



## CHAPTER 4

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# Europe's Peat Fire: Intangible Heritage and the Crusades for Identity

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### WHAT'S IN A SONG?

*Europe, Oh Europe* is the title of a yet-to-be-released road movie by the successful Greek filmmaker Elina Psykou on the hopes and fears of five young Europeans travelling through their countries while discussing recent laws on gay rights, euthanasia, abortion, and the like. Although this is mostly what I found on her Creative Europe-funded project, it strikes me that her project actually addresses the currently much-debated European dream, as defined by its idealist, progressive agenda, in a wish of “shedding light on the competing forces which can hold the European Union together or push it towards division” (*Europe*,

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*Oh Europe*; Elina Psykou). This is indeed what's at stake, and one may wonder if the transnational dream of Europeanization will ever be able to overcome the dividing persistence of the nation state as long as cultures will be perceived as fixed identities instead of dynamic configurations.

Thus my Dutch family members cherish the memory of a local brass band in a remote Austrian mountain village, where our friendship with the *Kapellemeister* turned the *gemütlichkeit* on a Sunday morning village square into a kind of backstage tourism experience (for an ethnographic description of the community and its brass band, see Steiner and Benedik 2005, and for backstage experiencing, MacCannell 1989, ch. 5 "Staged Authenticity", 91–108). At the end of the *Knappenkapelle's* performance, we even joined in singing the regional anthem *in Dutch*, as to our surprise (and that of the locals) we knew the melody from a children's song in our own country about two musical hares and a hunter in a turnip field. This, of course, is less strange than it seems. Folk songs, dances, and marches have been circulating throughout Europe for ages, and, as noticed by Peter Burke (1978, 124–125) in the case of early modern folk music, the same tune might be different and different tunes the same because motifs "wandered" from one tune to another. Yet the fact that some residents wondered how we could actually sing "their" song, also reveals that parts of popular culture have been appropriated by communities as *heritage*.

This canonization of folk songs and tales goes back to the early nineteenth century. After the universalist Napoleonic era, a new generation began to unearth the pre-revolutionary past in search for "forgotten" national and regional identities waiting to be revived in the Romantic "rhetoric of awakening" (Crane 2000, 12–13). One such collector on the eve of the age of nationalism was August Heinrich Hoffmann von Fallersleben. He was the pan-German poet of the *Deutschlandlied*, which has functioned as Germany's national anthem since the Weimar Republic, although, remarkably, sung to the melody of Joseph Haydn's Habsburg anthem *Gott erhalte Franz den Kaiser* (1797), and today without the post-1945 too loaded stanza "Deutschland über alles" (Geisler 2005, 68–74). Hoffmann, whose imagined Germany stretched out from Austria to the Netherlands, also published *Horae Belgicae* in 1856. This corpus of *Niederländische Volkslieder* contained the aforementioned Middle Dutch song "The Musical Hares" collected on his *literarische Reise* from the city archive of Leiden. It seems Hoffmann's text was rewritten in modern Dutch by Jan Goeverneur and set to music by Johannes Worp in their

traditional children's songbook *De zingende kinderwereld* (1866), which resulted in the song we knew from our childhood.<sup>1</sup>

At first glance such "travelling" songs only confirm the impression of the richness of Europe's shared cultural heritage, as in the much quoted words of Claude Lévi-Strauss in his 1952 UNESCO lecture *Race et histoire*, no culture is closed, every culture is multicultural, or as he framed it later "all cultures are the result of a mishmash, borrowings, mixtures [...]" (Lévi-Strauss 1994, 424, and see for his impact and critique of (and from) UNESCO narrative, Müller-Will 2010). But considering the patriotic values attributed to them, one may ask to whom do they actually belong? This question came up for the Bulgarian filmmaker Adele Peeva during an Istanbul banquet with some friends from different Balkan countries, who suddenly joined in singing a song played by a local band, which they each immediately claimed as their own (Elefterias-Kostakidis 2013–2014). How could this be? Expecting that mutual heritage might bring people together in her ethnically divided region, Peeva decided to make a documentary about the many faces of that same song. Yet *Whose Is This Song?* (2003) not only offers a hilarious account of the endless transformations of a popular song known as a lullaby or love song in one country and as a religious hymn, patriotic polka, or military march in another, but also robs us of the illusion that such a rich shared heritage will lead to mutual understanding. Travelling through Turkey, Greece, Albania, Bosnia, Macedonia, Serbia, and Bulgaria, she let local people everywhere hear the same song in a foreign version. Sometimes they were amazed, like us and our Austrian friends, but more often they were astonished, and their disbelief turning into hatred. In Serbia, the filmmaker even faced death threats after her subjects heard "their" song in a Bosnian version, and in her homeland, the same thing happened during the commemoration of a historic battle against the Ottomans when she suggested that its origin might have been Turkish. Completely disillusioned at the end of her road movie, Peeva compared her lovely Balkan folk music with the threatening image of a smoldering peat fire, which, as the longest, and less noticed burning fires on Earth, offers a

<sup>1</sup>Hoffmann's poem on the musical hares, collected at the Leiden archive, was re-edited as the Dutch children song "De musicerende hazen" by Jan Gouverneur and Johannes Worp, *De zingende kinderwereld* (1866). Hoffmann, as a pan-Germanist, also supported the Flemish cultural struggle against the French-speaking Walloons in Belgium with poems like *Gegen die Franskiljons* (Weemaels 1969–1970, 146–148).

gloomy metaphor for the disruptive impact of nationalism spreading beneath the romantic surface of Europe's mosaic of living cultures.

As to me, these very different experiences of cultural diversity and cultural identity—one seeking universality, the other focusing on particularity—seem two sides of the same Euro coin, two ways of dealing with cultural traditions that tend to travel across borders, and yet can also be experienced as exclusively one's own. When, shortly after the founding of the European Union (2002), I asked David Lowenthal to give a lecture on what would bind Europeans together, he observed that it would not be the EU's top-down, bureaucratic centralization, but that “the commodified and touristic past” would foster a bottom-up process of Europeanization. Cultural heritage would play a leading role in the continent's unification, in the sense “of an historic past embraced within the present—a past conserved, used, and exhibited on behalf of our collective selves” (Lowenthal 2005, 29–39). Thus it seems as if the post-1989 European project was driven by a growing access to an immense public archive of collected and nationalized heritage items, which by means of tourism and the internet fostered a process of unification. While this packaging of Europe's past may look far removed from the progressive rights and liberties discussed among the twenty-first-century travellers in Psykou's documentary, such human rights and democratic traditions are actually strongly linked to the kind of heritage Lowenthal had in mind. For what was quintessentially European in his view was embracing a past that people not only take pride in, but also feel ashamed of. Human rights policy is therefore for many Europeans related to the twentieth-century legacy of totalitarianism and mass violence from World War I to the Holocaust and the 1995 Srebrenica massacre, as a unique “politics of regret” (Olick 2007).<sup>2</sup> It was this “contribution to the advancement of peace and reconciliation, democracy and human rights”, for which the EU was even awarded the 2012 Nobel Peace Prize in Oslo (The Nobel Peace Prize 2012).

Yet the “Oh Europe!” sigh might also be understood as a reflection on the contested nature of the repertoire of recollecting and showcasing heritage of what, despite its huge size and variety, might be named with Sharon Macdonald “the European memory complex” (Macdonald 2013, 1–26). For if the transnational heritage tourism explosion and

<sup>2</sup>According to Olick (2007), the EU's much-praised politics of regret have primarily followed the German post-1980s model of *Vergangenheitsbewältigung*.

collective memory boom since the 1990s could be embraced as a powerful driving force for Europeanization, what then could explain the opposing obsession with the past—the peat fire of competing identity claims, which Lowenthal (1997) had earlier coined a “heritage crusade”? To better understand such a dynamic interplay of bottom-up and stately interventions, we may stay in the same region for a while. According to Tony Judt, what inspired 1989s “return to Europe” of many Central-Eastern European countries was above all the wish for a homecoming in prewar “Habsburgia”. This nostalgic image of cultural heritage and identity, which had already been promoted in literature, film, and the heritage tourism policies of fin-de-siècle cities like Vienna, Budapest, and Prague since the 1970s (Judt and Snyder 2013, 236), however, was also ever-present in Western Europe. Anthony D. Smith (1981) noticed such an “ethnic revival” then already among Bretons, Basques, Scots, Flemish, Catalans, Kurds, and a host of other “neo-nationalist” communities, which inspired by a nineteenth-century “historicist” romanticism, revitalized the ancient bonds which progressives expected to have died with the rise of the cosmopolitan, western type of “scientific state”. Likewise after the 1989 Fall of the Wall, the EU’s liberal grand narrative might have too naively presumed that such deeper, essentialist notions of heritage and identity still present across Europe, could finally be overcome by intercultural dialogue and transnational, mutual heritage politics after the definite ending of its extremist, nationalist, authoritarian, and communist pasts.

Such dissonances of ethnic nationalism were also long concealed by the universalist discourses of the international treaties on material heritage protection, as framed for decades by the expansive heritage conservation apparatuses of the European nation states. Originally inspired by the same, romantic spirit of re-awakening and conservation, they became in the twentieth century themselves part of the modern, state-apparatus. Yet parallel with the European enlargements and new kinds of memory debates on the Holocaust and postcolonialism, these “state-organized heritage regimes” (cf. de Cesari 2012, 399–413) have received more and more competition from a transnational counter-discourse on *intangible* cultural heritage. Like the earlier transformative, internationalist notion of “world heritage”, this intangible perception of cultural heritage is embraced by the European Community and promoted on a global scale by the Paris headquarters of the 1946 founded United Nations Educational, Scientific and Cultural Organization (UNESCO). And yet,

at the same time, it neglects much of the deep-rooted symbolic identifications with Europe's dissonant pasts (van der Laarse 2013, 121–132; 2016a, 213–232) and identity crusades, and fosters the assumption of an almost touristic kind of bottom-up heritagization as a more democratic road to Europeanization.

To demonstrate the background of this turn towards intangible heritage, this chapter takes the discursive genealogy and metacultural context of the UNESCO Convention for the Safeguarding of Intangible Cultural Heritage (2003) as its starting point (Kirshenblatt-Gimblett 2004, 52–64; Tauschek 2011, 49–64). Just like other international treaties such as UNESCO's first heritage treaty, the 1954 Convention for the Protection of Cultural Property in the Event of Armed Conflict, known as the Hague Convention, UNESCO's 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage, known as the World Heritage Convention, and the 1995 UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects, this 2003 Intangible Heritage Convention's transnational agenda of cultural safeguarding and dialogue was unmistakably inspired by the earlier experience with the material and cultural destructions of two world wars, the Holocaust, and the decolonization wars. Seconding, however, Lynn Meskell's observation of the 1972 World Heritage Convention ended up in "a tyranny of states" notwithstanding its initial ambition to make a better world of peace and diversity (Meskell 2018, xvii, 26), I am afraid that also the Intangible Heritage Convention—despite being set-up to correct the monumental world heritage approach by the inclusion of the "living dimension" of heritage—is still not very well equipped to overcome the defining force of the nation state.

