Design Piracy: Student Perceptions of a Constructive Controversy Activity

Sara B. Marcketti
Iowa State University, sbb@iastate.edu

Follow this and additional works at: http://lib.dr.iastate.edu/aeshm_pubs

Part of the Fashion Design Commons, Fiber, Textile, and Weaving Arts Commons, Industrial and Product Design Commons, and the Other Arts and Humanities Commons

The complete bibliographic information for this item can be found at http://lib.dr.iastate.edu/aeshm_pubs/83. For information on how to cite this item, please visit http://lib.dr.iastate.edu/howtocite.html.
Design Piracy: Student Perceptions of a Constructive Controversy Activity

Abstract
Optimal learning occurs when students are interested in the subject matter, are motivated with challenging and quality learning opportunities, and when immersed in atmospheres that make learning enjoyable. One technique to promote optimal learning is through the use of constructive controversies. The purpose of this study was to provide an example of a constructive controversy and to explore student perceptions regarding the learning format. The respondents (n=126 undergraduates) engaged in the constructive controversy assignment and completed a questionnaire to assess variables including new thinking, enjoyment, and demographic information. Regression analysis indicated that new thinking as a result of participation in the constructive controversy was a unique predictor of enjoyment. The findings suggested that students were actively engaged in the topic and constructed knowledge through the synthesizing of information. The activity allowed students the opportunity to practice the general skills of inquiry, communication, critical thinking, and problem solving. Implications of this study point to the advisability of including the constructive controversy activity into learning activities in higher education.

Disciplines
Fashion Design | Fiber, Textile, and Weaving Arts | Industrial and Product Design | Other Arts and Humanities

Comments
This article is from College Student Journal, 2007, 41(4); 1046-1054. Posted with permission.
DESIGN PIRACY: STUDENT PERCEPTIONS OF A CONSTRUCTIVE CONTROVERSY ACTIVITY

SARA B. MARCKETTI
Iowa State University

Optimal learning occurs when students are interested in the subject matter, are motivated with challenging and quality learning opportunities, and when immersed in atmospheres that make learning enjoyable. One technique to promote optimal learning is through the use of constructive controversies. The purpose of this study was to provide an example of a constructive controversy and to explore student perceptions regarding the learning format. The respondents (n=126 undergraduates) engaged in the constructive controversy assignment and completed a questionnaire to assess variables including new thinking, enjoyment, and demographic information. Regression analysis indicated that new thinking as a result of participation in the constructive controversy was a unique predictor of enjoyment. The findings suggested that students were actively engaged in the topic and constructed knowledge through the synthesizing of information. The activity allowed students the opportunity to practice the general skills of inquiry, communication, critical thinking, and problem solving. Implications of this study point to the advisability of including the constructive controversy activity into learning activities in higher education.

According to educational psychology, optimal learning occurs when students are interested in the subject matter, are motivated with challenging and quality learning opportunities, and when immersed in atmospheres that make learning enjoyable. (Barr & Tagg, 1995; Ediger, 2001; Wingspread Group on Higher Education, 1993). According to L. Dee Fink (2003) significant learning experiences in well-designed college courses challenge students to higher levels of learning such as decision making and critical and creative thinking; utilize active forms of learning such as problem solving; and provide a structured sequence of different learning activities, such as lecture, discussions, small groups, and writing that support different kinds of learning goals and styles. One technique to promote optimal learning is through the use of constructive controversies, as first reported by Johnson and Johnson in Joining together: Group theory and group skills (Johnson & Johnson, 2003). Constructive controversy is, “an instructional procedure that combines cooperative learning (in which students work together in small groups to develop a report on an assigned topic) with structured intellectual conflict (in which students argue the pro and con positions on an issue in order to stimulate problem-solving and reasoned judgment)” (Johnson, Johnson, & Smith, 2000, 29).

Purpose of Study

The purpose of this study was 1) to present a lesson utilizing the constructive controversy format that can be used in
many disciplines including but not limited to economics, ethics, and textiles and apparel studies and 2) to present student perceptions regarding the constructive controversy format.

