019, p. 984) does not in itself reveal anything philosophically interesting or special about them. The reason why we might not regard group members as obliged 'to litigate questions of justification' when making certain such claims might be because the justification is *so obvious* that we should not need to be reminded of it, or because asking for a justification in certain contexts would be crass or insensitive. (If someone is feeling outraged or otherwise distressed by what they think is a breach of their intimacy, the right thing to do in the first place might be to accept what they say, listen to them, and offer comfort and support.)

This suggests that if the category of 'expressive' appropriation claims is going to carve normative reality at the joints, it had better not be introduced simply as that class of such claims whose makers are typically not required by us to cite a rationale for them. It is far better, I think, to view this feature as a symptom of a supposedly deeper phenomenon that is properly definitive of 'expressive' appropriation claims and which the doctrine of expressivism seeks to explain by virtue of the distinctive way in which it deploys the notion of group intimacy.

In short, my suggestion—one that I take Nguyen and Strohl to be driving at, however inexplicitly—is that what makes an appropriation claim 'expressive' is that the normative reason it articulates is a product of stable group opinion. An 'expressive' appropriation claim, in other words, is one that voices a genuine reason for desisting from the style appropriation in question that is determined as such simply by the fact that the group concerned do not wish appropriation of the kind to take place and have sincerely put this into words by making the said claim.<sup>2</sup>

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2 The phrase 'the group' glosses over a difficulty that is not the focus of this paper. Nguyen and Strohl reject what they call the 'claim deference' explanation of what they take to be the distinctive normative character of 'expressive' appropriation claims (2019, pp. 986–988). This view has it that the making of such a claim by any group member thereby generates a prescription to refrain from the relevant kind of style appropriation; and the reason why Nguyen and Strohl reject it is that it 'effectively affords the most restrictive voices within a group the power to overrule the rest of the group, and thereby objectionably limit the agency of group members who do not share the most restrictive viewpoint' (2019, p. 988). So what Nguyen and Strohl must do, in order to avoid this problem, is come up with a criterion for when an appropriation claim made by group members counts as expressing the collective wishes of the group. This they do by claiming that a sub-agential group (i.e. a group that falls short of counting as a group agent) 'approximates' the wish expressed by an appropriation claim just in case 'a considerable number' of group members make this claim and there is 'an insignificant amount of dissent' to it from within the group (2019, p. 998). This strikes me as plausible, but the key point is this: what they in effect, go on to offer in their expressivist account is an explanation of the claimed phenomenon of claim deference, circumscribed to those claims that give voice to decisions approximated by the group.

This, I take it, is the point of the analogy that Nguyen and Strohl draw with claims concerning interpersonal intimacy. Consider someone who sincerely says, ‘Please don’t touch me’ (Nguyen and Strohl, 2019, p. 984). The fact that she does not want to be touched and has said so itself generates a reason not to touch her. According to Nguyen and Strohl, something along the same lines underlies why it is that group members can sometimes make appropriation claims without having to offer a justification: a sincere ‘expressive’ appropriation claim on behalf of the group concerned itself generates a normative reason for outsiders to desist from the style appropriation at issue. This is the putative phenomenon that Nguyen and Strohl seem to regard as the deep *explanandum* that their expressivism supposedly explains, and their proposed explanation of it goes like this. Such ‘expressive’ appropriation claims, construed in the way in which I have just outlined, are used by members of a cultural group to assert boundaries concerning the group’s intimate practices (2019, p. 988). These are boundaries pertaining to practices that contribute to members’ sense of shared identity and group unity: in crossing such boundaries, outsiders thereby breach the group’s collective intimacy (2019, p. 990). It is the group’s prerogative to set these boundaries wherever it sees fit: where these boundaries lie is not a ‘prior fact of the matter’, but something determined by group decision (2019, p. 981; see also 983). Hence, since breaches of intimacy are *pro tanto* wrong, and since what constitutes a breach of group intimacy is just decided by the group, the mere fact that a sincere appropriation claim has been made on the part of the group is enough to generate a *pro tanto* normative reason for outsiders to abide by it (2019, pp. 992, 1000). Ultimately, the ‘expressive’ character of certain appropriation claims—their voicing normative reasons that are determined by group belief—is supposedly explained by the fact that settled group opinion cannot be wrong about whether the boundaries of its collective intimacy have been breached.