Although the scope of the Convention is universal and far from essentialist, it has come to frame culture and heritage in terms of identity and belonging, and defines globalization as the main threat to the sustainability of cultural diversity. This is problematic, as I will show below, first because it transforms intangible heritage from a "shared interest of humankind" into a cultural asset of national self-promotion; and second, because the Convention's discourse on cultural diversity intersects with a non-critical kind of "culturalism" (Eriksen 2013, 131–146)—which frames cultures as closed, homogeneous entities in a competitive framework of national identities instead of a dynamic, hybrid, conflictive construct to be assessed from a variety of interpretative, performative, discursive and spatial perspectives, such as perceived after

the so-called “linguistic” and “cultural turns” in humanities and social sciences (Bachmann-Medick 2007). This has led to various criticism of UNESCO’s “ideology”, such as by Alain Finkelkraut in *La défaite de la pensée* (1987), who accused the Paris UN organization of betraying its initial Enlightenment spirit of universalism in support of a culturalization of politics, which he held for the West’s self-accusing, mimetic response to the era of decolonization, characterized by parochialism and cultural relativism (see Finkelkraut 1987, ch. ‘Portrait du décolonisé’, 93–105). His later critique of consumer society, globalization and the multiculturalist discourse on diversity (in defence of universal humanism) brings him, however, also close to culturalist critiques of modernity (as noticed in Souillac 2011, 117–119). Such criticism presupposes, of course, a questionable *continuity* of a binary grand narrative of Europe’s modern culture of an inherent antagonism of the late eighteenth century enlightened values of reason, universalism, and empiricism by what Isaiah Berlin has coined (with approval) a “Counter-Enlightenment” of romantic, historicist values of origin, uniqueness, and identity. Though mostly understood in an opposite way, the Counter-Enlightenment thesis actually held German Romanticism for more pluralist than the “totalitarian” monist Enlightenment (Berlin 1981, 25–79; see for a critique of this binary culture model van der Laarse et al. 1998, 1–14). As “distantly related to certain Counter-Enlightenment discourses about ethnic identity”, also the anthropologist Adam Kuper in the late 1990s, recognized such anti-universalist values in today’s (multi)culturalist politics of identity and difference, which to him should be regarded, however, as a “*new* [cultural] form of racism” (Kuper 1999a, b, 233–234, 241). The English anthropologist Susan Wright, participant in the 2002 Drafting Group of UNESCO’s Convention on Intangible Heritage, noticed the same discursive renewal of post-racist neo-nationalism, though from the more dynamic assumption that “the New Right appropriated one of the founding inspirations of cultural studies, Gramsci’s ideas of hegemony”, and thereby “the *anti*-racist language about the need to respect cultural difference”. The far-right was, in her view, successful rightly by not going into *politics* but into *culture*; by successfully manipulating words, redefining key concepts, and “reformulating the meanings of one semantic cluster – ‘difference’, ‘nation’, ‘culture’” (Wright 1998, 10). The American sociologist Robert J. Antonio (2000, 51) even speaks of a new “postmodernism of the Right”. This discursive bridge between the seemingly opposites of Counter-Enlightenment thinking and left-wing

postmodernism might be seen as the main offspring of the post-war ethnic revival and its romantic equating of Enlightenment universalism with cultural homogenization. It is the rejection of the rational state's destruction of community and evaporation of cultural autonomy, which now unites all kind of populists, and heritage activists, in opposition to globalization, for "in matters of race and ethnicity, anti-universalist views range from support for affirmative action and recognition of minority differences to advocacy of racial separatism or from efforts to preserve local communities and local dialects to 'ethnic cleansing'" (Antonio 2000, 51).

Altogether, such contradictory statements on the intangible heritage turn, thus ask for a critical observation in the context of the current authoritarian revolt and the related revival of Identitarian discourses in large parts of Europe, both from the Left and from the Right (in defence of, respectively, minority cultures and national cultures). Sketching the past and current state of affairs in intangible heritage policy, and using examples from the Dutch postcolonial case of Black Pete to the Russian-Ukrainian culture war on Kolobok, I will argue how by highlighting cultural diversity, the Intangible Heritage Convention takes the risk of becoming a legitimizing instrument for groups and communities claiming *exclusive* rights and values in competition with others. In contrast to liberal "soft" pluralism, this advocating of collective cultural rights is described as "hard" multiculturalism by Eriksen and Stjernfelt (2012). The protection of cultural traditions and expressions might then lead to the result that what is safeguarded as intangible heritage may actually be a community's nostalgic brand identity, whereas such community values might at the same time be framed by populist governments and movements as being threatened by precisely the kind of cultural diversity, or the "creolization of the world",<sup>3</sup> which the Convention should help to support.

### THE INTANGIBLE HERITAGE TURN

Although almost everything can be transformed into heritage, the main thing heritage sites, artifacts, and traditions share is their rescue from imminent demise or external danger by being lifted out of their ordinary

<sup>3</sup>Creolization, it should be stressed, is not the same as homogenization (Burke 2009, 115).



context. The key result of the rhetoric of heritage is therefore the transformation into cultural property, even when it concerns something as strikingly ordinary as a toilet or as astonishingly horrible as a bombed car wreck after a terrorist attack. Far from a passive musealization of “rubbish” into artifacts, such a second life as heritage is only allowed for a select group of items and elements that can somehow claim authenticity or uniqueness, as heritage making and valuation is inevitably selective and exclusive (cf. Thompson 1979; Bendix 2007, 337–356). Against such rescue narratives, however, critics have since the 1980s argued that museums, archives, and sites turn living culture into dead objects with no other function than heritage tourism. The “heritage industry” has also been criticized as “bogus history” for its cleansing of the past from hard realities of labour, class, and inequality—both when dealing with castles and industrial heritage (see for the leading British debate Wright 1985; Hewison 1987; Mandler 1997, 415–416; Baillie et al. 2010, 51–71; Harrison 2010, 16–18), and for its silencing of cultural dissonances at musealized (some would say estheticized) “dark heritage” sites or “Holoscapes” (cf. Turnbridge and Ashworth 1996; van der Laarse 2018).

Yet this critical approach to so-called “authorized heritage discourses”, focusing on “authenticity” and “uniqueness” as key values in state-controlled expert selection procedures (Smith 2006, 29–34) seem to have dissolved with the intangible heritage turn, which—partly in the wake of the Holocaust-memory boom—attributed new, empowering values to witnesses of war crimes and genocide and to long-suppressed subaltern voices from indigenous populations. Even though it is hard to unravel the conceptual and normative connotations of this Gramscian move from materiality to culture within the heritage apparatus, the attraction of the notion of intangible heritage might have had a lot to do with the way it assimilated Romantic, ethnographical, archaeological, and community approaches to a re-awakening of “forgotten” minority and pre-colonial cultures within a new, inclusive rhetoric of a “guilt of nations” (see for the underlying narratives of post-war dealings with World War II and Colonialism Barkan 2000). UNESCO’s Intangible Heritage Convention seemed the outcome of this paradigm shift, as it explicitly stressed the dynamic character of intangible cultural heritage while connecting the protection of material heritage elements to the safeguarding of “living” cultural communities.

Thus safeguarding intangible heritage was not only held to be a *complement* but also an *alternative* to traditional notions of protecting

material authenticity. The origin of this discursive break with traditional heritage approaches goes back to the late 1980s, when cultural-anthropological approaches came to dominate the social and historical sciences and the public human rights debate. This led to the inclusion of folklore in the Recommendation on the Safeguarding of Traditional Culture and Folklore (1989) from the 25th session of the General Conference of UNESCO in Paris, which stated “that folklore forms part of the universal heritage of humanity and that it is a powerful means of bringing together different peoples and social groups and of asserting their cultural identity”. Framed as “the totality of tradition-based creations of a cultural community”, folklore also includes the wealth of songs, rituals, myths, and traditions collected by generations of folklorists. As such, this 1989 Recommendation also introduced the concept of “safeguarding” (instead of protecting) cultural identities by means of a policy of heritage preservation. Thus heritage protection was no longer the goal but a *means* of cultural safeguarding. Yet how could such safeguarding of communal identities preserve the universal heritage of humanity—for are not identities by definition unique and dynamic, and are not communities often rivalling in the recognition of their identities? The explanation might be found in what the Recommendation in almost Hegelian terms defined as the “universal will” to safeguard “cultural diversity” (Recommendation on the Safeguarding 1989).

With the UNESCO Convention for the Protection of the World Cultural and Natural Heritage of 1972, cultural diversity became *en vogue* parallel to biodiversity (and sustainability), and with UNESCO’s report *Our Creative Diversity* (World Commission on Culture and Development 1995) the UNESCO Universal Declaration on Cultural Diversity of 2001, it became a normative guideline for all European culture programmes. At that point, cultural diversity had already entered the cultural heritage domain as a conceptual power tool with the ICOMOS Nara Document on Authenticity (1994), which introduced cultural heritage in relation to “heritage diversity” in the same way as the 1989 Recommendation introduced heritage protection as a powerful means for the universal safeguarding of cultural identities. In advance of the later notion of intangible cultural heritage, however, the Nara Document advocated with respect to communities more explicitly that the concept of authenticity should no longer be regarded as an intrinsic quality of heritage properties, but as a transmitter of values and

significance “to be judged within the cultural contexts to which they belong” (The Nara Document on Authenticity 1994).

This contextualized heritage approach looked at first glance modestly liberal, though as Cornelius Holtorf (2017, 1–14) recently put it, at this point the Nara Document’s metacultural framing risked turning cultural diversity into relativism. Actually, the whole idea of safeguarding the cultural heritage of communities (against the threat of cultural homogenization) echoes a romantic, binary narrative of *Gemeinschaft* versus *Gesellschaft*. What this break with an object-oriented approach of heritage promoted, was actually a *culturalist* notion of diversity which closely touches an essentialist approach of identity. According to Wright, the 1995 Our Creative Diversity report might be held for the most symptomatic expression of this new “UNESCO ideology”; yet instead of a new, dynamic cultural perspective on multiple identities, fluidity, and contestation, it reveals still a 1930s anthropological concept of culture as *difference*, “the old idea of authentic culture” (Wright 1998, 7–15). Thomas Hylland Eriksen (2001, 129, 132, 135–136) held this classic view from cultural relativism for a conservationist, “archipelago view of culture” which regards cultures as isolated islands or bounded entities, esteems diversity as the highest value, and “naturalizes” traditions, and the idea of culture as a “way of life”. In summary, the paradoxical outcome of UNESCO’s attempt to protect “minority cultures” against the danger of cultural homogenization was a binary, essentialist view on “deep” (authentic) group cultures threatened by a “superficial” culture of modernity (or civilization), which, however, strikingly resembled the UN’s own universal mission of protecting individual human rights and global ethics of respect, equality and tolerance.

When this discursive framework was fully included in the 2003 UNESCO Convention of the Safeguarding of the Intangible Heritage, these problems were discussed, but far from solved. New was nevertheless the replacement of the by-then outdated notions of folklore and tradition for that of intangible heritage. According to the ethnographer Valdimar Hafstein, who chaired the Icelandic Commission for UNESCO from 2011–2012, the replacement of “tradition” by “intangible cultural heritage” was actually the most significant of the paradigm change. In his view, the new, intangible heritage approach was basically born from a wide-shared theoretical disappointment with the universalist 1989 Recommendations. At the same time, however, it reflected a geopolitical shift in cultural hegemony. The Convention’s intangible heritage

rhetoric he characterized as a reorientation from a “European-inspired archival approach” to a more dynamic approach of heritage associated with Asian (in particular Japanese and Korean) programmes for “living national treasures”. As a “shared interest of humankind” and as “a main-spring of cultural diversity”, intangible heritage thus came to replace a conservationist, art-oriented policy with a future-oriented, ethnographical perspective. While introducing a more communitarian treatment of culture with new concepts like (cultural) identity and safeguarding, it disposed others, such as (material) authenticity (Hafstein 2004, 18, 37ff.; Hafstein, UNESCO Organization; Bortolotto 2013).