**Constructive Controversy**

**Format**

In the constructive controversy format, the instructor assigns students to groups of four, divides each group into two pairs, and then states the constructive controversy topic. The cooperative goal is for each student to reach a deeper understanding of the matter at hand. One pair of students in each group is given the assignment of developing and advocating for the best case possible of the pro position, while the other pair of students does the same for the con position. The instructor supervises as the pairs discuss the issue, construct persuasive arguments for their position, and refute the opposing position while rebutting attacks on their own. After consulting with their partners and arguing their positions, the pairs reverse perspectives; the proponents of a viewpoint became the opponents and vice versa. Students then seek an agreement that synthesizes both positions. The instructor monitors the groups to facilitate discussion and listen to students’ arguments and perspective reversals (Johnson, Johnson, & Smith, 2000). Past researchers have reported on the use of the constructive controversy instructional format with subject matters as diverse as health administration, history, and criminal justice (Liberman, Rotarius, & Fotler, 2001; Morton, 1986; Payne, B. K., & Gainey, R.R., 2000).

According to research conducted by Johnson, Johnson, and Smith (2000), the intellectual challenge inherent in constructive controversy results in the use of higher-level reasoning strategies, the development of more complex and coherent conceptual structures, and more critical thinking. These results, according to the authors, lead to greater subject learning, more accurate retention, higher-quality decisions, and sounder, more creative solutions to problems. In a meta-analysis of available research, Johnson, Johnson, and Smith (2000) found that in constructive controversy classrooms, participants developed a stronger sense of mutual friendship, support, and reported higher self-esteem than participants engaged in concurrence-seeking, debate, or individualistic learning assignments.

**The Constructive Controversy Lesson**

In the spring semester, 2005, the researcher presented a constructive controversy lesson based on the topic of design piracy to two undergraduate classes within the apparel merchandising, design, and production program at a large land-grant Midwestern university. The classes included an upper level survey of the history of fashion and an introductory course on the apparel industry. The two classes were chosen because of their focus on the fashion industry and the relevance of course work to the selected constructive controversy issue. Design piracy is a critical, persistent, and controversial subject within the apparel industry (Johnston & Fitch, 1936; Marckett, 2005; Schmidt, 1983).

**Design piracy - Background information.** The concept of design piracy or “knocking-off” another designer’s idea is
an accepted practice of the apparel industry. Although design piracy is most often used to turn high-end designs into less expensive goods, couture designers also copy the works of other designers and artists. Some in the apparel industry believe that “today’s knock-off houses provide good value and style,” while others suggest the possibility that at least some apparel firms producing pirated apparel “fund organized crime and terrorism” (Wood, 2003, p.17). Today, many designers aggressively protect elements of their merchandise through trademarks or patents, but apparel designs are virtually impossible to protect. Legally, designers and manufacturers have had tenuous success in proving their work “original and novel” as required by United States (U.S.) patent laws, and copyright laws have not applied to apparel. The speed of fashion change, and the apparel industry’s reliance on repetition of ideas at various price points makes design protection difficult (Marketti & Parsons, in press).

Design piracy continues to be a controversial subject for apparel interests. In 1994, a French commercial court ordered Polo/Ralph Lauren to pay $383,000 to Yves Saint Laurent for plagiarizing a tuxedo dress design. In 2004, a federal judge in the Southern district of New York issued a ruling that while the handbag company Dooney & Bourke had “copied” Louis Vuitton, it had not violated the French fashion giant’s intellectual property rights (Walker, 2004). Since this issue is so controversial and yet undecided, it was selected as the basis of the constructive controversy in two undergraduate lecture classrooms in the apparel merchandising, design, and production program of a Midwestern landgrant university. What follows are the briefing sheets the students were provided with.

Proponents of Design Piracy. Your position is that design piracy is a positive and much needed aspect of the ready-to-wear apparel industry. To support your position, use the information given below and any information from your own experiences that is appropriate. Challenge the opponent’s viewpoints; think of loopholes in their logic; demand facts and information to back up their arguments.

1. One of the major reasons for, and results of, design piracy is the succession of popular garment styles into lower price points. When a particular arrangement of elements in a garment style catch the public’s imagination, other designers and manufacturing interests imitate the garments. Some manufacturers change minor details such as color, pattern, and use or type of trimmings. Other manufacturers copy the garments in exacting detail substituting the more invisible elements such as fiber type or quality of materials. Manufacturers copy exactly or make minor changes to approximate their target markets’ price range. Nearly all price ranges in the apparel industry copy, especially since there are few visual differences between copies and the originals to the inexperienced eye (Horyn, 2002; Stuart, 1951).