### III

All of this is fairly clear and yet, once set out in this way, ultimately unconvincing. The problem with expressivism is that the putative *explanandum* it is designed to explain—namely, that a group’s collective wish that outsiders desist from appropriating one of their cultural styles *in itself* generates a normative reason for abiding by this wish—should not be granted. In the context of a discussion of cases of style appropriation that arguably carry an offensive symbolic charge, Nguyen and Strohl say this: ‘it is not the free-standing fact that an act of appropriation could be interpreted in an objectionable way that matters, but rather what matters is that group members in fact find it objectionable’ (Nguyen and Strohl, 2019, p. 992). And yet, while we should all agree that the appropriation claims of group members should be listened to seriously and respectfully, those of us with a robust sense of reality (its normative regions included) will want to say that group agreement does not *decide* what is true or false, what is right or wrong.<sup>3</sup> It is possible, after all, for offence taken to be *unreasonable* (Young, 2005, 143–146; 2008, pp. 147–151).

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3 The formulation of the first conjunct is borrowed from Wittgenstein (1953, §241).

Both individuals and groups of people can find something objectionable without adequate reason: they can misunderstand people's motives, misconstrue the significance of these people's actions, and so on. The group's wishes are an extremely good *guide* to what the normative facts are in this area; but group members' collective wishes, opinions, or preferences do not *determine* those facts.

This becomes clearer still once we plug in the expressivist's *explanans*: the thesis that a group's expressive appropriation claims assert boundaries of group intimacy that are fixed by what the group decides together (Nguyen and Strohl, 2019, p. 983). It is plausible to think that appropriation claims are sometimes used to assert boundaries concerning group intimacy, and it is also plausible to think that truly breaching genuine such boundaries—concerning, for example, one's body, interpersonal relationships, or a group's sense of identity and unity—is *pro tanto* wrong. But the key assumption being made here—namely, that these boundaries are a matter of decision on the part of the group—is unargued and, I think, false. Is it not possible for the group to be mistaken about where these boundaries lie and, hence, about whether a real breach of group intimacy has occurred? I do not see why not.

Consider the following example of something approximating style appropriation on an individual level. Nancy has developed her own distinctive style of home decoration. She has an ascetic, open-planned approach to living space that combines the use of concrete as a material for floors and work surfaces, clean shades of white for the walls, and highly unusual industrial-looking, brass-coloured radiators, taps and other fittings. And yet she finds space within her home for quirky antique furniture and peculiar items picked up from car boot sales. The result is a highly individual look that trades on anomalousness and surprise, enlivening what could easily be seen as relentless severity with a knowing sense of fun. This Nancy regards as highly meaningful for her in a way analogous to that in which stylistic innovations within a culture may be especially meaningful for its members: she regards her personal style of home decoration as an intimate expression of who she is, what she values, and perhaps even her approach to life.<sup>4</sup>

So imagine Nancy's annoyance when one of her friends, Zadie, refashions her house in a way that clearly apes her style, sourcing the same radiators and fittings, using similar colour schemes, and taking a clearly derivative approach to furnishings. Nancy is offended. She thinks that Zadie has appropriated her personal style and, in so doing, cheapened the values and sense of self that she, Nancy, expresses and cultivates through it. And yet surely the right response to Nancy's taking offence is to point out that it is unwarranted. Yes, the way in which Nancy decorates her house is an extension of—an expression of—her personality and values. In this way, it is highly meaningful for her. And yet none of this is traduced by the fact that Zadie has copied her. Nancy's home remains meaningful to her in exactly the same way as it did before, and so Zadie, it seems to me, has done nothing wrong. In reacting in the way she has, Nancy presumes that Zadie has in some way undermined what decorating her house in that style means to her when, in fact, this is not the

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4 I take this way of putting it to be sympathetic to Nick Riggle's claim that one's personal style is the expression one's ideals (Riggle, 2015, p. 722).

case. Nancy's map of where the relevant boundaries concerning her personal style lie—her conception of what does, and does not, undermine the way in which her style matters to her—is awry. She should internalize the maxim that imitation is the sincerest form of flattery and move on. There is no reason for her to take offence.