Most remarkably, the 2003 Convention also made a giant step beyond the 1989 Recommendation by proclaiming that safeguarding intangible heritage would be “a guarantee of sustainable development”. By embracing both a (sustainable) development perspective and a policy of multiculturalism, however, the Convention could also be read as a powerless compromise. While recognizing the benefits of globalization and social transformation when referring to existing international human rights instruments, the Intangible Heritage Convention, at the same time, noted that “the conditions they create for renewed dialogue among communities, *also* give rise, as does the phenomenon of intolerance, to grave threats of deterioration, disappearance and destruction of the intangible cultural heritage”.<sup>4</sup> In other words, the Convention pointed to the paradox that the same global trends and transformations which were assumed to counter intolerance and xenophobia might endanger the continuity of communities’ living heritage and might even evoke new misuses of the past. Thus, the diversity of cultures may at the same time be preserved *and* endangered by processes of cultural globalization.

Yet might it be that this contradiction is inherently related to the Convention’s own discursive framework? Following Hafstein, this is after all a metacultural mishmash of Western and Asian heritage approaches. Thus heritage values are, on the one hand, framed within Western human rights discourse, but, on the other, not primarily distributed on the level of citizens but on that of communities—which generally means

<sup>4</sup>Text of the Convention for the Safeguarding of the Intangible Cultural Heritage *ICH-UNESCO*; the italics by the author. As a first step after the 1989 Recommendations, UNESCO introduced the notion of intangible heritage as starting point for a new culture policy in 1993 (Tauschek 2010, 71).

*national* communities. Taking to the extreme, it follows that cultural diversity would ultimately lead to a compartmentalized homogeneity, as the right of individuals in post-plural, hybrid societies to choose their own lifestyle is implicitly framed as threatening the safeguarding of communal identities. In other words, the whole issue of cultural homogenization (and hybridization) is far more complex than assumed in UNESCO discourse. Although in global society more and more people share various identities, what we do see, as recently observed by Burke (2009, 104–105), is not an overall homogenization of culture, but a more complex variety of styles with more heterogeneity on the local and less diversity on a global level. Yet Burke neglects precisely the national level which is crucial for the legal protection of *individual* human rights of citizens. In UNESCO discourse on cultural diversity these might easily be violated by collective minority rights, for, as noticed also by Eriksen (2001, 135–136, 141) on the “official”, national level individuals are still supposed to basically share the authorized heritage discourses of the cultural community to which they (are presumed to) “belong”.

#### WHAT'S ON THE LIST?

Like the 1989 Recommendation, the 2003 Convention at first articulated the supposedly grave threats to intangible heritage to signal the urgency of providing still existing “living cultures”, such as tribal communities in Africa or Latin America, with protection against globalization processes. Interestingly, this culturalist interpretation of heritage was initially also supported by some Western European countries dealing with a contested colonial past, of which the Netherlands is a good example. After the Indonesian decolonization war and the loss of the Indies in 1949 the Dutch’ politics of regret took the form of a striving for moral leadership in human rights and international development cooperation. Thus Rieks Smeets, the secretary-general of the Dutch National Commission for UNESCO (The Hague) and secretary of UNESCO’s Intangible Heritage Convention in Paris, argued in 2003 that Europe should not prioritize its own heritage, like what happened with World Heritage, but support underdeveloped countries, like those in Africa, which had less built heritage than the West but still had important living tradition to protect. Because of “the necessity of keeping the diversity of non-mainstream cultures alive”, the intangible heritage convention should in this way compensate for a Western overrepresentation with

material sites on the UNESCO World Heritage Convention list (1972) (Rieks Smeets Interviewed 2003).

Yet in the course of its implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage took a more pragmatic direction, adjusting to existing heritage practices. The Dutch politics of regret was outvoted by other countries with a less paternalistic approach. Both some East-Asian countries as well as some other Western European countries, such as France and Belgium, were prone to promoting their own national treasures, like they had done in the 1972 World Heritage Convention. Thus, at the 2003s final expert meeting of the intangible heritage draft convention, a majority of the participants supported an initiative of Korea and Japan (with opposition from many Latin-American countries) to adopt the ninety “masterpieces” from the UNESCO Masterpieces of the Oral and Intangible Heritage of Humanity list (2001) as a starting point for a new intangible heritage list, modelled after the UNESCO’s World Heritage List (cf. Hafstein 2008, 93–111).<sup>5</sup> As a result, the originally intended protection of endangered intangible heritage made way for a crucially important role of governments in nominating and showcasing their masterpieces, which—in a semantic attempt to remove the impression of national treasures—were now called “representations” (cf. Aikawa-Faure 2009, 13–44).

The 2003 text of the Convention then provided for three types of lists: the Representative List, the Urgent Safeguarding List, the Register of Good (or Best) Safeguarding Practices, and one or more inventories of the intangible heritage to be drawn up by State Parties, which as a first step of the registering procedure could be national as well as federal, regional, or transnational. After these instruments took shape in 2008, however, most State Parties opted to mainly register their more touristic items on the Representative List, and for instance, the Netherlands UNESCO committee’s website simply states: “Just like world heritage also intangible heritage cannot do without an international Unesco list: the International representative List of Intangible Heritage of the Humanity” (Dossier Immaterieel-erfgoed). Martin Grandjean’s

<sup>5</sup>Hafstein was also a member of the Icelandic delegation at the 2003 third UNESCO expert meeting on the Draft Convention, and gives a hilarious account of the discussion about the choice between ‘list’ or ‘register’ so as to avoid the resemblance with the World Heritage List or the “elitist” Masterpieces list.

geo-mapping of UNESCO's Intangible Cultural Heritage clearly shows how in 2014 Europe still made up a third of the 313 items of the Representative List (although it also indicated a rising representation of the Asian powers China, Japan, and South-Korea, and some countries in Latin America), which stood in striking contrast to a strong African under-representation (Grandjean 2016).<sup>6</sup> However, the number of items do not speak for themselves. Thus according to Filomena Sousa's geo-mapping of e-inventories three years later, Europe with 46 (of 198) countries still outnumbered the other continents on the intangible heritage country list, but Africa took with 42 countries the second position. Yet, the unbalance becomes more striking when Europe's new *online* domination is taken into account. With more than half (83) of a total of 158 registered ICH e-inventories in 2017, the European countries then again completely overshadowed the other continents. No less than 65% of the ICH member states (129) did even without any e-inventory; the largest number (38) in Africa (Sousa 2017).<sup>7</sup> As these figures concern mainly touristic items such as traditional dances, crafts, and folk music, it remains to be seen whether the original objective will ever be achieved. Safeguarding threatened elements of cultural diversity on the Urgent Safeguarding List (and the registration of Good Safeguarding Practices) was still not very popular among governments.

What explains the growing importance of the listing of world heritage sites and intangible heritage items? In heritage-making the most authentic, or iconic, thing is always valued above another as heritage inscriptions

<sup>6</sup>Browse the Lists of Intangible Cultural Heritage. A direct resemblance of both lists is complicated because some top scorers of the World Heritage list. The USA, Canada and Australia, all with strong indigenous cultures, are still no State Parties to the Convention, while The Russian Federation takes a special position as a 'State non-party' with two elements inscribed on the Representative list of which it accepts rights and obligations, <https://ich.unesco.org/en/state/russian-federation-RU?info=periodic-reporting#pr-2015-2015>.

<sup>7</sup>Sousa is a researcher funded by the Fundação Para a Ciência e Tecnologia at the UNESCO accredited Portuguese NGO Memória Imaterial. From the expressions "National Inventory of the Intangible Cultural Heritage [of country x]" and "Inventory of the Intangible Cultural Heritage [of country x]", in English and in the official language of the respective country, she came up to 158 e-inventories – 88 national, 41 regional/local and 29 transnational, 46 from Europe, 31 Latin America, 37 Asia, 42 Africa, 18 Arab States, while 24 countries not ratified the Convention; 129 (of 198) countries analysed show no record, and among the 69 countries with registered ICH e-inventories stands out Europe with 83 mapped inventories (53%) (Sousa 2017, 2–4).

are inevitably selective and exclusive. However, although favouring a dynamic and inclusive notion of intangible heritage which covers both “inherited traditions from the past” and “contemporary rural and urban practices in which diverse groups take part”, the Intangible Heritage Convention’s metaculture turned out to be selective also in a different, *political* way. For on the one hand, it came out that UNESCO’s requirement for nominating intangible heritage elements as actively supported by “living communities” was hard to control, while on the other, the introduction of selective lists offered governments influential instruments to prioritize the promotion of national cultures over minority and transnational cultures. This was already noticed in the evaluations of the 2001–2005 nominations for the Masterpieces list, about which the head of the supervising NGO, Anthony Seeger, concluded that minority traditions were often neglected and sanitized by national elites in control of the nomination procedure, who at the same time frequently claimed certain transnational elements as exclusively to be found within *their* nation’s borders (Seeger 2001–2005, 112–128).<sup>8</sup> The process of inscription has therefore, just like with the World Heritage Convention, become an important tool for national identity politics as well as for intergovernmental “nations-to-nations transactions”, as Meskell (2018, 130, 168) noticed. Her observation concerns the post-1972 world heritage committee, and her analyses of the committee’s decision-making reveals strong mutual networking support from European countries like France and Germany as competing in particular with the Russian Federation and the rising group of BRICS countries (China, India, South Africa, Brazil), as well as the almost complete un-representation of the entire African continent (Meskell 2018, 127–128, 130–131). Likewise, as a result, the role of experts and intellectuals is taken over by diplomats and politicians in the ICH procedures and meetings, who lack however the space for critical opinions when facing the danger, not of the votes of other nations but of their own people, in defining the value of cultural heritage sites and elements. Sousa recently observed that most State Party reports on ICH recommendations still focus on listing elements on the Representative List with motivations “that hardly can be recognized as ICH or considered in line with the ‘spirit of the Convention’”.

<sup>8</sup>Seeger was Secretary-General of the International Council for Traditional Music (1997–1999), and supervisor of the scientific and technical evaluation of the Masterpieces nominations from 2001 to 2005 (Foster 2015, 10).



In contrast to the valid need for an Urgent Safeguarding List, it confirms the problematic meaning of the Representative List, which in her view is dangerous not only because of political misappropriation, “but also because this inscription promotes the distinction between the ICH elements that are on the list and those that are not [...] increasing the risk of privileging certain expressions to the detriment of others, hierarchizing or discriminating less recognized traditions” (Sousa 2018, 18).

