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ABSTRACT

Several masterpieces by the 16th century painter, Pieter Bruegel from the Low Countries, can function as eye-openers to understand how 'popular culture' is mediated or how successful multi-media inventories can be for cultural repertoires. These paintings were also used in Peter Burke's *Popular Culture in Early Modern Europe*. In order to fully understand the recent developments before and since the 2003 UNESCO *Convention*, it is necessary to situate these in a long term perspective, and Burke's book remains a relevant classic. This exercise helps us to recognise a number of implicit or invisible criteria for the lists of the *Convention* - like the 'no-electricity' rule. For the UNESCO lists, both popular and court/elite forms of culture from outside Europe seem to qualify, but for Europe, only expressions of popular culture are listed; the 'elite culture' tacitly falls outside the scope, up to now.

Waiting for a wikipedia-like formula with peer review to facilitate a really representative list, the New Delhi consensus expressed in the first paragraphs of the operational directives holds up to now: easy criteria, but a hair-splitting treatment of the forms and bottle necks and dams in the pipelines of processing the files, in order to slow down the inflation effect that would follow mass inscription. The constructivist nature of the definition of intangible cultural heritage in Article 2 of the 2003 *Convention*, and the possibility of using the lists - and registration system - to create eye-openers and precedents allows for innovation and change.

Keywords

unwritten criteria, tacit understanding, popular culture, elite culture, Europe, masterpieces, Pieter Bruegel, Peter Burke, UNESCO, proverbs, games, painting, Representative List.

Introduction

The combination of national inventories and the *Representative List of Intangible Cultural Heritage of Humanity* has contributed significantly to the global visibility of both this type of heritage and the 2003 UNESCO *Convention*. But it has also deflected energy from more potentially advanced safeguarding programmes, sustainable development and dealing with serious problems. The tenth anniversary of the *Convention* was celebrated with a series of evaluations that pointed at problems with these instruments. The assessment of the Internal Oversight Service (IOS) of UNESCO's standard-setting work of the Culture Sector, presented to the Intergovernmental Committee in Baku in December 2013, has even recommended debunking the instrument of Article 16 of the 2003 *Convention*. Notice the sting of the small sentence between commas in the remark 207 by the IOS of UNESCO: *The inscription of elements on the Representative List has, in a few cases, also contributed to the wider purposes of the 2003 Convention such as safeguarding.* Or the honest remark number 213: *The fact that the Body and the IGC were using different criteria has led many to question the credibility of the List and compare it with lists of other conventions that are becoming more and more politicized.*[1] That it is a touchy subject becomes clear when considering the agitated debate during the Baku meeting of 2013 about the report's recommendation 10 - *Ensure that inscription of elements to the Representative List reflect more closely the criteria and procedures specified in Chapter I.2 of the Convention's Operational Guidelines* and the fact that the word 'more' had to be deleted in the decision.[2]

But the five criteria as they were determined in the Operational Directives in 2008 (and confirmed in the 2010 and 2012 versions) are not complex at all, in particular for experts and facilitators with some experience with the spirit of the *Convention* (reflexive consensus building, with relevant State and other parties involved) and sensitive elbows for appropriate discourse. See how simple the five criteria look:

1) The element proposed has to be intangible cultural heritage as defined in Article 2 of the *Convention*.
2) The inscription on the List will contribute to ensuring visibility and awareness of the significance of the intangible cultural heritage and to encouraging dialogue, thus reflecting cultural diversity worldwide and testifying to human creativity;
3) Safeguarding measures are elaborated that may protect and promote the element;
4) The element is nominated following the widest possible participation of the community, group or, if applicable, individuals concerned and with their free, prior and informed consent and
5) The element is included in an inventory of the intangible cultural heritage present in the territory(ies) of the submitting State(s)Party(ies), as defined in Articles 11 and 12 of the *Convention*. [3]

It is remarkable that after six years so many proposals and nominations still fail to pass the test, applying five seemingly simple criteria and filling out a form of ten pages. One of the reasons is that it is not only a question of avoiding taboo words (like 'unique', 'outstanding', and 'authentic', or for instance, 'World Heritage'), or a challenge to demonstrate processes of broad consensus building and stakeholder involvement, or a matter of closely reading the regularly changing small print of the forms. There is also the fall-out of the implosion or rejection of specific 20th century schools of the study of 'folklore', 'folk art', 'ethnic culture' and 'traditional culture' to be kept in the back of one's mind, and some unwritten, almost subconscious criteria related to the position of 'European elite culture' and the 'industrial revolution(s)' to be considered: implicit criteria that seem to have been respected in the first decade of the *Convention*.[4]

In this article, I present a key to reveal and understand these unwritten rules, codes and tacit understandings. The hypothesis is that what is implicitly excluded is the kind of 'elite culture' that emerged and can be identified in the later decades of the early modern period (1500-1800) in Europe. But there are also phenomena in which a number of post-1750s technologies are involved - like the 'no electricity' rule. This is more than just a sensitising and awareness-raising exercise. By focusing on examples from the Low Countries, in particular the Netherlands, we point at one of the circuits or hubs in Europe that made it possible for a global debunking by actors in many parts of the world of European or pre-World-Wars-imperial 'outstandingness', to be combined with late 20th-century developments in the study of (the history of) popular culture in Europe.



Plate 1
The Village Kermis (1567), also known as *The Peasant Dance*, by Pieter Bruegel I (oil on panel). Photo: Kunsthistorisches Museum, Vienna.