Of course, what is at stake in this example is not whether a kind of *intimacy* has been breached. Nancy believes that Zadie has breached a different such boundary, one which distinguishes being influenced by someone else's personal style from, as Nancy herself might put it, 'ripping her off' to an extent that she is prevented from drawing meaning from her personal style in the way that she has enjoyed up to now. But the example nonetheless illustrates something important that is transferable to the case of style appropriation at a cultural level: namely, that, when it comes to matters of style, originators can be wrong about what the relevant normative constraints on appropriation are. There is no reason to think that errors can be ruled out when it comes to a cultural group's conception of where the boundaries concerning their group intimacy are located.

Nguyen and Strohl are right that considerations of group intimacy underpin many appropriation claims: such considerations do, indeed, sometimes ground genuine normative reasons that speak against style appropriation. But, as the example of Nancy and Zadie suggests, there is something suspect about the idea that a genuine *pro tanto* reason against appropriating a stylistic innovation is in this way a product of human decision, rather than being grounded in what Nguyen and Strohl call 'an independent fact of the matter' (Nguyen and Strohl, 2019, p. 992): in this case, how things truly stand with respect to the group's intimacy, whether it really has been breached, whatever the people concerned might believe on this question. As expressivism sees things, settled group opinion cannot be wrong about where the boundaries concerning their intimate practices lie, and hence cannot be wrong about whether an act of style appropriation is acceptable or not. I protest that this is to cut normative reality down to size.<sup>5</sup> Group members might *find* an instance of style appropriation offensive because they believe it to have breached their group intimacy; but it is possible for them to be wrong—as Nancy is—about whether a genuine such breach has really occurred, and so it is possible for the offence they take to be unjustified.

The crucial point here is that whether an instance of style appropriation constitutes a breach of group intimacy is determined by whether the stylistic innovation in question genuinely plays a role in forging the group's mutual sense of a shared group identity and, if it does, whether the actions of the appropriator traduce the special cultural meaning it has for the group, thereby inhibiting it from fulfilling this role in future. But what this means is that where the relevant boundaries of group intimacy lie is determined, not by group opinion or decision, but by the nature of the significance that the group's various practices have in the lives of those involved, and by the effect that acts of appropriation have on this significance. And so it follows that a group might be mistaken about whether its intimacy has really been compromised by an act of cultural appropriation. Nancy, it turns out, was wrong to think that Zadie's copying of her style of interior design somehow prevented her house from fully expressing her own values and 'take' on life. Likewise, it is possible that

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5 To adapt Thomas Nagel's (1986, p. 109) memorable phrase.

a group could judge an instance of cultural appropriation to have undermined its group intimacy, and yet turn out to be mistaken in this judgement. Such cases are, no doubt, rare, but not, as expressivism has it, conceptually impossible.

The key to appreciating this lies in understanding that what makes something an intimacy *breach* is that it undermines the very existence of the intimacy between the people concerned: in crowding out a space which people occupy in order to form and nurture especially close, meaningful, or valuable relationships with each other, interlopers prevent such relationships from thriving. As we have seen, publishing a romantic couple's love letters against their will inevitably traduces these letters for the authors, preventing them from functioning as they were intended, as a means for the disclosure and take up of feeling between just the two of them. Analogously, an instance of style appropriation constitutes a genuine breach of group intimacy only if it brings about a diminution of the capacity of these intimate practices to perform their role of maintaining, strengthening, or further developing the group's identity and unity.