This not only plays a role in “new” postcolonial and post-communist countries, but also in less divided “old” European countries. Thus in the Netherlands, politicians initially feared that an intangible heritage list could become a costly instrument to safeguard something difficult to control. Also, in a country where nationalism had been taboo since World War II, progressives did not like the idea that the government would decide what elements would be on or off the list. And, for opposite reasons, right-wing Dutch populists did not trust a government whose human rights regime was held to support multiculturalism, as was clear from the storm of criticism provoked in 2007 by a speech of Princess (now Queen) Máxima (born in Argentina), given at the press release of a report of the Scientific Council for Government Policy on Dutch people’s identification with the nation. After summarizing the plural lifestyles resulting from globalization, Europeanization and individualization, she remarked on a personal note that after seven years in the Netherlands she had not found “*the* Dutch identity” and was convinced that the cliché Dutchmen did not exist (Toespraak van Prinses Máxima).<sup>9</sup>

I myself observed how fluid the professional debate on cultural heritage had become at a 2008 expert meeting in preparation of the Netherlands’ decision on the ratification of the UNESCO Intangible Heritage Convention, where on the invitation of the Netherlands’ UNESCO Committee some 30 experts and policymakers discussed the question if the Netherlands should ratify the 2003 Convention. The discussion based on a position paper<sup>10</sup> of the National UNESCO Committee was “fierce and fruitful” according to the organizers who

<sup>9</sup>Compare the (slightly suggestive) English subtitled YouTube video: Maxima—‘The Dutchman Does Not Exist’, and see *Identificatie met Nederland* (2007).

<sup>10</sup>I was one of 22 experts discussing this question on the basis of the position paper with the authors and policy makers, and the only participant voting against ratification whereas some other academic experts abstained from voting.

some months later processed a positive advice to the Minister of Culture (Verslag van werkzaamheden 2010, 23–24). Written in cooperation with the Dutch Secretary of the 2003 Convention in Paris, the position paper defined intangible heritage from an advanced perspective, as a transnational (including postcolonial) living heritage of which the valuation process would be all about the cultural dynamics of meaning and signification. Proclaiming “an active, participatory community approach” from a non-hierarchical perspective with respect for cultural diversity and creativity, it criticized the essentialist notion of authenticity, both in the sense of a single origin as an authentic primal form and in that of a typical national peculiarity. Though slightly critical towards the notion of listing “masterpieces” and a top-down approach of heritage, it accepted the Convention’s call for State Party inventories (considered a national inventory of ICH), although reframed in a more dynamic way. Stressing the need for a continuing process, this was meant to prevent a fossilizing of “communities” which were, interestingly, defined by their active (and changing) identification with heritage activities—as to avoid any kind of essentialist “group” idea. Most remarkable, the Dutch position paper even anticipated critical doubts that things might move into another direction, and threw up the rhetorical question: “Suppose a state would use the Convention to define distinctive criteria of a certain ‘people’ (and thus exclude part of its population), would this not create enormous problems?” It was convinced that this risk would be eliminated by communicating new, inclusive practices, such as facilitating international cooperation on the safeguarding of transnational items like the Dutch-Indonesian and Surinamese cuisine, hip-hop culture, and bicycling. And finally, the National Committee warned the experts that by *not* ratifying the Convention, the Netherlands “would leave an opportunity for introducing the notion of *folk culture* in the sense of living heritage (within limits set by the human rights Convention) in the intercultural dialogue”.<sup>11</sup>

<sup>11</sup>‘The Position Paper. Nederland en de Convention for the Safeguarding of Intangible Cultural Heritage’ was written by the Nederlandse Unesco Commissie in cooperation with the KNAW Meertens Institute and the Nederlands Centrum voor Volkscultuur for the Dutch expert meeting of 25 June 2008. It is not printed, nor public accessible via the Internet, and was more widely distributed only as an attachment (1) to the Advisory Report ‘Advies Nationale UNESCO Commissie over de Conventie betreffende de bescherming van het immaterieel cultureel erfgoed’ (10 November 2008).

Although the position paper thus called the experts to ratify the Convention as to prevent a more nationalist intangible heritage interpretation from other countries dominating the international community, from the minutes of the meeting one gets the impression, though, that among policymakers also a more stately perspective played a role.<sup>12</sup> In contrast to the Netherlands, Belgium was already very active since 2006 with listing elements for State Party's inventories, which resulted in subdivided "national" inventories for its Flemish, French-speaking and German-speaking Communities, and one for the international Representative list. In a keynote during the Dutch expert meeting of 2008 the director of the Flemish Centre for Intangible Heritage (FARO) showed himself amazed about the Dutch reservations and advised to ratify as soon as possible, if only to strengthen the influence of North-Western Europe in the first (European) election group of the Paris Executive Committee (Keynote Marc Jacobs).<sup>13</sup> Many experts at the 2008 meeting shared doubts, however, about such Eurocentrism, and also the Secretary of the 2003 Convention admitted that the Netherlands had to compete with other countries which, like France or China, were more interested in masterpieces than in minority cultures. In agreement with international debate (cf. What is intangible heritage?; see also Blake 2009, 45–73), there was theoretical criticism of using binary categories like intangible (versus material) heritage, and in particular also of the notion of "folk culture" (*volkscultuur*) as a Dutch working definition of intangible cultural heritage, which was regarded as regressing from the Convention's more dynamic approach of popular culture (including pop, street, migrant, and web communities) to a more conventional (white) folklore interpretation associated with local community participation in traditional festival performances and craftsmanship.<sup>14</sup>

<sup>12</sup>The following is based on the 'Advies Nationale UNESCO Commissie, bijlage 2' (2008) and see also Smeets (2010), de Leeuw (2010), Margry (2010), and Kerkhoven (2010).

<sup>13</sup>The UNESCO ICH Committee's Group I consisted then of the Mediterranean state parties Cyprus, Italy and Turkey, and only in 2018 the Netherlands were admitted in addition to Austria and Cyprus, <https://ich.unesco.org/en/members-00028>.

<sup>14</sup>This participatory 'folklore' approach was introduced by the socialist Minister of Culture Ronald Plasterk, together with that of a national heritage canon, and a plan for heritage education, in the policy report *Kunst van Leven* (2007, 24–25). See also van der Zeijden (2010, 24–27).

Although the suggested dynamic inventories of the position paper were more advanced than UNESCO's already introduced system copied from the "statist" World Heritage List, there was disapproval of the epistemology of listing, and of the assumed downsizing of the Convention's goal of safeguarding cultural diversity to merely documenting popular practices by an authorized national execution agency.<sup>15</sup> Finally, some scholars believed that the essentialist approach of intangible heritage ran the risk of turning the key issue of cultural diversity into a cultural minefield, with the prospect of an opening of Pandora's box of identity politics.

Even though many participants felt uncomfortable and some abstained from voting, the national UNESCO committee could advise the government to ratify the Convention. On the grounds of protecting cultural diversity against the threat of globalization, as a clear signal towards the developing countries ("the South"), and in accordance with the Netherlands' self-proclaiming, leading European role in international cultural policy, ratification was expected "to foster the awareness of active citizenship and intercultural dialogue, on national, local, and international levels" (Advies Nationale UNESCO Commissie). Although the Dutch were, as we saw, deeply involved in the international drafting of the Intangible Heritage Convention, the country took, however, another four years to finally sign the Treaty as late as 2012.<sup>16</sup> Yet it was not only the critical tone of the 2008 Dutch expert meeting that explained the delay in ratification.

What really caused the delay was a fundamental change in political culture on the issues of internationalism and multiculturalism. After a decade of internal discussions on national identity and the canonization of national culture and history, the Netherlands had actually moved in the same direction as the aforementioned Asian countries. In contrast to the 2008 position paper, Dutch cultural policy by 2012 had come to focus on touristic masterpieces of the Dutch Golden Age "burger"

<sup>15</sup>The Ministry of Culture, in coordination with the Nederlandse Unesco Commissie, engaged in 2011 the Nederlands Centrum voor Volkscultuur (1984) of the Netherlands' Open Air Folklore Museum Arnhem to become the official national implementation body (NIB), renamed as Kenniscentrum Immaterieel Erfgoed (KIEN). See Dibbets et al. (2011) and Margry (2014, 56–66).

<sup>16</sup>Apart from Germany (which ratified in 2013), Ireland (ratified 2015), and the UK (not a party to the Convention), all EU countries accepted or ratified between 2004 and 2012 (UNESCO Intangible Cultural Heritage Lists; Convention for the Safeguarding).

culture and the national “water culture”, just like with the World Heritage List.<sup>17</sup> Moving away from Third World Solidarity, the longing for national identity had thus penetrated deeply into the Dutch polder. This might explain why it was, as late as 2017, the traditional craft of operating wind- and watermills that was ultimately registered as the first Dutch element on UNESCO’s representative list of the intangible cultural heritage of humanity.<sup>18</sup> Two years later the national inventory contained already 142 elements of almost exclusively traditional folklore and crafts, although something of the dynamic community approach of 2008 now had returned in the form of an additional bottom-up “network” holding some hundred items signed up by local communities, which included the Chinese-Indonesian Babi Pangang kitchen, the metropolitan hardcore Gabber culture, and Gay Pride Amsterdam!<sup>19</sup> Thus a (critical) 2014 advisory report of the Netherlands’ Council of Culture questioned the leading opinion of focusing for nominations on the representative list, and advised the minister of culture to reconsider her assumption that the urgency list would be best suited for endangered heritage in developing countries: “The Council would not like to withhold you the irony of this [urgency] list. For, precisely intangible heritage with a more contested character will most likely be expected to disappear, though is probably the least eligible for [national] nominations, or selection by the [international] UNESCO committee” (Advies Immaterieel Erfgoed).<sup>20</sup>

<sup>17</sup>Compare the 28 exclusively agrarian, regional folklorist items on the national inventory in 2013, <https://www.unesco.nl/nationale-inventaris-immaterieel-erfgoed>. As to compare, Belgium had already by 2014 some 42 elements (included in 4 inventories for its Flemish, and German-speaking communities, Wallonia, and Brussels Region), of which ten were selected for the international Representative list, and compare for the themes of listed World Heritage in the Netherlands, see Dossier: Werelderfgoed.

<sup>18</sup>Interestingly, Dutch cheesemaking lost the competition with the miller craft in the nomination competition for the 2017 intangible heritage list, failing the criterium of living heritage from a supporting community; van der Zeijden (2015, 191–202). See for critical assessments of the Dutch longing for identity (‘het eigene’) Legêne (2006), Rooijackers (2005, 207–217), and van der Laarse (2011, 88–95).

<sup>19</sup>See for the (international) Register (national) Inventory, and (bottom-up) ‘Network’, Kenniscentrum Immaterieel Erfgoed Nederland.

<sup>20</sup>Author’s parentheses and translation from Dutch. Head of the RvC report committee, which supported nomination with these reservations to the socialist Minister of Culture Jet Bussemaker, was Gerard Rooijackers, though the irony was not well consumed on UNESCO’s platform (Imhof 2014).