'Brueghel is volkscultuur'

It is not by chance that the 2009 edition of Peter Burke's ground-breaking book, *Popular Culture in Early Modern Europe*, (first published in 1978) featured a painting by Pieter Bruegel, (c. 1526-1569) on both the front and back covers.[5] Even less surprising is that the front cover of the Dutch translation in 1990 also presented fragments of that painting: *The Village Kermis* (1567), also known as *Peasant Dance*.[6] [Plate 1] A bag-pipe player is in action, getting a large jug of ale. Food and drinks on the table outdoors. Dancing couples. Kissing lovers. Two small girls joining hands and ready to dance. The flag of the guild is out and you can see the church in the background. It is a feast in a 16th century village in the region of Europe that is now called Brabant, Flanders or Belgium.

In the Low Countries of the North Sea, the notion of 'volkscultuur' (folk or popular culture) has been strongly associated with the name Bruegel for centuries. Also known as Pieter Brueghel the Elder or Pieter I, the artist dropped the 'h' from his given name in 1559 and thereafter signed his name 'Bruegel'. Thanks to paintings like the *Village Kermis* (with the signature BRUEGEL) or the *Wedding Banquet* (also 1567) [Plate 2], now celebrated in the Kunsthistorisches Museum in Vienna,[7] this association is widespread across Europe and embraced by art lovers worldwide. Since the 16th century, the representations of peasant festivities and culture in the Spanish Netherlands invented or designed by Bruegel, have been distributed on a mass scale, ranging from copies in the form of paintings or prints, sold individually or anthologised in virtually every known medium, from coffee table books and postcards to cookie boxes and tourist propaganda. There is much 'Bruegel' to be discovered under waffles and pancakes on paper place-mats in countless restaurants in Belgium, on posters, and on the signs outside *terroir* restaurants. The images we discuss here are present all over the planet in millions of copies.

In the middle of the 16th century, Antwerp was the most important centre for print production north of the Alps. Hieronymus Cock (*Aux Quatre Vents / At the Four Winds*), Bruegel's main publisher, and other publishers distributed prints of his work throughout Europe. The *Aux Quatre Vents* ran a booming commercial operation, capitalising on the skills and the regional networks of painters, engravers and printers.[8] Bruegel was amongst the most successful, largely as a result of the efforts of his mother-in-law, his sons and other descendants, who organised the copying of his paintings over and over again. While his drawings and paintings were also engraved, etched and distributed in printed form to the public in the 16th century, by the 20th and 21st centuries, these works of art had become the staples of exhibitions in museums and art centres worldwide through the barrage of catalogues, inventories, and associated ephemera they created. They were even used in schools, in particular in Belgium, not only in art history classes, but also in language classes, to teach about the words for children's games or proverbs.

Visibility and 'visitability'

Before we move on to further discussion, there is one more point I wish to raise about the two paintings mentioned above, *Village Kermis* and the *Wedding Banquet,* both dated 1567. What are the secrets of their success? Certainly, the low perspective gives the observer the illusion of being present at the festivities. This effect, Manfred Sellink points out, creates the illusion that we can step into the picture and become part of the group culture that it depicts. Moreover, Sellink suggests that Bruegel worked hard to represent social diversity (different ages, gender, social standing, etc.): *This apparent cross-section of society makes the scene universal and as familiar today as it was more than four hundred years ago.*[9] At the table of the bride in the *Wedding Banquet* sits a Franciscan in a light-brown habit and another distinguished or non-peasant guest, possibly the lord of the territory and/or a visiting merchant. In the second half of the 16th century and in the 17th century, rich bankers and businessmen from the big cities (like Antwerp at that time) bought whole estates and villages in the countryside with the related titles and privileges of the nobility originally connected to them. The village of



Plate 2
Wedding Banquet (1567) by Pieter Bruegel I (oil on panel). Photo: Kunsthistorisches Museum, Vienna.

Hoboken near Antwerp is a good example, because there the ritual of welcoming the new lords was cultivated. In 1559, the Antwerp banker, Melchior Schetz, and later his brother Balthasar, purchased the village of Hoboken and thus enjoyed the status of nobility on their official visits.

The many references to scenes in real life have made Bruegel extremely popular among social and cultural historians. However, the question remains as to whether Bruegel was an observing participant or was in fact a participating observer. The reputation or nickname of Pieter the Elder as 'peasant Brueghel' was largely introduced by his oldest son, Pieter Bruegel the Younger, who produced many copies and pastiches of peasant themes. Nevertheless, Pieter the Elder could be seen as a mediator *avant-la-lettre*; a specialist in the documentary arts *par excellence*. Note this fascinating anecdote about the merchant Hans Franckert, one of Bruegel's patrons and friends, in Karel van Mander's (1548-1606) *Book of Painters* (*Schilder-boeck*), published in 1604.

With this Franckert, Breughel often went on trips among the peasants, to their weddings and fairs. The two dressed like peasants, brought presents like the other guests, and acted as if they belonged to the families or acquaintances of the bride or of the groom. Here Breughel delighted in observing the manners of the peasants in eating, drinking, dancing, jumping, making love, and engaging in various drolleries, all of which he knew how to copy in colour very comically and skilfully, and equally well with watercolour and oils; for he was exceptionally skilled in both processes. He knew well the characteristics of the peasant men and women of the Kampine and elsewhere. He knew how to dress them naturally and how to portray their rural, uncouth bearing while dancing, walking, standing, or moving in different ways. [10]

These excursions into the countryside by Bruegel are one of the first formulas (as a similar anecdote exists about the life of Leonardo da Vinci) of what later became known as 'fieldwork'. But next to the academic gaze of anthropology or ethnology, the tourist gaze should also not be forgotten. Bella Dicks developed an important concept: 'visitability'.[11] It is a welcome alternative when trying to decode the discussions about safeguarding measures and anxieties to manage the effects of inscription of a phenomenon on the *Representative List of Intangible Cultural Heritage*. Often the desire for more visibility for forms of popular culture is translated into increased visitability that has to be managed, a requirement introduced in the nomination forms (e.g. in 2013) to specify how the effects of increased visibility will be dealt with in the related spaces where it takes place.