2. For a garment to become a fashion, it needs to diffuse to a large
Opponents of Design Piracy. Your position is that design piracy is a negative and detrimental aspect of the ready-to-wear apparel industry. To support your position, use the information given below and any information from your own experiences that is appropriate. Challenge the opponent’s viewpoints; think of loopholes in their logic; demand facts and information to back up their arguments.

1. Style piracy affects the organization of the women’s apparel industry. Styles copied at lower price points flood the market with cheap imitations of higher end goods. Piracy permeates the industry; even copies are copied. According to fashion writer and social historian, Ida Tarbell (1912, p.122-123),

From top to bottom we are copying. The French or Viennese mode, started on upper Fifth Avenue in New York City, spreads to 23rd St., from 23rd St to 14th St., from 14th St. to Grand and Canal. Each move sees it reproduced in materials a little less elegant and durable; its colors a trifle vulgarized, its ornaments cheapened its laces poorer. A travesty, and yet a recognizable travesty.

2. One of the ways in which pirated copies appear so quickly on the market is through the use of cheap materials. These materials are often of poorer quality than the more expensive resources used by the higher priced manufacturers. Great waste results from the use of poor quality merchandise. Consumers need to replace their clothing more frequently and retailers and manufacturers are forced to continuously turnover their merchandise because consumers desire new items. Copying also shortens the life of a product. As copies flood the various price lines of the dress industry, higher priced merchandise is knocked off. If piracy was eliminated, women would not buy so many goods and would save time, money, and energy purchasing goods less sensitive to change. In addition, consumers who desired distinctive articles could safely rely upon the exclusiveness of protected items (The National Recovery Administration, 1934).

Students were provided with the briefing sheets and given five minutes to meet with their partner to create their arguments. Groups debated the topic for ten minutes. Students were then provided with the opposing viewpoint briefing sheets. Stu-
udents were allowed five minutes to meet with their partners to create their arguments. For ten minutes students discussed and debated their positions. Students were asked to reach a consensus and write a short report regarding their opinion of the design piracy debate. These results were tallied by the instructor and shared with the class at the end of the period.

Method
Student perceptions regarding the constructive controversy assignment were assessed through a survey method. The survey was a structured, self-completion questionnaire consisting of three parts: students’ general demographic information, including gender and year in school, a list of four items intended to measure students’ initial attitude towards the concept of design piracy, attitude towards the concept of design piracy after involvement in the constructive controversy, perception of new thinking regarding design piracy after involvement in the activity, and enjoyment regarding the activity. A five point Likert-type scale ranging from 1 (strongly agree) to 5 (strongly disagree) was used to rate participants’ attitudes and feelings concerning the constructive controversy exercise. The survey also contained an open-ended question asking students for additional comments regarding the activity.

Descriptive statistics were used to measure frequencies, means, and standard deviations of response items. Data were analyzed by applying the t-test for independent samples and a one-way analysis of variance (ANOVA) in order to compare the responses of the two groups. This method was used to determine, evaluate, and analyze the student perceptions of a constructive controversy lesson. The Statistical Package for Social Sciences (SPSS) version 12.0 was used (George & Mallery, 2003). The level of significance was set at .001.

Sample and Sampling Procedure
An 81% response rate of surveyed students resulted in a total sample size of 126. Confidentiality was assured to each student. The instrument was reviewed and approved by the university’s human subject’s board.

<table>
<thead>
<tr>
<th>Characteristics</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Female</td>
<td>117</td>
<td>92.9</td>
</tr>
<tr>
<td>Male</td>
<td>9</td>
<td>7.1</td>
</tr>
<tr>
<td>Classification</td>
<td></td>
<td></td>
</tr>
<tr>
<td>First-year</td>
<td>40</td>
<td>31.7</td>
</tr>
<tr>
<td>Sophomore</td>
<td>21</td>
<td>16.7</td>
</tr>
<tr>
<td>Junior</td>
<td>32</td>
<td>25.4</td>
</tr>
<tr>
<td>Senior</td>
<td>33</td>
<td>26.2</td>
</tr>
</tbody>
</table>
Results

Table 1 provides an overview of demographics for the sample. The sample (n=126) comprised 92.9% female students and 7.1% male students. Respondents classified themselves as first year students (31.7%), sophomores (16.7%), juniors (25.4%), and seniors (26.2%). Students were not asked other demographic information to protect their anonymity.