## THE HYPERREALITY OF HERITAGE COMMUNITIES

I do not want to dwell on this much further, but would like to focus more on the issue of diversity and its endangering. This brings me to the apparently harmless role of the Convention's disposed category of authenticity. Material heritage experts use complex provenance standards and preservation guidelines to trace and assess the origin, uniqueness and ageing of objects, but how to safeguard the authenticity of intangible heritage? Established practices of signification, valuation, conservation, and restoration can hardly serve as a model, if only because intangible heritage in UNESCO discourse is perceived as a dynamic, inclusive expression of cultural diversity which opposes folklorization, fossilization, and musealization. From a theoretical viewpoint, of course, there is probably nothing more fluid and transformative than heritage, which as a cultural mode of production commodifies the past by changing places into destinations and items in experiences (cf. Kirshenblatt-Gimblett 1998). One only has to compare historical photos of a street to find out that in this process of heritagization the material and intangible are inseparable, or as Elisabeth Tietmeyer puts it, heritage is both "a symbolic thingification and a materialization of the intangible" (Tietmeyer et al. 2010, 7; see also van Mensch and Meijer-van Mensch 2010). Yet this is not how heritage by most communities is perceived. Intangible, no less than material heritage, is regarded as "authentic", right because of its assumed role of representing their age-old "identity".

Such paradoxes then beg the question against what grave threats the intangible heritage of humanity should actually be safeguarded. Against a looming extinction of certain human communities perhaps, which, according to the logic of the Convention, would lead to the conclusion that there cannot be any "living" heritage without a viable heritage community to support it? Or should we focus more strongly on the dangers of mass tourism for vulnerable intangible heritage? Doubtlessly, the sustainability of living traditions may be enhanced by tourism, but it can at the same time be threatened by the tourist market. Mass tourism, as we have seen, was as one of the "grave threats of deterioration, disappearance and destruction of the intangible cultural heritage" which according to the Convention would endanger the cultural identity and diversity of living heritage communities. The endangering of urban monuments and historical landscapes through tourist overexploitation is also an established theme in cultural criticism, such as in the case of Umberto

Eco's postmodernist proposal for "hyperreal" replica tourist attractions of Florentine antiquities (as with the caves of Lascaux, Eco 1995, 2007) to keep the looky-loos away from the originals, which apparently assumes that only connoisseurs are entitled to enjoy the beauty of authenticity. "Taste, like class, becomes racist when the capacity for it is a matter of breeding, when it masquerades as the natural attribute of an elite", according to Barbara Kirshenblatt-Gimblett (1998, 12). Yet it is completely unclear how the Convention could protect any culture against mass tourism without having the "Western" category of authenticity as its core value. Authorities mostly safeguard intangible heritage to preserve the cultural value of economic investments in communities, which is evinced by the slogan of the Dutch landscape heritage programme Belvedere: "Safeguarding through development" (van der Valk 2010, 21–52). Quite removed from the original intention of the Convention, the positive response among policymakers to participatory community approaches might then have had a lot to do with the assumed transformation of industrial societies into experience economies, while using, or misusing, the past for a tourist consumption of places (cf. Ashworth 2005, 193–206; Urry 2002).

The gravest threat to intangible cultural heritage might therefore be its own transformative, mimetic nature. A living heritage community could easily turn into what Baudrillard called a simulacrum, a cultural model which only seems real because of its assumed authenticity, for economic and identity reasons (Baudrillard 1981). Kirshenblatt-Gimblett also defines cultural heritage as a mode of production that, instead of things, produces the whole range of period museums, ethnographic villages, recreated environments, re-enacted rituals, memorial museums, and in situ memorial sites in a process which can best be characterized as "the art of the metonym" or "the art of mimesis" (Kirshenblatt-Gimblett 1998, 20). This mimetic mode is a process already described in 1961 by the American historian Daniel Boorstin (1992) in *The Image* which also inspired Eco's critique of mass tourism, and the American anthropologist Clifford Geertz' interpretation of culture as both a "model of" and a "model for" reality, a normative framework fed by its own imagined representation (Geertz 1973, and compare Schilbrack 2005, 429–452).

Where such simulations of reality come to exist and even surpass the real in "realness", original folk culture (if it ever existed) is rapidly commodified as a staged image of a past that never was. A patrimony simply preserved becomes an intolerable burden, as Lowenthal (2002, 412) has

mentioned: “We can use the past fruitfully only when we realize that to inherit is also to transform”. While on the one hand tourism and heritage industries produce musealized material fragments detached from normal life, they create a performative *illusion* of “authentic” intangible heritage on the other. This paradox has created endless visual and affective possibilities to thematize folklore festivities, old crafts, country houses, military battles, bombings, migration, and even the Holocaust in a museum context. As noticed, such “experiencing” of the past can likewise be found in folklorist landscapes and touristy historic cities, where visitors in the age of mass culture have learned to identify past cultures through performative markers that help them to consume re-enactments as living heritage.<sup>21</sup> One may think of the virtual Yiddish folklore and klezmer music re-enacted in heritage quarters of today’s European “cities without Jews” (cf. Gruber 2002, of which the last chapter is titled “Whose Music?”; van der Laarse 2018, 39–42), but the same art of the mimetic can be found in tourist experiences like the staged “ancient” shamanist rituals in Siberia with horse rides and drumming sessions.<sup>22</sup> It can also be traced in the nationalist urban reconstructions of ethnically (and spatially) cleansed Yugoslav heritage tourism cities like Vukovar and Serajevo after the 1990s “urbicides”<sup>23</sup> (cf. Mazzucchelli 2013, 379–402), or in the commodified touristic “homeland” archaeology of biblical Israel, like with the City of David project, which among Jerusalem’s Jewish population creates the illusion of living upon the traces of their expelled ethnic forefathers (cf. Silberman 1991, 76–87; Bohstrom 2017; Rothman 2014; van der Laarse 2010, 321–328; Pullan and Gwiazda 2008, 25). Mass cultural forms like tourism, film, media, museums, and memorials not only fulfill the powerful desire to relive the past, but they are also held to deliver “prosthetic memories” of other people’s experiences powerful enough to be embodied as one’s own; a kind of simulated

<sup>21</sup>Compare some Dutch folklorist icons promoted in tourism and export campaigns and revived as living heritage Elpers (2005) and Grevers (2004, 207–220).

<sup>22</sup>Broekhoven (2011), and for an impression, the promotional website ‘Shamanism and Horses’, <http://www.horsejourneys.com/shamanism.html>. For staged authenticity in tourism’s semiotics, see MacCannell (2011, 13–40). He introduced the concept in 1973.

<sup>23</sup>The term was already used for the destructive impact of city reconstructions in the USA and elsewhere before being used for violent destructions of cities with the 1990s Yugoslav Wars, later to be used in the double meaning of urban destructions and reconstructions.



empathy that is even considered supportive of progressive human rights discourse (see Landsberg 2004). Thus the ethical, commercial, and political borders of sightseeing and heritage consumption are hard to draw. Nonetheless, once turned into hyperreality, intangible cultural heritage becomes economically dependent on virtual identities revived as living cultures which could also be politicized by right-wing populists as something worth fighting for.

### *Our Way of Life*

“We will fight everywhere: in Parliament, in Brussels, soon in the Senate and in our Provinces. Everywhere patriots are ready for action”, thus the Dutch politician Geert Wilders in his militant speech in support of the regional candidates in Friesland for the provincial elections of 2 March 2011. Although his Freedom Party (PVV) was at first opposed to progressive plans for safeguarding cultural diversity, with this speech the right-wing populist leader recognized folklore as a powerful weapon against what he calls the “church of leftists” and its doctrine of multiculturalism. With the Trojan horse of folklore, Wilders used an ethnically charged notion of regional culture to mobilize a *Heimat* nostalgia among his supporters, declaring: “the Frisian traditions are something to be proud of. The Frisian flag is the flag of free people”. In other words, in the only Dutch region with a regional language recognized by the EU, Wilders (himself born on the other end of the country, in Limburg) was combatively trying to revive nineteenth-century Romantic sentiments. “Better dead than enslaved!”, he announced, quoting what is written in Frisian on the 1951 monument in Warns in remembrance of the Frisians’ 1345 victory in a battle from the Frisian-Hollandic wars in their defence of regional freedom against the Count of Holland and Hainaut. As an effective populist, Wilders understood the strategic power of mobilizing regional pride over age-old freedoms in a Europe-wide battle against progressive multiculturalism and the supposed threat of migration and Islamism to local communities’ culture and identity. “Friesland should be our inspiration when we are fighting to defend our way of life”, as he put it (Wilders 2011).<sup>24</sup>

<sup>24</sup>Translated from Dutch by the author. For the organisers, critics, and fascist appropriations of the yearly commemorations, see *Stiftung Slach by Warns* (1345), Horling (2012), and de Mik (1993).

In many European countries, we can notice a similar politicizing of regional cultures centred around the notion of “our way of life”—traditional cultural values that are assumed to be threatened by Brussels, migrants, the Islam, “cultural Marxism”, the animal-rights movement, or, more generally, globalization. In another example, the disputed Italian socialist prime minister Bettino Craxi offered the Italian population constitutional reforms in favour of regional autonomy in his “Declaration of Pontida” (1990). The location was carefully chosen: the medieval battle of the Lombards against the Habsburg empire, which had also inspired Garibaldi’s nineteenth-century struggle for Risorgimento (cf. Gómez-Reino Cachafeiro 2002; Coen 1990).<sup>25</sup> Regional populists of Lega Nord held it for a direct provocation, however, as they were also inspired by the Lombards, in their fight for autonomy against “Rome”. Soon after the Northern-Italian burgomasters of the successful Lega hijacked his message with the invented tradition of an annual oath in which they promise loyalty to their charismatic leader Umberto Bossi (like to his successor, Italy’s current Deputy Prime Minister Matteo Salvini) in the struggle against “Roma Ladrona”. Each year at the legendary sword of Pontida, where the Lombard League in 1167 united against the occupying imperial forces, they assemble in crusader’s costume, pronouncing the sentence: “Today in Pontida our efforts for the freedom of our people converge with the sacrifice of our ancestors, who chose this place to swear their solemn duty to defend their freedom” (Pelgrom 2005, 208).

Similarly, the authoritarian Hungarian prime minister Viktor Orbán regards himself the new, “illiberal” leader of “21st-century Christian democracy”, and succeeds to mobilize his followers in “peace marches” commemorating in a narrative of purity, degeneration, and victimhood the Hungarian freedom struggle against the Ottomans, the Habsburgs, the Bolsheviks, and today against the European Union! Rallying up to 500,000 people at his 15 March 2018 celebration speech on the 1848–1849 Revolution for Independence in Budapest, he defined his supporters as the heirs of the freedom fighters of the 1848 revolution as well as of the Battle of Mohács (1526), and the 1956 Revolt, calling on them to prepare for a culture war against “an international network organized into a real empire”. “Europe is being invaded”, according to Orbán,

<sup>25</sup>Ironically, both Craxi and Bossi were sentenced to prison for political corruption in the 1995 *Mani Pulite* (clean hands), Enimont trial.

and “we have to deal with a displacement of people, which threatens our way of life” (Orbán 2018). His speech depicts Hungary as always having been the frontline of European culture, and it perfectly shows the connection of the crusader trope to that of the strongman prepared to take the lead in the struggle for the defence of Western Christian culture.