Some masterpieces for the oral and intangible cultural heritage of humanity

Pieter Bruegel I constructed some of the most successful lists or inventories of intangible heritage in world history. While the extent to which his paintings and prints were reproduced is a testament to their enduring artistic quality, their effectiveness as inventories of intangible cultural heritage must be measured by their capacity to both give a varied image and to contribute to transmission. Some of his works might even deserve recognition as 'Masterpieces of (or perhaps for) the Oral and Intangible Heritage of Humanity', a title that has become available again since 2008 (since the implementation of the Operational Directives of 2008, after a UNESCO programme with the same name was dismantled, drowning this problematic form of quasi-World Heritage in the *representative list*-pool). Three paintings by Bruegel that are especially relevant to a discussion of such 'masterpieces' of the art of inventorying are *The Proverbs, The Children's Games* and *The Battle Between Carnival and Lent.* They provide a kind of encyclopaedic overview of all the terms that are present in the UNESCO *Convention's* (Article 2) operational definition of intangible cultural heritage. They were taxonomic exercises of the *theatrum mundi: florilegia* or anthologies. We should try to think beyond the Enlightenment and to see how ordering knowledge and taxonomies was strongly connected to the normative categories of virtue and sin, wisdom and stupidity, good and evil. Connecting fun and learning was the style - *ex nugis seria;* fun has to lead to serious thought. In the relationship between teacher and pupil, or between master and pupil, a touch of sociability and relaxation is needed before the teaching can begin.[12]

The first masterpiece by Bruegel is *The Proverbs* (1559), alias *The Netherlandish Proverbs* [Plate 3], also known as *The Blue Cloak*.[13] It has become the global icon for the study of proverbs. In 2013, www.deproverbio.com used a fragment on its homepage. Notice that this image is featured on many websites and on many of the



Plate 3
Netherlandish proverbs (1559) also known as *The Blue Cloak* by Pieter Bruegel I (oil on panel).
Photo: Staatliche Museen zu Berlin, Gemäldegalerie, Berlin.

covers of standard books about paremiology (the study of proverbs) all over the world.[14] It has been reproduced on a very large scale. It has been studied and deciphered over and over again.[15] And this very fact has contributed to its success as a kind of multimedia inventory. A Swiss linguist, Britta Juska-Bacher, has studied the effects at length.[16] She discovered that a remarkably high proportion of Flemish-Brabantine proverbs from the 16th century are still known in the Low Countries today, in particular in the Dutch-speaking part of Belgium. A quantitative study based on 503 questionnaires in the first half of 2005, filled out by native Dutch speakers in Belgium and the Netherlands, showed that every single one of the 159 proverbs[17] was known by at least one person in 2005. The average Dutch speaker knows and can explain 31.5 % of these 16th century proverbs, and actively uses 20% of them in conversation or in written or electronically supported communication.[18]

Of course, the many dictionaries and lessons in schools referring to proverbs and using the painting as a didactic tool have played a critical role in the whole process. But this is exactly a point I wish to make: Bruegel developed a format that worked, precisely because it allowed for visibility, awareness, dialogue and appropriation.

In the centre of the painting we see a tall lady in red, who is draping a blue cloak over the shoulders of an elderly crippled man walking with a stick, a reference to the adultery of the hot brunette in question and the mocking of her poor husband. Another etching about Dutch proverbs, published in 1558 by Frans Hogenberg, carries that very title: *de Blaue huyck.*

The proverbs painting can be understood as a picture puzzle, inviting the observer to decode the images and link it to existing proverbs and figures of speech, at the same time reinforcing memory and hence acting as a mnemonic tool, crucial for the rhetoric of the time. Proverbs, or their counterpart in pictures, were also important for stimulating transmission, e.g. in humanist teaching. They have functioned in this manner for centuries. In the 20th century, many primary and high

school teachers used reproductions of the Bruegel painting to teach proverbs to their pupils, and this practice continues today. Proverbs were and are excellent visual instruments that raise awareness and stimulate dialogue, locally and even globally. They are not, strictly speaking, closed lists, but puzzles and multi-media instruments, not really localised but capturing a repertoire in a region, transcending national borders. In so doing, these tools have managed to capture a kind of ecology of oral heritage. How this pictorial formula functions in modern hyper-mediatised society, not only in Belgium but also in the United States, and how it can even generate money, can be seen in similar paintings, made centuries after Bruegel, including the lucrative series of American *Proverbidioms* (1975) by Tom Breitenbach (born in 1954) and some sequels produced later.[19] Bruegel's family and collaborators seized upon the opportunity to exploit his artwork commercially. At least 24 versions were produced by the Enterprises Brueghel; at least 10 of which were by Pieter Bruegel the Younger.

Ludodiversity: from *Children's Games* to best practices of safeguarding

In Bruegel's painting *Children's Games* (1560)[20] [Plate 4] more than ninety games have been identified. All sorts of objects are used: marbles, spinning tops, hoops, etc. More than 230 children are playing: leapfrog, drop-the-handkerchief, doing handstands, climbing trees and so on. The scene is a town hall, a long street and a view of a river and meadows. Many explanations have been provided for the subject matter. It could be interpreted as a memory game. It could be about human folly and all the forms of sinful behaviour depicted in children's games. Lists of games are fairly common. As early as the end of the 14th century, in *L'espinette amoureuse*, Jean Froissart (c. 1337-1404) mentioned more than 60 games he played in Valenciennes as a child. Rabelais' *Gargantua*, chapter 23 speaks volumes. Simon Schama referred to the Rabelais-like pleasure of compilation – the *verzamelwoede* (collecting rage) of the collector – that he sees as typical of the Renaissance, in particular the 16th century Antwerp variety.[21]



Plate 4
Children's Games (1560) by Pieter Bruegel I (oil on panel). Photo: Kunsthistorisches Museum, Vienna.