Bearing this in mind, there would seem to be at least two potential sources of group error concerning whether their intimacy has been breached by an act of style appropriation. First, the group might misattribute significance to the stylistic innovation at issue. A stylistic element that once played a central role in grounding a sense of unity among group members might have gradually come to lose this function without the group's having fully internalized this development. Perhaps the stylistic element's present-day *appearance* of significance in this respect is a hangover from the past, when it once figured in intimate practices, but which now amounts to little more than a kind of fetishization. Second, it is likewise possible for the offence taken by group members to an act of style appropriation to be based upon a misreading of the appropriator's motives. A cultural outsider's adoption of a hairstyle characteristic of an oppressed group might be easily interpreted as a thoughtless fashion statement, when it is, in fact, a culturally sensitive, calculated act of solidarity. (I suspect that the latter reading makes the best sense of Adele's appropriation of Bantu knots.<sup>6</sup>) This matters because the appropriator's motives determine whether the group's intimacy has been genuinely, rather than merely apparently, breached. For if the instance of style appropriation is entered into as a means of showing solidarity with the host group, in the spirit of expressing care and respect for its members, then it need not cheapen or traduce the value and meaning that the group derive from it. And if this right, then group intimacy might not, in reality, have been breached, even if group members, by virtue of misconstruing the appropriator's motivations, have come to interpret her actions in this way.

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6 Black British Labour MP, David Lammy, said of the barrage of online criticism faced by Adele, '[t]his humbug totally misses the spirit of Notting Hill Carnival and the tradition of "dress up" or "masquerade". Adele was born and raised in Tottenham; she gets it more than most' (*The Guardian* newspaper, 1 September, 2020). This opens up the possibility of contrasting this kind of case with Zac Efron's risible decision to wear his hair in dreadlocks 'just for fun' (<https://www.wmagazine.com/story/zac-efron-dreadlocks-cultural-appropriation/>).

By the way, I am not suggesting that the relevant cultural group (people of Afro-Caribbean descent? Black British people?, Black Londoners?) *did* have a settled opinion that Adele's style appropriation here was wrong. Lammy's intervention itself should make us doubt such an interpretation. My point is that *if* the relevant groups had taken this view, there is reason to think that they would have been mistaken.

Unhappy with the very idea of opening up the possibility that stable group opinion might mislead as to whether a breach of group intimacy has occurred, a friend of expressivism might argue that apparent such cases are really cases of unresolved group disagreement.<sup>7</sup> Accordingly, it might be suggested that the appearance of genuine error on the group's part can be explained away as a situation in which those who have gained authority to speak on behalf of the group, and whom we believe to have made a mistake about the group's boundaries of intimacy, in fact misrepresent the intimate group's opinion. But why should every case of apparent group error about the boundaries of its intimacy be like this? The point remains that whether a group's intimacy has really been traduced is a matter of whether the practices concerned can no longer, or can no longer to the same extent, serve to build and maintain the group's sense of its own identity and set of values or purposes. And if Nancy can be wrong about this on an individual level, there is no reason to think that a group could not be wrong about this on a collective level. Linking arms introduces no philosophically significant difference here.<sup>8</sup>

#### IV

Just to be clear, unlike Erich Hatala Matthes, I am not sceptical of the very idea that facts about group intimacy might be the source of normative reasons on matters of style appropriation. Matthes (2019, pp. 1007, 1009) finds the premise that group intimacy can ground such reasons implausible, and it is largely for this reason that he prefers an account of 'expressive' appropriation claims that grounds their normative force elsewhere (2019, p. 1007). Specifically, 'what grounds expressive appropriation claims', according to Matthes, 'is the historical and ongoing oppression faced by certain groups, independently of considerations of intimacy' (2019, p. 1009). 'The normative foundation for expressive appropriation claims', he continues, 'is the fact that they come from oppressed groups' (2019, p. 1010).<sup>9</sup>