Such a politicization of culture closely relates to what the German Nazi theorist Carl Schmitt in *The Concept of the Political* (1932) defined as imposing authoritative decisions in “friend–enemy conflicts”. More than ideological conflicts, such “total wars” were held by him for the most decisive factor in the creation of group identity, occurring at “the high points of politics” when enemies are recognized with “concrete clarity” as “other”, “different”, or “alien” (Schmitt 1996, 22–27, 53, 67–68, and see Antonio 2000, 59). Orbán borrowed a lot from Schmitt and his New Right followers when framing as his enemies, in the same speech: “Media supported by foreign consortia and local oligarchs, paid activists, agitators, NGOs funded by international speculators, things that the name of George Soros represents and embodies. It is this world that we must fight in order to preserve ours” (Orbán 2018). Seamlessly fitting into a fascist, anti-Semitic imagery of the cosmopolitan plutocrat, Soros, an Hungarian-born Jewish-American financier and philanthropist has become Orbán’s perfect scapegoat.<sup>26</sup> His Open Society Institute supported dissidents in communist countries and black South African activists, whereas the Soros sponsored Central European University in Budapest has become an academic think tank for transitional justice and multiculturalism, the leading university in the region, and one of the wealthiest in Europe. Appealing to the Hungarian youth after his landslide 2018 victory, Orbán asked them to join his fight for their homeland in a long-awaited vengeance on Hungary’s enemies, which will be no less than a total “moral, political, and legal revenge” (cf. Tharoor 2018). A year before, and faced with European and US protests, the Orbán administration had already issued new Hungarian legislation, known as the “Stop Soros” bill, against foreign-funded NGO’s like the “Soros University”. Immediately after the elections, a pro-government newspaper listed already two hundred CEU academics by name as Soros’ “mercenaries”, whereas the university, as unique for Europe,

<sup>26</sup>Orbán’s defence against accusations of anti-Semitism (also from Hungary’s Jewish community for praising the pro-Nazi Horthy regime), is his relation with Israel (Trew 2018).

faces the prospect of having to move its whole base abroad (cf. Káráth 2018; Walker 2018).

Nowadays, echoes of such authoritarian narratives from Orbán, or from his Russian ally Vladimir Putin, can be heard from right-wing political leaders in every part of Europe, even from Christian Democrats (who long cooperated with Orbán's political party in the EU parliament), for instance, when arguing for downgrading of the rights of Muslim organizations in defence of their nation's "way of life". Such Europe-wide repeated xenophobia also created the climate for Great Britain's majority vote in the Brexit referendum. And it was only a few years before that dramatic event that the Conservative English philosopher Roger Scruton asserted: "If we look at the big issues facing us today—the EU, mass immigration, the union, Islamic extremism, the environment—we will surely see that the Conservative view rightly identifies what is now at stake: namely the survival of our way of life" (Scruton 2014). It clearly illustrates Wright's observation how the New Right in England since the 1980s adopted the anthropological notion of culture as a "way of life" explicitly in lieu of its former racism, whereas the hegemonic core of "Englishness" stayed actually strongly class specific and white, as a clear marker of "one's own kind" (see Wright 1998, 10).

If culture took over the role of race and class, it was the politicization of nostalgia, even to a grim industrial past, which turned former trade-unionists into cultural conservatives, and migrants into "others" (for England in particular Hewison 1987; Reeve 2017, 65–76). I therefore agree with Bonefeld (2017, 747–761) that the authoritarian structure of the current EU's economic governance has "disarmed a whole tradition of left internationalism and reinforced earlier ideas about the nation as a force against globalization".<sup>27</sup> Like their non-European counterparts, such as the American white-nationalist alt-right movement and its figurehead Steve Bannon, who claimed to have delivered Donald Trump to world power in 2016, European parties succeeded in winning the popular vote for a heritage crusade against multiculturalism, refugees, and Islamism on behalf of Europe's "original", white *Leitkultur*;

<sup>27</sup>At the same time, one could say that the opposite is also true: the New Right is born out of the failure of Europe's social democracy to develop a defence strategy against growing class divisions, economic inequality, poverty, and the neoliberal destruction of the welfare state.

the 2015 Polish PiS government, with its successful “Orbánization” of media and state power; the rise to power of Austria’s Freedom Party in 2017 (promoting a “culturally German” *Heimat* identity); the 2018s new Italian populist Lega-Five Star coalition government (refusing to ratify the EU’s free trade agreement with Canada in support of farmers demanding specialty products like Parmesan cheese to be labelled “Made in Italy” as to defend the Italian economy against an invasion of cheap, foreign imitations)<sup>28</sup>; as well as many other supporters of Putin and Orbán’s Eurasian model of authoritarian democracy.<sup>29</sup> What it shows, is how again and again a progressive culturalist discourse has been hijacked and step-by-step turned into its opposite. Volker Weiss has recently traced the discursive origin of these movements back to Alain de Benoist’s French *Nouvelle Droit* movement and the German “national revolutionary” *Wir Selbst* activists, which since the late 1970s—in competition to “1968”—linked the decolonial “liberation struggle” against American (cultural) imperialism to the notion of “ethno-pluralism”. By defending an *essentialist* notion of cultural diversity, they have sown the seeds of the current cultural struggle of Europe’s *Eigenständiger Völker* to safeguard their traditions, heritage, folklore, community, and identity. This European “decolonization war” *against* the universalist, Western multicultural human rights discourse and the threat of globalization basically follows the Identitarian agenda of the “authoritarian revolt” (cf. Weiss 2017, 23, 187ff.).

## FROM BLACK PETE TO KOLOBOK

I believe UNESCO’s conceptualization of cultural diversity in the Intangible Heritage Convention risks giving unexpected ammunition to such culture wars. It is as if the “universal will” of the 1989 Recommendation has been defeated from both the outside and the

<sup>28</sup>Both Lega and the 5-Star prime minister Luigi di Maio threatened to remove every Italian official defending treaties like CETA, even though Canada has actually recognized Italy’s protected labels. See Hard Cheese (2018). The item seems not accidentally chosen, for immediately after UNESCO’s inscription of the (transnational) Mediterranean diet on the Representative List (Mediterranean diet, ICH website 2013), the Unesco Club of Reggio Emilia filed the *Parmigiano Reggiano* for the Representative ICH list (Home of Parmigiano cheese 2013).

<sup>29</sup>Compare the Political Capital/SDI Report of Juhász, Györi, Krekó and Dezsö 2015, 53.

inside, on the one hand a geopolitical move from Western to Asian heritage approaches, and by an ideological move from progressive multiculturalism to New Right's identitarianism on the other. Together this has succeeded in redefining European nations as truly, hyperreal "imagined communities" in which it is no longer "diversity" but "identity" that is harmoniously integrated as the new normal (cf. Anderson 1983). Totally neglecting the New Right's move to culturalism, the New Left itself might be held partly responsible for this parallel development of cultural politicization. Adapted as it was, as we saw, from older scientific notions on race and biodiversity, UNESCO's mission of safeguarding cultural diversity by the preservation of intangible cultural heritage, came to frame culture in no longer empirical but normative categories. If this may seem self-evident to those who claim certain traditions as part of their endangered ethno-nationalist identity, such notions of cultural belonging should, however, never be taken for granted. For not only has heritage a complex, dynamic biography with many meanings for different communities, it is also easy to manipulate because of its fabricated character, which—in contrast to its aura of authenticity—is distinguished by a strong sense of "makeability" (cf. Lowenthal 1998, 1–16; van der Laarse 2005, 1–39; 2015, 345–346). Heritage is thus not only passively consumed, but *does* something to communities—it transforms virtual environments into experienced realities, just like a website algorithm filters personalized searches into compartmentalized, "common" lifestyles. Precisely this is what makes folklore and intangible heritage into such a powerful tools for cultural identity policies. Specifically, intangible heritage easily generates strong politics of affect when deployed as a marker of identity, but also, vice versa, transforms politics into "culturalism" (cf. Eriksen and Stjernfelt 2009). Probably, nothing evokes stronger feelings of "us" and "them" than an assumed threat to one's way of life. Activists therefore like to frame culture in terms of belonging and victimhood, as a heritage complex fundamentally endangered by outside forces of globalization, migration, capitalism, robbery, pollution, or "fake" media. This offers an enormous metacultural potential for exclusive, if not legally enforced, heritage claims, resulting in a growing overlap between left-wing and right-wing culturalist discourses.

The case of the Netherlands is again significant to demonstrate how both forms of culturalism with their different perspectives on diversity may clash on precisely the identification of intangible heritage. This strongly multicultural country witnessed an explosion of radical populism

and the abandonment of multiculturalism as a political ideal after the assassinations of the anti-Islamic gay politician Pim Fortuyn by an animal-rights activist in 2002 and of the provocative right-wing filmmaker Theo van Gogh two years later by a radical Islamist (Saukkonen 2013). Remarkably though, it was actually in defence of freedom, secularization, and free speech that New Right politicians framed Islamic minorities and non-western refugees as a threat to what they regarded as quintessentially Dutch: the right to publicly criticize (or insult) minority cultures as inferior. Like in the US, England and other countries, populists hijacked progressive identity narratives to be transformed into an essentialist discourse in defence of a so-called “Judeo-Christian tradition”. A concept originally constructed with an intention of inclusiveness, was now used for the exclusion of Muslims (not on racial but cultural grounds), from a historically bizarre, fabricated legacy of Christianity, Jewishness, and the Enlightenment (cf. Rosensaft 2013; and compare the negative opinions of Dutch Jews about its political use by PVV and Christian Democrats, see Voorn 2017).

In spite of a boom of ethnic hatred on the internet, and the opinions of some leading politicians, Dutch public opinion research clearly showed, though, that multicultural democracy since 2008 not really faced an electoral crisis, the majority continued to share multicultural values (cf. PVV-kiezer 2011),<sup>30</sup> and the country’s long-term accommodationist traditions in public culture have thus far successfully prevented ethnic violence (cf. van der Laarse 2000, 50–76). What did change, however, was that Islamic communities lost their former political ties with progressive parties, which at the same time lost some support from Jewish and gay people attracted by the New Right’s opposition to Islamic migration, though soon confronted with no less virulent anti-Semitism, anti-feminism, and homophobia among (5–15%) white right wing social media platforms as among Muslim communities. Nonetheless, the Dutch implementation of the Intangible Heritage Convention in political culture thus took place during a very visible, though strongly overrated, populist opposition to a progressive human rights discourse.

<sup>30</sup>The information is based on the Sociaal Cultureel Planbureau, which from 2008 produced a range of public opinion reports: ‘Continu Onderzoek Burgerperspectieven’, *Sociaal en Cultureel Planbureau*, [https://www.scp.nl/Publicaties/Terugkerende\\_monitors\\_en\\_reeksen/Continu\\_Onderzoek\\_Burgerperspectieven](https://www.scp.nl/Publicaties/Terugkerende_monitors_en_reeksen/Continu_Onderzoek_Burgerperspectieven).

This traumatic political climate might explain why difficult heritage issues around the Netherlands' most popular national ritual, the yearly *Sinterklaas* festivities, became the focus of a heated debate about the country's "forgotten" colonial past and the black page of its role in the global slavery trade.<sup>31</sup> This annual feast had never been strongly contested in Dutch society, and is still supported by 90% of the population.<sup>32</sup> This explains why, at the 2008 UNESCO expert meeting, a Dutch participant who demanded more attention for painful heritage, such as slavery, then pointed to the popular feast of Saint Nicholas as the opposite kind of safe and innocent folklore (Stam 2008, 6). A few years later, the country was deeply divided on what for long was regarded the most widely shared ritual in the Netherlands. After protests by black artists in 2011, the contestation focused on the release of an independent expert report by the Office of the United Nations High Commissioner for Human Rights' Working Group of Experts on People of African Descent, headed by the Jamaican Professor of Social History Verena Shepherd (Shepherd et al. 2013).<sup>33</sup>

The issue found its scapegoat in the jester-like type of Black Pete (*Zwarte Piet*), the popular servant of Sinterklaas, the legendary Catholic Saint Nicholas, patron saint of sailors. The bones of this Greek bishop were moved around 1000 CE from his Turkish town of Myra to the Italian town Bari (which later was briefly part of the Spanish empire). The Saint's name day (December 6) was very popular in the "Spanish" Low Countries, and has still a religious connotation in Belgium today.