Plate 5
The Battle Between Carnival and Lent (1559) by Pieter Bruegel I (oil on panel). Photo: Kunsthistorisches Museum, Vienna.

In the 20th century, the Bruegel painting provided an incentive to focus research on children's games. For Flanders we can mention the early studies by Alfons de Cock. Later, the dissertations of Arthur Haberlandt (1930) and Karl Haiding (1937) in Germany sparked the interest of the American folklorist, Archer Taylor, whose student, Jeannette Hills, went on to produce a Ph.D. on the subject in 1940.[22] In time, these studies popularised the painting. Reproductions of it were used in schools and also in youth groups to motivate children to learn the games. One of the early stages of the projects that ended up in the *'Sportimonium'* programme used the painting to stimulate games and traditional sports in Flanders in the 1980s, e.g. in the Open Air Museum in Bokrijk. The rules of the games were published and re-launched in youth groups.[23]

It is interesting to note that the monitoring of the evolution of the repertoire of games, depicted by Bruegel, in Flanders in the 20th century was one of the sources of inspiration and triggers for one of the few programmes that UNESCO has so far selected for the register of Article 18 of the 2003 *Convention: Programme of cultivating ludodiversity: safeguarding traditional games in Flanders*.[24]

The blue barge

In the painting *The Battle Between Carnival and Lent* (1559)[25] [Plate 5], Bruegel highlights the contrast between the feast of Shrove Tuesday and the forty-day fast of Lent which starts on Ash Wednesday. However, his treatment of the subject was not completely original and was apparently inspired by a print using a similar theme but set in a country village by Frans Hogenberg (published by Hieronymus Cock in 1558). In Bruegel's painting we see the large square of a 16th-century city. In the front is a mock battle between a fat man – Carnival incarnated — on a big barrel with a full spit in his hand, engaged in a tournament against a female personification of Lent, sitting in a wooden chair on a low wagon littered with cookies that look like pretzels (*krakelingen*) and bread. Her lance consists of a wooden oven peel with a pair of smoked herrings. A black rosary or 'paternoster' is hanging

around her neck. On the back of the cart we see a big pot full of mussels, together with a big spoon ready to distribute them. The wagon is being pulled by a monk.

On the left, people celebrate Carnival by making and eating pancakes and waffles, dancing and playing games. In the background a bonfire is lit. The name of the inn reads: *This is the blue barge (dit is in d[e] blau schut)*. On the right a priest marks the foreheads of churchgoers with a cross of ashes, the typical activity for Ash Wednesday for Catholics. The children with their rattles accompanying Lent also have the little crosses on their foreheads. The rich are performing public acts of charity by dispensing alms to the sick, the crippled and the poor. The painting is covered with vignettes and scenes associated with the liturgical seasons. On the Carnival side, a woman is shown baking waffles over a wood fire with eggs and batter within reach. A man with waffles strapped to his hat stands near another man in a black hood throwing dice. Behind this duo, a child is wearing a paper crown, a coloured woodcut wrapped around his head, a reference to the feast of the Three Kings or the Epiphany.[26] The tavern is portrayed as the centre of the Carnival. In it, on the first floor, we can see a kissing couple, a child and a vomiting bag-piper. Near the street men are crossing carrying jugs and supplies, cripples hobble on crutches. There is a play going on in front of the Dragon inn: *Valentin and Orson* (the wild man). Another play, *Dirty Bride*, is performed in front of the Blue Barge inn. People are watching and applauding, turning it into a public performance. Next to the dancing group, there is a procession of lepers, one that also can be found in the Lent section. They could refer to the ritual of begging on the second Monday after the Epiphany or Three Kings, sometimes under the direction of the *Cruepelen Bisschop* (the crippled bishop).[27] In the distance there is the Count and Countess of Halfvasten. The burning of the Winter straw doll refers to yet another festival. These are complemented by the ashes of Ash Wednesday. So *the Battle between Carnival and Lent* can also be read as a catalogue of yearly feasts, not just Shrovetide. A tree losing its leaves is on the left and a tree coming into leaf is on the right: not only culture, but also nature has its seasons that have to be considered together.[28]

Withdrawal and rediscovery

For Peter Burke, Bruegel's *The Battle Between Carnival and Lent* is a base point in our understanding of the evolution of popular culture in early modern (Western) Europe. Seeing the painting from this perspective is illuminating and can help us to better situate UNESCO's recent efforts to promote the safeguarding of intangible cultural heritage in the context of global history.

The couple walking in the light in the very centre of the painting does seem to be the key to what Bruegel is trying to say - or to what we read and project onto it. Kavaler proposed that they represent the path of moderation, temperance, and reflection, enjoying what life has to offer.[29]

One of the most important theses Burke launched was that of *the withdrawal of the upper classes in Early Modern Europe*. In short, in 1500 popular culture was everyone's culture. A second culture was available for the educated, those who knew the languages of the learned - Latin and Greek or Hebrew. By 1800, in many parts of Europe the clergy, the nobility, members of the liberal professions and their families had abandoned popular culture to the lower classes, who lived separate and apart from them. For the clergy, the Catholic and Protestant Reformations and the increasing emphasis on the distinction between profane and sacred spheres had important effects. Clergymen received higher education and better training. In seminaries or universities in Catholic and Protestant areas, priests had to be more serious and keep their distance from the others. For the higher bourgeoisie and noblemen, the Renaissance and the Humanist revolutions were important in the development of polished manners and better behaviour. They cultivated their language and tried to avoid improper or crude words. Education and a good upbringing and training at home, next to those in college, cultivated social stratification, self-control and order.