But what is so implausible about the idea that considerations of group intimacy can generate normative reasons? In Matthes's view, the fact that it 'seems to entail' that any group can have a prerogative of intimacy that grounds such reasons (2019, p. 1009). If this entailment goes through, then once we agree that there are cases in which a group's intimacy generates *pro tanto* normative reasons to abide by its appropriation claims, then we have no choice but to admit that the group intimacy enjoyed by members of the Ku Klux Klan does the very same thing (2019, p. 1009). And, as Matthes points out, this result is difficult to stomach: rather than generating genuine reasons to accord with their preferences, albeit reasons that are invariably overridden by other considerations, the claims of the Ku Klux Klan 'generate no reasons at all' (2019, 1011). There is literally nothing that speaks in favour of abiding by their wishes.

7 Matthew Strohl suggested this to me in private correspondence.

8 As Simon Blackburn (1984, p. 293) has noted, albeit in a somewhat different context. In making this point, I do not enter into the debate about whether individuals or groups have primacy in our explanation of oppression. I just point out that if we allow that an individual can be wrong about whether someone's appropriation of her personal style traduces the meaning and value they take from that style, there is no reason to think that the same cannot be true of cultural groups.

9 This latter claim strikes me as too restrictive, but I will not argue for this here.



But the seeming entailment bothering Matthes here is not genuine.<sup>10</sup> For accepting that considerations of group intimacy can generate normative reasons can be combined with an acknowledgement that such intimacy can be a source of such normativity only if it enjoys a particular kind of aetiology. Something that looks, feels, and smells just like a £50 note, and which is passed off as such in financial transactions, is not truly worth £50 unless it has the right causal origin: it must be issued by The Bank of England. Somewhat analogously, I suggest that there can be a sort of group intimacy—something that functions to promote and enhance the sense of common identity and group connection among its members—and yet which has arisen in the wrong kind of way to generate normative reasons. Plausibly, group intimacy that has developed for the sake of promoting the hatred, oppression, and harm of other people, and which thereby militates against human flourishing, is normatively inert. Unlike the group intimacy enjoyed by, for example, Native Americans, Rastafarians, or, more mundanely, racing cyclists, that of the Ku Klux Klan generates no normative reasons at all. The purported normative reasons seemingly grounded in their group intimacy are apparent only. We should ignore them.

Saying this enables us to acknowledge the role of group intimacy in generating normative reasons to refrain from acts of style appropriation, but without thereby having to grant normative weight to the intimacy of groups bound together by a hatred of, and a desire to oppress, other groups. In cases in which facts about group intimacy *do* give rise to normative reasons, it is the group intimacy itself that is the source of the normativity, but only under the condition that it has been generated in the right kind of way. It is *properly generated* group intimacy that is a source of normative reasons, not group intimacy, irrespective of how it has arisen.<sup>11</sup>

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10 Which is something that Nguyen and Strohl fail to see. Hamstrung by this failure, they reply to Matthes in the only way in which they can: namely, by insisting that the Ku Klux Klan's group intimacy lacks normative heft because the normative force it generates is, all things considered, 'drastically outweighed' by other considerations (2019, p. 1000). However, this move fails to get to grips with the nature of Matthes's worry. What we want to say, but which Nguyen and Strohl are debarred from saying, is that *nothing at all* speaks in favour of abiding by appropriation claims made on behalf of the Ku Klux Klan.

11 I think this response nicely unpicks Matthes's objection, but precisely distinguishing my position from his will also help to characterize the philosophical space I am trying to demarcate. True enough, we both deny that *just any* case of group intimacy generates the kind of normative reasons that can ground appropriation claims. But the conclusions we respectively draw from this are very different. I set out a restricted kind of group intimacy—that enjoying a certain kind of aetiology—that can provide the requisite ground for certain such claims. Matthes, by contrast, grounds the normativity of these candidate claims in something else entirely: the historical and ongoing oppression faced by the groups in question. In his view, the fact that group intimacy has been breached is *never* the source of the wrongness in an act of style appropriation.