<sup>31</sup>Dutch share in the European slave trade was 5–6% of 11 million African slaves transported to the New World, of which more than two-thirds (400,000) to Surinam, while many descendants are today living in the Netherlands (Emmer 2006; van Welie 2008, 1–2, 47–96).

<sup>32</sup>For background on the St. Nicholas cult and the contested heritage debate, see Rodenberg and Wagenaar (2016, 716–728), and for the late nineteenth century colonial iconography modelled on black courtiers and child slaves to be found on then rediscovered Dutch seventeenth century genre painting, see Kolfin (2012, 161–190) and Hondius (2014).

<sup>33</sup>Earlier protests went back to the 1980s, though the current controversy started when the Curaçaoan Dutch artist-activist Quinsi Gario in 2011 produced a theatre production called 'Zwarte Piet Is Racisme', which led to a media debate on a national scale, after which the debate was picked up again on an international scale with the Shepherd report; 'Zwarte Piet is Racisme-Campagne', Nederland wordt beter (2017), <https://www.nederlandwordtbeter.nl/projecten/zwarte-piet-is-racisme-campagne/>.



After the sixteenth-century Dutch Revolt against Habsburg Spain, the saint's name day in the protestant Netherlands (December 5) evolved into a national children's ritual, and most Dutch children are still growing up believing that once a year the "good holy man" blessed them with presents brought from his Cockaigne-like homeland of Spain. The figure of Black Pete was only introduced in a late nineteenth-century folklore book on national education, but the Saint's troops of young Moorish-looking helpers (who off the page were of course played by white people in blackface) have made this invented Spanish-colonial counter-image one of the strongest embodied figures of Dutchness. Despite nationwide support for the Sinterklaas festivities' nomination to the preliminary national inventory of intangible cultural heritage, the assessment procedure ran, however, completely different than expected. Because nominated heritage should not violate human rights, the traditional arrival of Saint Nicholas' ship, with its now presumed racist figure of Black Pete appeared to the UN's report in 2013 as no less than "a [yearly] Dutch return to slavery in the 21st century" (Shepherd et al. 2013).<sup>34</sup> Aware of the severity of the accusation, progressive city councils offered pragmatic solutions with rainbow colours, as had already been a tradition on one of the Dutch Caribbean islands (Op Curaçao 2013),<sup>35</sup> though some non-urban communities stubbornly defended "their" Black Petes against any outside interference. Even a Facebook page against the "abolition of Sinterklaas" was launched immediately after the release of the Shepherd report, and within two days earned in more than two million "likes" (just over one-eighth of the entire population), the highest number of likes ever reached in the country.<sup>36</sup> The culture clash divided towns and villages and strengthened the impression of a country-capital division. In the Frisian town Dokkum, where once the Anglo-Saxon missionary Saint Boniface was martyred for bringing Christianity, extreme-right activists raised roadblocks, with police support, to prevent buses with urban anti-Pete activists from protesting the festivities, whereas the orthodox

<sup>34</sup>See also the *YouTube* comments at 'Why Black Pete (Zwarte Piet) Is Racist'. Interview with Prof. Verena Shepherd (2013); and for a Dutch activist decolonial perspective, see Wekker (2016) and Weiner and Carmona Baéz (2018).

<sup>35</sup>On the Dutch Caribbean island of Bonaire, however, the black youth stayed loyal to a black-faced Black Pete and a white-faced Sinterklaas (Monna 2013).

<sup>36</sup>The slogan of the Facebook referendum was 'Don't let the Netherlands' most beautiful tradition disappear' (Zwartepietpetitie 2013).

protestant fishing village Urk began to rename some streets after seventeenth-century naval heroes like Michiel de Ruyter, who were accused of slave trading by anti-Black Pete activists (van Laarhoven 2018a, b).<sup>37</sup>

Apart from this internal Dutch conflict about intangible heritage, the Shepherd report also provoked debate among UN experts and UNESCO. The Flemish FARO director still wondered why the Dutch took so long to ratify the Convention, and accused black memory activists of using the Convention for their own agenda (Jacobs 2013). Like in the Netherlands, Belgium celebrates the annual entry by ship of Saint Nicholas around St. Martin's Day (11 November), broadcasted live on national television, and both the "Sinterklaas" and "Sint Maarten" rituals were registered in 2009, without any protest, on the Flemish Inventory for Intangible Heritage (Over Zwarte Piet). The Nederlands Instituut voor Volkscultuur (later renamed Kenniscentrum Immaterieel Erfgoed Nederland), however, hesitated to nominate the Feast for its national inventory intangible heritage as long as the Black Pete issue was unresolved (Posthumus 2013). Instead it called for expertise on the ritual's historical background, mediation, and consensus. Soon after, this approach was supported by the other four members of Shepherd's UN Working Group of Experts on People of African Descent, who called for an open dialogue in Dutch society and convinced the UN to drop its complaint of a human rights violation (van der Zeijden 2014; see also UN Experts Call for Dialogue 2013 and Waterfield 2013). Yet, after having published a historical study, an international report on the debate, educational material and even a comic book to guide debate among school children, while still receiving an average of some 1500 daily hate mails, the Kenniscentrum in 2015 supported the nomination of *Sinterklaasfeest*, including Black Pete, for inscription on the Inventory Intangible Heritage in the Netherlands, while declaring that the tradition could still be changed according to the outcome of the debate (van der Ploeg 2015; Visser 2015; Wagenaar and Rodenberg 2018). Remarkably, a new network organization for the local Sinterklaas committees with the archaic name of "Sint en Pietengilde" (Saint Nicholas and Peters Guild) was made responsible for the heritage listing as well as the preservation and future of the tradition. On the website of this self-proclaimed "living

<sup>37</sup>Ironically, the same Dutch naval hero is honoured with a monument in the Hungarian town of Debrecen for his 1676 liberation of 26 protestant Hungarian ministers from Habsburg galley slavery.

community”, however, the idea of Black Pete being a racist figure was in 2018 rejected in only a short text as nothing more than a proven historical falsification, under the heading of “solving debate?” (Oplossing debat?).

This Dutch case therefore is a good example of the inherent contradictions of the intangible heritage turn. Whereas the 2003 Convention was supposed to safeguard community identities against threats of globalization, it shows how precisely the heritagization of living cultures has after UN expert investigations of its relation to human rights violations, itself become perceived by local and national communities as a “grave threat” to their “way of life”. Such outside interference may also transform existing cultural forms into easy targets for identity politics—both from national governments and minority activists. For, in the first place, neither the anti-Petes, nor pro-Petes were really considering universal values of cultural diversity. Even the UN experts were actually exchanging *civil* for *cultural* rights, and so did their opponents (with a white instead of black activist’s agenda). In contrast to the Convention’s metacultural assumptions of cultural debate and dialogue, essentialist assumptions of heritage and identity were dominating both sides of the “debate”. Yet, such culture wars not only broke out by outside UN interventions; over the past decade, comparable intangible heritage conflicts can be found on the European continent between the EU and the rising forces of Western European Identitarianism and Eastern European authoritarianism, and between many ethnically revitalized communities, wanting to defend their cultures, territories, and borders. Because so many countries have in the past been part of the same empires (through what are now often regarded as “occupations”), they still share parts of the same popular culture.<sup>38</sup>

Yet such recognition of mutual heritage has hardly prevented claims of exclusive ownership. In 2010, for instance, a fairy-tale competition broke out between Russia and Ukraine (Rosenberg 2011; Osborn 2011) at the same time as the countries’ more widely known political memory conflict on the Holodomor, the 1932–1933 Stalinist “terror famine”, which the Ukrainian government now officially calls the “Ukrainian Genocide” (and claimed to have killed even more victims than the Holocaust), and on the posthumously proclaimed national hero

<sup>38</sup>See Plokhy (2015, 19–32) for a remarkable Russian-Ukrainian contested/shared religious heritage case of the US transferred holy remains of Prince Yaroslav the Wise.

Stepan Bandera. Although Israel, Russia, and Poland held Bandera, the Ukrainian fascist nationalist leader during World War II, responsible for genocide against Jews and Poles, Bandera statues, museums, and street names have replaced those of Lenin in many Ukrainian towns; this as a result of a new state-organized heritage regime after the decommunization policy since the 2014 Euromaidan revolt and the subsequent Russian–Ukrainian conflicts on the annexation of Crimea and the violent Donbass War (Snyder 2010; van der Laarse 2016b).<sup>39</sup>

Precisely as in Peeva’s documentary *Whose Is This Song?*, the curiosity about each other’s mutual folklore was initially related to the wish to strengthen the bond between what were then still “befriended nations”. In 1997 Russia and Ukraine had signed an official Treaty on Friendship, Cooperation and Partnership, respecting the inviolability of their mutual borders and the principle of territorial integrity, as well as the rights and freedoms of minorities of the other countries within their borders (which is no longer in force since 1 April 2019). Yet soon each country started mapping its “own” folklore. Russia released a *Fairy Tales Map of Russia* with about thirty figures, such as the giant knight Muromets, Kurochka, the chicken with the golden eggs, and Kolobok, a smiling dumpling acting as a runaway bun (comparable to the Gingerbread Man), who were all attributed a Russian origin (cf. Fantastic Map of Russia 2011; Marshall 2004; Are There Any Secrets 2017). A university chair on Kolobocology (*Kolobkovedenie*) was even created at Ulyanovsk State University, held by Professor Sergei Petrov, while Kolobok’s supposed hometown of Ulyanovsk (also Lenin’s birth town, known as Simbirsk before 1924) had already chosen him in 2008 as the mascot for the 2018 FIFA World Cup in Russia. At the same time, the *Fantastic Tales of the Ukraine* appeared, with the same figures on display, and Ukrainian historians and linguists were convinced that the name Kolobok was derived from the Ukrainian *kolo*, meaning round, like the pastry’s shape. Yet in Russia a ball of dough is called a *kolob*, and the traditional name for dough in Simbirsk (Ulyanovsk’s region) should be *kolebyatka*, as stated by Professor Petrov. The Ukrainians are convinced that Russia stole their heroes, and folklorists complain that their fairy tales have not been listed in UNESCO’s Memory for the World Register, like the early nineteenth-century Annotated Reference Copies of the

<sup>39</sup>This was at the end of Viktor Yushenko’s government, which took over power with the 2004 Orange revolution. On the revived Bandera campaign, see van der Laarse (2016a, 2017, 143–168).

*Kinder- und Hausmärchen* (Children's and Household Tales) collected by the Brothers Grimm in 2005 (*Kinder- und Hausmärchen*; Hensen 2011; Rosenberg 2011). For some also economic interests are at stake. Countries can actually earn a lot of money by a touristic exploitation of their "own" fairy tales, such as the German city of Kassel with the Brothers Grimm's figure of the Pied Piper of Hamelin after the inscription of their Fairy Tales as UNESCO Memory of the World. In addition, in 2017 even the "telling of fairy tales", has been registered as a German tradition on a national inventory for the UNESCO Intangible Heritage list. The Russian-Ukrainian tales were less successful, although the Russians succeeded at least in commodifying their fairy-tale modelled kolobok as fried dough balls served as street food during the 2018 World Cup (Bunina 2018; Rennick 2018).