The title of the eighth chapter of Burke's book is telling (and a clear reference to the Bruegel painting): *The Triumph of Lent: the Reform of Popular culture*. Reform stands here for the systematic attempt between the 16th and 18th centuries by a significant portion of the educated in Europe to change the values and attitudes of the rest of the population, with a view to 'improving' them. The leadership of this movement was in the hands

of the well-educated, often Latin-speaking, writing or reading men who had a university or seminary training - bishops, deans, priests, personnel of the Inquisition, educated noblemen and so on. It was a reform movement that took different forms from generation to generation and from region to region. Attempts were made to suppress or 'purify' many items of traditional popular culture. But there were also attempts to spread the word(s), the cultivated image(s) and the more standardised sacral performance(s), and also to reach out and empower specific groups, to bring the Catholic and Protestant reformations to craftsmen and peasants. As Burke suggests: *Both sides of the movement can be seen at their most clear-cut outside Europe, where missionaries from China to Peru faced the problem of preaching Christianity in an alien cultural setting.*[30] In this article, I wish to highlight the tacit exclusion (for the time being) of elite cultural forms in western, central and southern Europe, but of course it would be possible, and therefore a challenge, to draw the lines further and try to write a global extension of what Peter Burke attempted in the 1970s. It would be particularly interesting to see how, for instance, the new 'safeguarding intangible cultural heritage' episode fits in with the global and long term history of Carnival outside Europe.[31]

The reformers contributed to a slow but fundamental alteration in memory systems, controlling them and using external memory tools like books. Here the spread of the printing press played an important role. Very powerful was the Q & A formula or the use of didactic oppositions. In the Catechism, material was presented in a question-and-answer form: easier to spread, to learn by heart and to test or check. Both Protestants and Catholics used it. Also the procedure of *Contrafaktur* – counterfeiting – was used, where hymns and religious messages were modelled on folk songs and set to those tunes with transpositions or substitutions for content that did not fit. There was a long-standing tradition of appropriation of spaces and times, in particular the liminal phases of rites of passage (both in the human life cycle and in the annual festive cycle of the city or village). Christian zealots had been converting pagan temples into churches, seasonal markers into religious holidays, embedding the big changes into local networks, and insisting that major life events like weddings or funerals be performed in public and in the presence of a priest. In the battle against so-called superstition, immorality and religious competitors (like Protestants), the Counter-Reformation invested in reformed rituals, reformed images and reformed texts.

Obstacles

Early-modern reformers saw two big clusters of obstacles to be removed or evened out in 'popular culture' (what we would now call intangible cultural heritage). On the one hand, they suspected traces of ancient paganism, pre-Christian (e.g. old Roman, Celtic or German) or un-Christian elements or superstitions. On the other hand, they had to react to the problem of people mocking official religious rituals. What were the remedies? The first step was to remove the elements perceived as problems from the official rituals. Move the religious theatre out of the church and make different rules inside and outside the church.

Very important was the greater separation of the profane and the sacred, sharper than it was in the Middle Ages. The clergy suspected moral problems, the second cluster of obstacles, exemplified by over-indulgence, licentiousness, gluttony, idleness, drunkenness, the vanities, wasting money and time. These stood in direct opposition to orderliness, prudence, work, reason and self-control. They distanced themselves from the values of generosity, spontaneity and tolerance of disorder.

This was a European movement, with Catholics declaring reform with modification and reacting against excesses, and Protestants declaring it with abolition. The split between profane and sacred was crucial. In the Middle Ages, St. George and the dragon featured in both profane and religious contexts. In the 17th century, the Catholic city of Augsburg presented St. George without the dragon and the Protestant city of Norwich showed the dragon without St. George ('popery'). In the Low Countries, both were shown together. Lutherans were more strict than Luther, whose attitude is exemplified by his phrase *pueri etiam habeant suum lusum*: let the boys have their game.[32] The message on the bottom of the print of the *Kermis of Hoboken* [Plate 6] (see above), given by Bruegel was also clear *the peasants should cultivate their Kermis.*

Pressure was mounting. Before the early modern reform movement, attempts at reform were sporadic efforts by individuals, but they were ineffective due to the



Plate 6
Kermis van Hoboken by Pieter Bruegel I, Frans Hogenberg and Bartholomaus de Momper (engraving). Photo: Rijksmuseum, Amsterdam.

lack of instruments for exerting power at a distance. Crucial here are the invention of the printing press, the formation of states, better roads, more reliable and faster communications (with relay post), and the new challenges posed by all these. The attacks became more concerted, more systematic and more frequent in the 16th and 17th centuries, according to Burke. The Council of Trent (1545-1563) played an important role in this evolution. The bishops assembled at Trent issued several decrees for the reform of popular culture. On the one hand there were decrees (*decreta*), which contained positive statements of the conciliar dogmas. On the other hand, there were canons (*canones*), which condemned Protestant views and concluded *anathema sit* (let him be anathema). Research has shown that many customs were prohibited and effectively abolished between 1550 and 1650 as a direct result of the theologically inspired reform movement in hands of the clergy. In the period that followed, the laity played a more important role. Secular arguments, like those revolving around the concept of good taste, became more important. The reforms engendered by the Council of Trent defined negatively what UNESCO would later recognise positively as intangible cultural heritage.