This difference is apt to be obscured by Matthes's (2019, pp. 1007, 1009) expressing his key claim as that group intimacy lacks 'bare normativity'. If group intimacy's possessing 'bare normativity' is for it to be the case that *every* instance of group intimacy generates genuine normative reasons, then I agree with Matthes that group intimacy lacks 'bare normativity', for the reasons I have given. But if denying that group intimacy has 'bare normativity' is to deny that *any* instance of group intimacy can be the source of such reasons, then I take this denial to be mistaken. Matthes, like Nguyen and Strohl, fails to see the possibility of there being a kind of normativity that emerges directly, not out of group intimacy *per se*, but out of a certain species of it.

Having made this clarification, we can focus on the crucial difference between my position and expressivism. This difference concerns not *whether* facts about group intimacy can give rise to normative reasons, but *how* they do so. As we have seen, expressivism has it that considerations of group intimacy are mediated by the beliefs and preferences of group members, so that the resulting normative reasons generated can simply be read off what the group collectively believes and says. This leads to what I presented as the unacceptable conclusion that what normative reasons there are is decided by human agreement. An alternative picture avoids this consequence by allowing that group intimacy can be a source of genuine normative reasons, but without holding that the emergence of such reasons is channelled through the group's collective preferences. Commitment to the idea that these reasons are simply whatever these preferences present them as being is thereby avoided.

Ultimately, what this alternative picture denies is that appropriation claims based on considerations of group intimacy are 'expressive' in Nguyen and Strohl's sense.<sup>12</sup> In cases in which normative reasons to desist from style appropriation are grounded in considerations of group intimacy, such reasons arise directly out of the facts concerning the nature of the intimacy at stake and the actions of the appropriator. These reasons cannot be read off from the decisions and attitudes of the group. Whether a real breach of intimacy has occurred—something that would generate a normative reason to desist from the style appropriation concerned—is determined by the facts on the ground; it does not 'depend on what the group decides together' (Nguyen and Strohl, 2019, p. 983).

Appropriation claims based on considerations of intimacy thus turn out to be grounded in what Nguyen and Strohl class as 'independent facts' after all: albeit facts concerning the nature of the group intimacy and its boundaries. This means that it is possible for a group to be collectively wrong about whether a genuine breach of such intimacy has occurred, and hence wrong about whether there is an intimacy-based reason for outsiders not to indulge in whatever stylistic appropriation is at issue.<sup>13</sup>

This is not to deny that group intimacy—since it involves a common, mutually recognized, and mutually valued sense of group identity and connection—is in part constituted by shared beliefs, feelings, and other mental states. For example, whether a practice counts as an intimate one for a group will be to some extent determined by what the group members recognize that practice as doing for them. And yet none of this challenges the idea that a group's belief about whether an act of style appropriation breaches their group intimacy might yet be mistaken. The group's beliefs about *this question*—in effect, whether the said appropriation truly undermines the intimacy concerned—are not infallible, and this is so for the reasons set out towards the end of §3. So, even though the question of whether an intimacy breach has occurred has as its subject matter a phenomenon—group intimacy—that itself involves group belief, its answer is *there to be discovered*: something that is not a

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12 My saying this marks another disagreement with Matthes, who accepts there is a non-empty class of 'expressive' appropriation claims (whose normative foundation he claims to come from the fact that they are made by oppressed groups) (Matthes, 2019, p. 1010).

13 There might be other *pro tanto* reasons for not appropriating the stylistic element concerned, of course.

mere figment of what the group's opinion on this matter happens to be.<sup>14</sup> And it is precisely this, sharply demarcated, species of belief-independence that I am insisting on.

## V

I anticipate the following response to my competing picture of how relations of group intimacy can ground normative reasons against style appropriation. There are cases in which intimacy considerations certainly *do* ground normative restrictions in the way in which expressivism supposes: cases in which what counts as a breach of intimacy *is* a matter of decision on the part of the individuals concerned, and in which these individuals' resultant requests that others refrain from the behaviour at issue *are* truly 'expressive'. So why should we think that the analogies that Nguyen and Strohl attempt to draw between cases of these kinds and cases of style appropriation fail to hold? Why should we think, in other words, that claims of the former kind are 'expressive', while appropriation claims based on group intimacy considerations are not?