It is shocking to see how, like in former Yugoslavia before, folklore conflicts turned into violence between countries sharing the same empire's past. Thus, although many Russian and Ukrainian fairy tales had been shared for centuries (and also been known to other countries), within a few years they turned from a mutual heritage into a nightmare of competing commodified folklore. The nationalization of popular culture has in the present context of military conflict taken extremist geopolitical forms. Thus, after splitting from the Orthodox Church, nationalizing the Ukrainian language, and introducing political purifications and decommunization laws, Ukraine officially banned twenty popular fairy-tale books on *bogatyr*s, the traditional Russian knight errant, in 2018. This battle about folklore and fictional characters may continue with film and literature, and the whole apparatus of public archives, media, and memory.<sup>40</sup> It might be clear that it is actually not a fear of *someone else's* heritage, but that of sharing *the same* heritage, a fear of polluting a pure and proud identity, that is considered to be most threatening to what is held and defended as one's way of life.

## CONCLUSION

Without any pretention to completeness, I hope to have shown how the safeguarding of representative intangible heritage contributed to heritage conflicts between countries and communities that claim the

<sup>40</sup>According to Russian fairy tales 2017 and from the official Russian perspective see Ukrainian Authorities (2017).

same traditions as their own. UNESCO's focus on representative and "neutral" intangible heritage items has actually supported an unexpected folklorization, nationalization, and politicization of culture. Against the "spirit" of the Convention, the traditionalist authorized narrative focusing on authenticity and traditions has succeeded to "contaminate" the State Parties ICH recommendations (Sousa 2018, 56). Even more, instead of safeguarding universal cultural values of diversity, its instruments are more and more used for cultural identity politics and exclusive national claims on shared heritage. Even the notion of safeguarding itself has fostered unwanted effects. Echoing the *fin-de-siècle* trope of the degeneration or decay of presumed pure and harmonious cultures, cultural safeguarding is portrayed as the last defence against "grave threats" to community identities. The vaguely defined threats of globalization and cosmopolitanism, which Hungarian-nationalist discourse embodies in the figure of George Soros, is in my opinion so powerful because it appeals equally to culturalists from the right and the left, both sharing the modernist assumption of a paradise lost and a strong belief in the makeability and regeneration of culture.

Yet what went wrong? Firstly, like the spatial, performative, and digital turn in cultural sciences, the intangible heritage turn initially seemed to provide a necessary alternative to authorized heritage discourses, but after the existing masterpiece lists were adapted, it now just looks like another branch of the same brand. Thus, instead of approaching culture as commons, the Convention came to protect cultural property and its assumed intangible values as community belongings, and not much is left of the original urgency of safeguarding endangered living cultures (cf. Benesch et al. 2015). And even in case of bottom-up ICH "web-communities" sharing "web mapping" platforms, the support of ministries of culture is often needed to enhance their visibility and thus to strengthen the authoritative role of central governments up into the digital world (Sousa 2018, 45).

Secondly, the Convention's notion of cultural diversity lost its potential inclusive meaning encompassing minority cultures as well as the often "forgotten", dissonant heritage of twentieth-century diasporic communities in and beyond Europe. For not only are societies (national states as well as minority cultures) above all imagined communities with symbolic boundaries, in the digital age cultural borders have also become more fluid than ever before (Anderson 1983; Bauman 2000). Yet rightly among current generations of assimilated Jews, Armenians, and Blacks,

for example, one finds a surge for “symbolic ethnicity”, or virtual bonds based on identifications with traumatic pasts (Smith 1981, 157, and see also Gans 1979). People’s diasporic identities are often more related to peers a hundred kilometers away than to their local communities. Far removed from their families’ “original” countries, such “travelling memories” will not meet UNESCO’s “living heritage” criteria while their remembrances will not be supported by local communities currently living in the houses, or among the traces, of their erased forefathers, even when virtually revived as heritage tourism destinations (cf. Mendelsohn 2006; Bartov 2007). In contrast to the World Heritage list, which registered Auschwitz-Birkenau in 1978, or the *Diary of Anne Frank* (2009) and the *Westerborkfilm* (2017) listed in the UNESCO’s Memory of the World register, the Intangible Cultural Heritage lists, so far lacks any reference to such “heritage that hurts” (Uzzel and Ballantyne 2000, 503–508). Belgium, it is true, in 2016 nominated 20,000 newspaper articles from 1914 to 1919 for the World Memory Register programme, as well as the In Flanders Fields museum for the UNESCO World Heritage List and the impressive Last Post Ceremony at the Menin Gate Memorial for UNESCO’s Register of Good Safeguarding Practices of the ICH, both in Ypres—Europe’s first bombed city—but all these nominations have been either withdrawn or rejected.<sup>41</sup>

<sup>41</sup>Information from Prof. Marc Jacobs, director of FARO, the Flemish NGO for Intangible Cultural Heritage and temporary seat for the Flemish Memory of the World Committee, who was also a member of the Flemish UNESCO Committee (2010–2016), E-mail, 23 April 2018. And compare on the combined federal and Flemish application for the digitised collection of Belgium War newspapers (submitted 20 May 2016): ‘De Belgische pers tijdens WO I en het Memory of the World programma van UNESCO’, FARO, 6 November 2015, <https://faro.be/nieuws/de-belgische-pers-tijdens-woi-en-het-memory-of-the-world-programma-van-unesco>, and *100 Jaar Grote Oorlog in Vlaanderen, Vlaams Actieplan 2014–2018*, December 2016, 40, <https://www.vlaanderen.be/de/nbwa-news-message-document/document/09013557801c296d>; for the negative ICOMOS advice on the In Flanders Fields Museum: Kabinet Bourgeois, ‘Unesco zet deur op een kier voor WO I Werelderfgoedossier’, 16 May 2018, Wereldoorlog I in *De Westhoek – Greatwar.be*, <http://www.wol.be/nl/nieuws/62747/unesco-zet-deur-op-een-kier-voor-woi-werelderfgoedossier>, and to the Last Post Ceremony: Examination of Proposals for Selection in 2017 on the Register (item 11.e on the agenda), *ICH website*, <https://ich.unesco.org/en/11e-register-00940>. To this might be added the negative ICOMOS advice of April 2018 on the nomination of the combined French, British, and German war graves for UNESCO’s World Heritage program, on the argument

Thirdly, the biggest problem seems to be, however, that culture has turned into a list, and that lists categorize and suggest a hierarchy and a kind of completeness which can never be achieved, and will never be taken for granted because of this selectiveness (cf. Schuster 2002). For *who* decides what is on and off the list, and *whose* heritage should be rescued, shown, and commoditized by whom, and for what? Lists promote safe choices, i.e. beautiful, impressive, and intriguing national icons such as Spanish Flamenco, the Indonesian Wayang puppet theatre, the Peking Opera, the Belgian Carnival of Binche, or traditional Lithuanian crafts (cf. Tauschek 2010, 257–312; Vincent Winterman, coordinator of the Netherlands’ UNESCO Committee speaks about symbol, see Chin-A-Fo 2010). They order things to consume, packaged in memoryscapes or soundscapes, because heritage is after all a cultural mode of production that commodifies virtual identities by way of folklorization, musealization, and mediatization within the context of a rising experience economy for which it has become a crucial agent.

This brings me, finally, to the question of (hyper)reality. The Cartesian distinction between spirit and matter is deceptive, because heritage- and memoryscapes are mindscapes, and the value of art lies in the eye of the beholder. What is lacking in the 2003 Convention is therefore a more critical reflection on theoretical key concepts like authenticity and identity, and related heritage dissonances (see Peckham 2003; Turnbridge and Ashworth 1996; Kisić 2017). The way in which “living heritage” has been framed as an intangible opposite to “static” materiality is problematic because of heritage’s intrinsic dynamic nature and intermediality. For something to be perceived as a monument, one needs to have an idea, derived from a poem, a text, music, or ritual. Such cultural forms cannot be owned but circulate within many communities and cultures, being endlessly re-invented, delocalized, canonized, and remediated. Ironically, it is precisely those nationalist appropriations, like the Macedonian “Skopje 2014” project of a young Balkan country risen as an offshoot from the imploded Socialist Federal Republic of Yugoslavia, that show how every essentialist act of heritage localization

that safeguarding war heritage (although it concerns a site of transnational remembering) would be too politically contested (België verbijsterd 2018), although there is still a comparable application in the making by the French Association of Landscapes and Memorials of the Great War, <http://www.paysages-et-sites-de-memoire.fr/association-of-landscapes-and-memorials-of-the-great-war/>.



completely fails to understand its deeply virtual nature: this gigantic, neoclassicist architectonic facelift of a capital city basically tried to materialize a cultural image and historical tradition. In this case it concerned the “appropriation” of the Hellenistic heritage of its Greek neighbour who in turn prevented Macedonia’s admission to the European Union until its renaming in 2018 as the Republic of North Macedonia (Janev 2016, 111–130; Smith 2018).

Heritage is always material and intangible at the same time. In the ICOMOS Declaration of San Antonio (1996) on the significance of authenticity for cultural heritage practices, the “comprehensive cultural value of our heritage” is therefore rightly considered as understandable both through a historical study of “the material elements inherent in the tangible heritage, and a deep understanding of the intangible traditions associated with the tangible patrimony” (The Declaration of San Antonio). However, even within such a dynamic dialectical framework, the old notion of authenticity comes back like a boomerang (for the Netherlands, see Margry and Roodenburg 2007, 1–10). This applies not only to a concept like cultural heritage, which implicitly assumes a genealogy or biography, but equally to, for instance, the human rights discourse of the UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property 1970, and the UNIDROIT Treaty of 1995 on the restitution of art and cultural heritage. It is hard to see how one can proceed with a dynamic intangible heritage approach when so much weight is given to the return of “authentic” objects to “countries of origin” without taking their fabricated character in consideration. Unfortunately, even local cultures will not be safeguarded by such safeguarding policies, as compensation generally works in favour of national elites and capital cities, even after a regime change or annexation, as in the current case of the “orphaned” Crimean treasures, which according to a Dutch court should “return” to Kiev, Ukraine—where they have never been before (van der Laarse 2016b, 15–52).

As it is hard to separate material from intangible values, in all such cases, I have argued that whereas material heritage is preoccupied with decay and authenticity, intangible heritage is obsessed with identity and ownership, and thus with cultural threats from “others”. Yet both share the same metacultural production of heritage, and both compete as selective acts of preservation and safeguarding within a market of competing heritage claims. Most important though is the dominant role of

states in the recommendations and implementation procedures which prevents a truly participatory approach. Anthropologists and ethnographers have already recorded how under the influence of UNESCO “living” traditions from Siberia to Indonesia have turned into staged folklore in state museums and tourism experiences, whereas from Bolivia to the Balkans multicultural complexities made way for hegemonic simplicities monumentalized in stories and stone. It confronts us with new ethical dramas, like that of heritage experts in the undesirable role of identity amplifiers (Adams 2009, 45–59, 57).

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