A leap of the imagination

Burke offered a powerful definition of culture:

...a system of shared meanings, attitudes and values, and the symbolic forms (performances, artefacts) in which they are expressed or embodied. Culture in this sense is a total way of life but not identical with it. As for popular culture, it is perhaps best defined initially in a negative way as unofficial culture, the culture of the non-elite.[33]

His emphasis on the period 1500-1800 makes sense in European, and to some extent world (empire) history from a 19th and 20th century entry point in international professional historiography. 1800 stands for the French Revolution (1789), the Industrial Revolution and other developments that resulted in (or from) fundamental cultural changes. It is hard to imagine this (but

remember, while reading this, our suggestion about the implicit criteria of the 2003 UNESCO *Convention* and its Operational Directives):

As a result of industrialisation, we need to make a considerable leap of the imagination before we can enter (in so far as we ever can) into the attitudes and values of the craftsmen and peasants of early modern Europe. Think away television, radio and cinema, which have standardised the vernaculars of Europe within living memory, not to mention changes which are less obvious but may be more profound. Think away the railways, which probably did even more than conscription and government propaganda to erode the culture peculiar to each province and to turn regions into nations. Think away universal education and literacy, class consciousness and nationalism. Think away the modern confidence (however shaken) in progress, science and technology, and the secular modes in which hopes and fears are expressed. All this (and more) is necessary before we can re-enter the cultural 'world we have lost'. [34]

Burke, in chapter five of *Popular Culture in Early Modern Europe,* discussed 'traditional forms' in a region where the repertoire looks limited:

Its riches and variety are apparent only when the inventory is extended to the whole of Europe; when this is done, the variety is so bewildering as almost to hide the recurrence of a few basic types of artefact and performance. They are never quite the same in any two regions, but they are not all that different either: unique combinations of recurrent elements, local variations on European themes. [35]

One of the dominant examples in the Early Modern Period is the weapon-dance or sword dance, including mimed combat. Other types include the narrative song, story-telling, solo, as dialogue or in farces (like in *commedia dell'arte*), mock battles or *bricolage* out of pre-existing elements.

Next to a stock of genres, popular culture can be analysed as a stock of forms, schemata, themes or motifs: the vocabulary of the 'tradition-bearer'.[36] The basic assumption is that folk tales, folk songs, plays and popular prints can be seen as combinations of elementary forms ... *permutations of elements which are more or less ready-made.* Burke discusses music as an example. The music of, and for, the dominant minority in early modern Europe was written down and printed. Popular music was transmitted orally. This leads to two paradoxes. In oral tradition, the same tune is different. The player mprovises around a theme. *There is no 'correct' version, for the idea of a correct version is meaningless before tunes are written down. In oral tradition the tune exists only in its variants. The second paradox is that different tunes are the same, i.e. they may contain the same phrase or motif.* Instruments have been developed in folklore studies to discover and decode these differences. In the history of folk tales, the most famous inventory is probably the motif-index developed by the American scholar, Stith Thompson. In drama, characters (the fool, St George, mothers-in-law) and actions were basic units. In two- and three-dimensional objects (prints, pottery) there was a visual repertory of geometric patterns, stylised plants, people, birds and animals. In grammar, the antithesis schema seem to have been quite popular - split and contrasting images, contrasts between St George and the dragon or between rich and poor. An important lesson is set forth by Burke:

They learn by listening to older people and trying to imitate them, and what they learn are not fixed texts but rather a vocabulary of formulae and motifs and the rules for combining them, a kind of 'poetic grammar'. This grammar is best learned when one is young; no wonder that ballad-singing runs in families. Singers also learn to 'amplify' or 'ornament' the basic structure. [37]

Formulae and traditional forms were often instruments for stalling for time, taking a rest from the memory exercise. Traditions are not a book and redundancy can help to perpetuate their viability. Within the paradigm of folklore studies that Peter Burke discusses here, the idea is that the individual is creative in the sense that each performance or artefact is a little different from its predecessor, expressing its own style. Burke claims that in popular culture individual variation, like regional variation, should be thought of primarily in terms of selection and combination.

Documentation

Numerous people, often elite groups, discovered and enjoyed the stories of Bruegel and Franckert. In the 16th

century, the lists of proverbs were the most important examples of so-called 'folk wisdom'. Throughout the period, references popped up in books, published descriptions, and in literary texts. The humanist professor, Heinrich Bebel, son of a Swabian peasant, publicised stories collected in the region. Franck believed that the proverbs he published expressed the wisdom of humankind, not of a subgroup. They were not so much interested in lower class culture, but in more general customs. In the late 17th and 18th centuries, members of the clergy collected customs. A son of an innkeeper who became a priest, Jean-Baptiste Thiers, wrote a treatise attacking all kind of superstitions and customs. It became a crucial instrument for cultural historians in the 21st century. Charles Perrault published stories and fairy tales that were also appreciated at the French court of Louis XIV. By 1800, elite groups blended in less easily than they could years earlier (except, for instance, when they were students). In university towns they kept encountering festive culture and local customs. The repressors provided the lists that now serve as the major sources. *Anatomy of Abuses* by Philip Stubbes, for instance, listed popular recreations, saving them from oblivion.

From the late 18th century onwards, but in particular in the 19th and 20th centuries, members of the elites and cultural brokers were 'rediscovering', inventorying and upgrading popular culture through scholarly disciplines like folklore studies, museums and journals.

The Dutch connection: implicit and explicit criteria

In the 1930s and 1940s, popular culture became the object of much scholarly attention, policy making and ideological recuperation. Political regimes celebrated, highlighted and sometimes manipulated phenomena in Europe that were rediscovered, selected and viewed with a folklorist gaze and reconnected to nationalist or ethnic agendas. These episodes, that continued in some of the Soviet dominated regions until the 1980s, tainted the reputation and credibility of disciplines like *Volkskunde* or folklore studies in Europe in the 20th century, and the phenomena selected or constructed by those canons, atlases and inventories. The 1999 *Global Assessment* in Washington D.C. was a milestone, marking the movement of trading in the authority of tradition, continuity, alleged purity and folklorist's expertise for local empowerment, hybridisation and international cooperation.[38] It seemed a good idea to opt for new names and new beginnings: 'safeguarding' 'intangible' and 'cultural heritage' deserved a fighting chance.

In the Low Countries, the title of the relevant discipline was explicitly and publicly changed from *Volkskunde* into the almost obsolete, and totally rebooted word 'ethnology' to mark the disconnection with the dark pages, assumptions and methods of the 20th century.[39] The work of historians like Robert Muchembled, Willem Frijhoff, Roger Chartier and indeed Peter Burke and his *Popular Culture* book were very influential in this process. This evolution explicitly influenced policy on popular culture in the Dutch-speaking part of Belgium in particular when it was connected to the heritage field. It was boosted by the 2003 UNESCO *Convention* and the semantic tsunami it provoked.