The short answer to this question is this: because there are significant differences in the kinds of intimacy respectively in place. Consider, once more, a sincere utterance of 'Please don't touch me'. It is absolutely right to observe that the making of such an utterance establishes a boundary of personal intimacy which it is *pro tanto* wrong for another to cross. But notice that what is special about this case is that it relies on considerations of bodily autonomy that are grounded in self-ownership. As Locke famously puts it, 'every Man has a *Property* in his own *Person*' (Locke, 1689: V. 27. 305). The reason why someone's requesting that she not be touched thereby generates a normative reason that speaks against someone else's touching her is that she has a proprietary right over her body: it is *her* body, so, in normal circumstances, what she says goes. Likewise, the reason why 'the permissibility of reading a couple's love letters depends on what the romantic partners decide together about whether others may read [them]' (Nguyen and Strohl, 2019, p. 983) is that the couple concerned *own* these letters. This is why they usually get to decide whether it is acceptable for others to read them. Breaching the lovers' intimacy is a violation of their property rights: it is because these letters *belong* to them that they decide whether others can read them.

But of course, things are very different when it comes to matters of style appropriation. As Nguyen and Strohl themselves point out, style appropriation does not appear to involve the violation of property rights (Nguyen and Strohl, 2019, p. 982): talk of a cultural group's 'owning' a hairstyle, cooking technique, or style of drumming is metaphorical only (2019, p. 985).<sup>15</sup> This difference explains why we should not expect what counts as a

14 This form of words is inspired by how John McDowell characterizes the kind of mind-independence that is—or should be—the crux of realism/anti-realism disputes (McDowell, 1985, p. 136).

15 I insist on this point while acknowledging how common it is for people to say things like 'Bantu knots are *ours*; you can only have your hair that way with our permission'. A hairstyle cannot be owned, even as intellectual property, because intellectual property rights only obtain over products, not styles. (Artistic styles cannot be copyrighted.) So I choose to interpret the quoted utterance as a metaphorical way of saying that outsiders should refrain from appropriating the said hairstyle. The crux of the issue here is not ownership, but whether the claimed special cultural meaning attaching to Bantu knots entails that their appropriation by cultural outsiders breaches group intimacy.

breach of group intimacy to be a matter of a group decision, and why, as a consequence, we should not expect appropriation claims to be ‘expressive’. Someone’s saying ‘Please don’t touch me’ itself generates a reason not to touch her because she sets the boundaries concerning her bodily intimacy; and she sets these boundaries because her body is *hers*. Nothing like this is in place when it comes to matters of style: styles are not owned. Hence, we have no reason to think that appropriation claims are ‘expressive’. The claimed analogy between ‘Please don’t touch me’ and appropriation claims fails.

But things are perhaps not quite settled yet, since an interesting case now presents itself:

Thi Nguyen and his spouse have odd pet names for each other and a funny dance they do when one of them is sad. Are their friends allowed to witness, use and transmit those pet names and that funny dance? There is no independently grounded fact of the matter; it simply depends on where the couple decides the boundary should be. Once the boundary has been set, it generates normative constraints for others. If Thi and his spouse do not want their friends to use their pet names, then their friends shouldn’t use them. There is one important caveat: in order for intimacy to ground such prerogatives, the intimate practices in question must be sufficiently distinct from pre-existing practices. If the funny little dance that Thi and his wife do for each other is the Electric Slide, they don’t have any say over whether or not their friends can perform it. (Nguyen and Strohl, 2019, p. 988)

This looks like it might be an example of intimacy-related boundary-setting that does not involve ownership; and if it is, then perhaps there is life in Nguyen and Strohl’s analogy, and hence in expressivism, after all.