Regarding the constructive controversy lesson, Pearson correlation coefficients (Table 2) indicated a significant relationship between the variable initial attitude and now attitude (p < .01, r = .485). This finding suggested that there was a positive relationship between participants’ initial attitude/feelings toward the concept of design piracy and their attitude towards design piracy after involvement in the constructive controversy. A significant relationship was also found between new thinking and initial attitude (p < .01, r = .365). This finding suggests that students’ initial attitude toward design piracy impacted whether new thinking occurred after participation in the constructive controversy exercise. A significant relationship was also found between enjoyment and initial attitude (p < .01, r = .469), enjoyment and now attitude (p < .05, r = .285) and enjoyment and new thinking (p < .01, r = .705).

In an attempt to further examine the relationship between new thinking and enjoyment, the additional exploratory analysis of simple linear regression was conducted. The constant variable, new thinking, was normally distributed and all assumptions of ANOVA were met. Results of the simple linear regression suggested that enjoyment of the activity occurred if students experienced new thinking regarding the topic (F (1, 126) = 122.476; p=.000). The R² of the model was .497 which indicates that 49.7% of the variability in enjoyment of the constructive controversy was explained by new thinking. The prediction equation (table 3) was .911 + .716 times the variable new thinking. This indicates that enjoyment can be predicted based on the level of new thinking. Results of a multiple regression which tested the model with the additions of gender, grade classifications, and the two different class samples were not significant.

Student written comments supported the quantitative results of the constructive controversy exercise in the undergraduate classrooms. Students responded to the final question of the survey, “Please write any
Table 3. Prediction Model for Enjoyment and New Thinking (n = 126)

<table>
<thead>
<tr>
<th>Model</th>
<th>Unstandardized Coefficients</th>
<th>Standardized Coefficients</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>B</td>
<td>Std. Error</td>
</tr>
<tr>
<td>1  Constant</td>
<td>.911</td>
<td>.186</td>
</tr>
<tr>
<td>New thinking</td>
<td>.716</td>
<td>.065</td>
</tr>
</tbody>
</table>

a. Dependent variable: enjoyed

additional comments concerning this exercise,” by stating the following ideas:

- I appreciate experimenting with new techniques to help us think in different perspectives and the opportunity to share our ideas with our classmates.

- Trying to debate against something you agree with opens your eyes to other opinions. I was not aware of all of the different views on one single topic.

- I was surprised that the issue of design piracy is still trying to be figured out and that some people don’t even know about it.

- My ideas [about this topic] changed just by completing this constructive controversy.

- The design piracy topic is so vast and important. I never really thought about it before this activity.

- I was amazed that I agreed with both the pro and con arguments. I can really see good arguments for both sides.

- I really liked this [activity] because it was fun interacting with classmates. It really promoted active learning.

- It’s really hard to think the “other” way once you debate one particular side that you agree with. This activity made me think about both sides of the issue.

- This was fun and satisfying. Let’s do it again sometime!

- I never realized how controversial this issue was before this activity.

Discussion

The purpose of this study was to present a constructive controversy lesson regarding design piracy and to investigate student perceptions regarding this learning format. In the present study, results of the survey and student comments indicated that the constructive controversy on design piracy provided an effective learning environment that promoted a
learner-centered experience. During the constructive controversy activity, students were actively engaged in the topic of design piracy and constructed knowledge through the synthesizing of information. Students integrated this new knowledge using the general skills of inquiry, communication, critical thinking, and problem solving. These findings are consistent with educational psychological studies which state optimal learning occurs when students discover and construct knowledge, learning is student-centered and student-controlled, and learning is challenging and complex (Barr & Tagg, 1995; Ediger, 2001).

The constructive controversy format allowed students the opportunity to discuss their positions with their classmates, listen to one another’s arguments, and work together at finding a consensus regarding their opinion of the topic. Results of the survey and student comments seem to indicate that the activity allowed for new thinking to occur and enjoyment of the exercise. Implications of this study point to the advisability of including the constructive controversy activity into learning activities in higher education. This study supports the findings of previous studies (Johnson, Johnson & Smith, 2000), that the constructive controversy activity promoted the use of teamwork, problem-solving, and critical and creative thinking. While this research found no significance between gender, year in school and new thinking or enjoyment, further research could explore the effectiveness of constructive controversies in other populations of learners including secondary school students and adult learners.

References