In the first phases of the *Convention*, that of the governmental experts meetings negotiating the convention text, and the meetings in the twilight zone between 2003 and 2006/2008, the influence of Dutch-speaking people was important. It was the Netherlands National Commission for UNESCO which produced the glossary in 2002 that was considered, but eventually (luckily) not added as an appendix to the *Convention*. But it did heavily influence the evolution of the semantic operations of the following years, echoing the recent changes in scholarly networks.[40] The transfer of a national from the Netherlands National Commission to the crucial post of Secretary of the *Convention* was very significant, as was his subsequent key role in the programmes of capacity building. In the Flemish part of Belgium, the explicit choice to combine three paradigm shifts, the ethnology-restart, the safeguarding-intangible-cultural-heritage-boom and the policy synthesis in the form of the 2005 *Framework Convention* of the Council of Europe on the value of cultural heritage, has resulted in policy, subsidies and practice to put the general principles in action in Flanders. It was partly the Belgian (Flemish) delegation that cultivated the Dutch paradigm shift in the study of popular culture, and translated and injected it into the discussions of the Intergovernmental Committee between 2006 and 2008 and into the resulting Operational Directives. [41]

The effects of the implicit New Delhi consensus

One of the ways to interpret the 2003 *Convention* and the instruments derived from it (like the successive sets of Operational Directives and even the nomination/application forms), is that they are tools to produce an alternative heritage discourse (and practice). It is a reaction to 20th century paradigms, like the 'authorised heritage discourse' identified by Laurajane Smith, and/or to the Euro-greedy application of the 1972 *World Heritage Convention* and in particular the *World Heritage List*.[42] Can the 2003 *Convention* be instrumental in allowing the emergence of an alternative to the dominance of palaces and castles, gardens and treasure-chambers of the European elites and the values of authenticity, superiority, upper-class, distinction, monumentality, immutability and universal uniqueness? In a recent assessment on the occasion of the tenth anniversary of the ICH *Convention* and the fifth anniversary of the Operational Directives, Laurajane Smith was not yet fully convinced by the recent discussions and programmes of the member states of the 2003 UNESCO *Convention*. But trying to take more seriously the involvement of communities (and I would add, groups, and if applicable, individuals) or investing in internet-supported exchanges and safeguarding techniques might make a difference. *The only thing that the internet does not provide that UNESCO can is institutional authorisation, but if that authorisation comes at the price of misappropriation by expertise and national political agendas, listing may be too problematic for some communities*.[43] Not all means have been used or developed, ranging from the impact of codes of ethics, NGO-involvement, independent assessments of good practice, etc. Expectations are high for further experimenting with, and investing in the role of reflexive mediators or cultural brokers.[44]

(Embedded) experts and other cultural heritage workers emphasise that there is much more to safeguarding than just inventorying, or following Article 16 of the 2003 *Convention*, or investing in lists as a formula.[45] The *Representative List* did and does fulfill functions, even if (or precisely because of) the temptation to see it as a World Heritage 'light' list is a clear and present danger. The so-called New Delhi consensus from 2007 was positively sanctioned by the Intergovernmental Committee at its meeting in Chengdu in May 2007. The masterpieces associations would be further debunked, but on the other hand the total opening up of the list - or a Wikipedia-like solution with peer review processes - would not yet be attempted. So five easy official criteria were constructed for the process, together with the extra rules, tricky details and thresholds in small print, so-called technical specifications in the forms, implicit criteria and stories about a so-called maximum number of files that can, allegedly, only be managed by the UNESCO secretariat, all tools in order to stop inflation effects and temper the hunger for inscription on the *Representative List*. It is here that the work is done to try and provoke an alternative heritage discourse:

Here the steering potential via the forms (next to manipulating the rhythms in the 2003 Convention), and hence strategic protagonists in and around the UNESCO Secretariat, come into the picture. Imposing and checking 'technical details', adding more small print in the ICH-forms, can act as a firewall and as a warning that the UNESCO Secretariat is not just a...letter box, where the nominations are automatically rubber stamped as 'some sort of quasi-world heritage'. [46]

It is a strategy of trying to win time and putting hopes on capacity building, both from within UNESCO as in member states, so the new safeguarding paradigm can be strong enough to endure. It is a complex game in which some of the founding fathers lose confidence.[47] But the New Delhi consensus still seems to hold in 2013-2014, in particular now some more time has been bought by reasonable decisions (like a new two year rhythm per country) in the Baku meeting of the Intergovernmental Committee in 2013.[48]

Conclusion

Next to all the formal rules and procedures just mentioned, there are also a number of implicit criteria that seem to have been more or less respected in the first decade of the 2003 *Convention*. A number of older concepts, like folklore, ethnic culture and traditional or popular culture, have been given up in exchange for a clean sheet, a new start, with the concept of intangible cultural heritage. The definition of intangible heritage in Article 2 of the 2003 *Convention* is very constructive, potentially even allowing for a whole series of modern concepts and phenomena, eventually even cyber-culture. But up to now rules like the 'no electricity' rule, no nuclear energy or even steam power have been respected in the candidatures, a considerable collective leap of the

imagination. Where are the electric guitars and synthesisers instead of the handmade ukuleles, banjos and *Angklang*? Why only shrimp fishers on horseback and not on tractors? There is also a tacit consensus that the distinctive forms of culture for the groups that had withdrawn from popular culture in Europe by the end of the 18th century are preferably not included, but references to non-European aristocracy and other special groups are embraced. Customs and traditions, invented and cultivated, performed for or by kings, emperors and other courts in Asian or African countries are no problem and were accepted on the *Representative List*. Via the masterpieces programmes, items like the Royal ballet of Cambodia, the Nha Nhac, Vietnamese court music and royal ancestral rituals in the Jongmyo shrine and its music, were inscribed on the *Representative List* in 2008.[49] But forms of theatre, ballet, opera that were part of noble culture for royalty or rich merchants or armies in Europe seem more problematic.