Once this example is unpacked, however, it becomes clear that it cannot do the work that Nguyen and Strohl want it to. Suppose that Thi and his spouse feel very strongly that no one should appropriate their pet names and dance. First, it is by no means clear that we should grant that their feeling this way generates a normative reason against such appropriation. This might be just another case like that of Nancy’s home decoration, in which the offence taken is not reasonable. If others appropriate their pet names and little dance, perhaps Thi and his spouse should just get over it: these practices can still serve to maintain their interpersonal intimacy even if they are adopted by other people.

I accept that this response will not satisfy everyone. Surely, it might be urged, the fact that Thi and his spouse do not want their friends to use their pet names and dance generates a normative reason for their friends to refrain from doing so, even if it is often outweighed by countervailing reasons? Maybe. But even if this is true, the intended analogy with style appropriation fails. To see why, focus on the clarification introduced at the end of the quoted extract. Thi and his wife, so it is suggested, set the boundaries for who can use their pet names and do their dance because these things are *original*: they invented them. (If, it is said, the dance they do to cheer each other up pre-existed their adoption of it, then they forfeit any say over whether anyone else can perform it.) But this, it seems to me, sees Nguyen and Strohl implicitly thinking of the pet names and dance as items that are, in principle at least, their intellectual property. If Thi and his wife’s being able to set the relevant boundary on appropriation depends upon whether they *invented* the practices concerned, then what seems to be explaining the generation of the normative

reason against appropriation in this instance is the fact that the pet names and dance in some sense *belong to them*. And so, once again, the assumption of something like property rights, albeit of an intellectual kind this time, seems to lie at the root of this example; and this means that there exists a clear disanalogy with style appropriation, in which property rights of any kind are not at issue (Nguyen and Strohl, 2019, pp. 984–985).<sup>16</sup>

## VI

The situation is a complicated one and I have a final little piece of explaining to do. As I said in §3, breaches of intimacy are *pro tanto* wrong. And yet, as I have explained, whether such a compromise of intimacy has actually occurred is a fact of the matter independent of group opinion on this question. It might happen, for example, that a group feels outraged at an instance of style appropriation, believing its intimacy to have been breached, and yet this belief be false. (The offence taken might turn out to be as groundless as Nancy's, in other words.)

All of this is possible. And yet a number of caveats are in order. It remains true that group members' collective testimony on whether their intimacy has been breached by an instance of style appropriation is extremely credible, perhaps the most credible there is. Indeed, it might be a good rule of thumb to treat the group's settled opinion on this matter as correct, 'without empirical evidence' (Nguyen and Strohl, 2019, p. 993). I merely observe that credible testimony can sometimes be wrong and that rules of thumb are just that: fallible devices used to speed up the process of decision making in the hurly burly of everyday life.<sup>17</sup>

In the same vein, we should agree with Nguyen and Strohl that sometimes, when group members make appropriation claims, we should not think them obliged 'to litigate questions of justification' (Nguyen and Strohl, 2019, p. 993). But as I pointed out in §2, this might be because the justification is all too evident, or because it would be inconsiderate to ask for one (at least, then and there). What I deny, though, is that the rightness of sometimes not asking makers of appropriation claims to offer supporting evidence indicates the existence of a class of such claims that are 'expressive' in Nguyen and Strohl's sense: claims for which no such evidence, independent of the claim itself, exists. There are no appropriation claims of this kind. Even those claims based on considerations of group intimacy are, to use Nguyen and Strohl's phrase, 'independently grounded' (2019, p. 984): they are rooted in facts about group intimacy that are independent of our beliefs about them. And this means that a group might turn out to be mistaken about where the boundaries of its group intimacy lie and, hence, wrong in thinking that a genuine breach of such intimacy has resulted from an act of style appropriation.

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16 For this diagnosis to be correct, dances and pet names must count as what I termed 'products', rather than styles. (See n. 14 above.) This is independently plausible. The *Twist*, in common with Sibelius's Symphony No. 5 or *Hamlet*, would seem to be a repeatable artistic structure originated by a person or persons.

17 Here I echo J. J. C. Smart (1956, p. 344).

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