Of course precedents could help. The first cyber-culture phenomenon on national and later UNESCO lists would be quite interesting as a way of developing the 2003 *Convention*.[50] This is also the case for phenomena that are associated with the elite culture as it existed in the Enlightenment era. We cannot predict when the new paradigm shift will take place, when the exceptions that confirm the rule (no traditions from European elite culture; preferably non-European phenomena or 'traditional popular culture' from Europe), become examples that break or loosen the rules.

The fact that the international falconry dossier was financially facilitated by the princes and emirs, coordinated and submitted by United Arabic Emirates, made it possible that the hobbies and history of elite groups in Europe sneaked in and found a place on the *Representative List*.[51] Several nominations coming from Europe for the *Representative List* of the 2003 *Convention*, have posed challenges. The French proposal of the so-called 'gastronomic meal of the French' was very controversial and it took many efforts to have it inscribed on the *Representative List*.[52] It sublimated and digested much of the food culture of the elite throughout history. Another file that did not pass easily at the meeting in Bali in 2011, was 'Equitation in the French tradition', connected to the Cadre Noir of Saumur, based at the National School of Equitation. Diplomatic power play and eloquence were necessary to help the Intergovernmental Committee overcome their reservations and inscribe it on list.[53]

At the eighth session of the Intergovernmental Committee in Baku the negative evaluation of nomination file 857 by the Subsidiary Body, and the subsequent discussion about the possible inscription in 2013 of 'Classical horsemanship and the High School of the Spanish Riding School, Vienna' on the *Representative List of the Intangible Cultural Heritage of Humanity* speaks volumes. In the file, Austria seemed to do its best to test all the unwritten boundaries and limits and to present it as an elite, even imperial court tradition that was still valued in the highest circles. The question of the community involved introduced the Honorary Committee of the Spanish Riding School, charged with enhancing and consolidating the cultural heritage of the Spanish Riding School. This international and prestigious committee consists of leading personalities from business, politics, culture and the aristocracy, so they emphasised. In the description of the element the following sentences were presented.

A popular royal pastime during the Renaissance and Baroque periods, this expertise was continued only by a few riding academies. Ultimately, only the small elite equestrian team of the Spanish Riding School, Vienna has carried on the tradition of Classical Horsemanship and the High School in their purest form. Virtually unchanged over the centuries, the skills are passed on orally by the riders from generation to generation. In Vienna's Imperial Palace the daily training sessions and weekly performances, accompanied by classical music, are open to the public.

Or:

The glorious Winter Riding School is the centuries-old home of the Lipizzaners and their riders. Its creator, Emperor Charles VI, is honoured every time the riders set foot in the arena with their traditional salute directed at the emperor's portrait in the imperial box. [54]

Is it any surprise that the nomination was referred, and given a temporary and polite 'no(t yet)', while leaving the door open for these Trojan Horses from previously imperial Habsburg Vienna?[55] How long will the implicit, unwritten criteria survive if elite counter-examples from the heart of Europe are presented in elegant files on

paper and/or pushed through in the arena of the Intergovernmental Committee? I, for one, eagerly await the first cyber-culture proposals for the 2003 *Convention*'s lists - or any other proposal that is not one of the usual suspects of the national folklore lists of fifty years ago. I look forward to the effect and to the arguments for rejecting them.

Mutatis mutandis, Peter Burke's *Popular Culture in Early Modern Europe* seems to grasp how intangible cultural heritage in the first years of the safeguarding paradigm of UNESCO is crystallised - and where the current hidden boundaries lie. This bold hypothesis can have important ramifications. The book seems to provide an excellent catalogue, even showing what organising frameworks, inventories and the *Representative List*s of the 2003 UNESCO *Convention* will consist of (in Europe). The second conclusion then is that there is a strange inverted relationship with Eurocentrism, in particular with specific forms of culture enjoyed by elites in the 17th, 18th and 19th centuries (opera, ballet, classical theatre and music, attached to the names of famous composers, playwrights and authors). These forms of high or fine art (Mozart, Beethoven, Shakespeare, German or French fairytales, classical ballet, etc.), radiating from the centres of 18th and 19th century empires and colonial powers, seem to be rejected or simply not proposed, although nobody ever says it aloud. Art of/for aristocracies, royalty or priests outside Europe are included and celebrated as representative intangible heritage. But old or modern European (fine) art forms are not. In Flanders, the professional arts (theatre, dance, etc.) do not yet consider the 2003 *Convention* as being relevant to them, and leave it for the amateur arts, folk dance and music and all forms of 'ethnic' arts.[56] By excluding them, as the exceptions that confirm the constructivist rule of open definitions of intangible cultural heritage and equality among all *groups, communities, and, per definition, individuals,* they, paradoxically, enhance the distinction. UNESCO and its World Heritage flagship are an important point of reference for European elites and entrepreneurs. The 2003 *Convention* did change something, but it takes time to see the overall contours and characteristics. Is the UNESCO or global period indeed a new episode in the history of the appreciation of 'traditional' or 'popular culture' that started in the 16th century in Northern and Western Europe? So is the couple in the centre of Bruegel's *Battle Between Carnival and Lent* painting going to return in UNESCO clothes? [Plate 7] And which new cultural battle will be going on?



Plate 7
Detail from *The Battle Between Carnival and Lent* (1559) by Pieter Bruegel I (oil on panel). Photo: Kunsthistorisches Museum, Vienna.

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