UNITED NATIONS EDUCATIONAL,
SCIENTIFIC AND CULTURAL ORGANIZATION

SPECIAL COMMITTEE OF TECHNICAL AND LEGAL
EXPERTS ON THE SAFEGUARDING OF
FOLKLORE

(Unesco House, 1-5 June 1987)

POSSIBILITIES OF INTERNATIONAL CO-OPERATION
AND REGULATION ON THE SAFEGUARDING OF FOLKLORE

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The work of previous committees on the safeguarding of folklore

The status of folklore as a marker of cultural and social identity and as an important part of the spiritual heritage of nations and all mankind has been greatly enhanced during the past 15-20 years. In retrospect this period may well be viewed as the second wave of traditional culture making its impact on world culture at large, the first wave being the breakthrough of folklore into western civilisation on the heels of European Romanticism in the late 18th and early 19th centuries. While the first wave was mainly felt in Europe, spreading from there to other parts of the world, this second wave has throughout been a global one in its origin and impact. It has been experienced in the industrialised countries as well as in the Third World, and despite certain differences in the motivating forces in various cultures and developmental circumstances, it may be said to have exerted a balancing effect practically everywhere. The emancipation of developing nations and/cultural minorities, the abolition of traces of colonialism, the balancing out of centralism and regionalism, the battle against cultural hegemonies, be they phenomena of "high art" culture or industrial mass entertainment, the protection of local cultural milieux against the unifying power of media-oriented stereotypes of world culture are movements which have drawn some of their force from the basic grass-root level of cultural life in rural village and urban contexts, from oral literature, folkways and customs, folk music and art, handicraft and folk architecture, belief and ritual, and traditional knowledge in general. The role of folklore, in the broad sense of the word, has been to emphasise local cultural values, social and national identities as a counterweight to the sweeping cultural changes which tend to undermine the values inherent in more traditional life-styles. Change may be inevitable, but traditional cultures are able to adapt to it and to create self-reliancy and self-esteem in situations where heedless modernisation tends to create unbalanced world-views. On the other hand, folklore is not meant to stop at the local milieu. If the assumption of its cultural and artistic value is correct, it must be made part of world culture by disseminating the best products of folkloric creativity. Thus folklore may become not only a democratic counterweight to elite cultures but also an

instrument for greater knowledge and understanding between different cultures, a language likely to be understood the world over.

The Unesco process for the safeguarding of folklore is probably the most authoritative statement of the value of folklore and traditional culture the world has seen. This process had two beginnings; the first was when the Bolivian Government submitted a request to the Director-General of Unesco that the secretariat of Unesco begin to examine the state of folklore and make a proposal for an addition to the Universal Copyright Convention, and the second was a questionnaire sent out to Member States of Unesco by the Director-General in 1979 to explore the state of folklore from a more general culture angle. It was the latter development that led to the first Committee of Governmental Experts on the Safeguarding of Folklore in Paris in 1982 and, two and a half years later, to the Second Committee of Governmental Experts on the Safegurading of Folklore in 1985, likewise in Paris.

The task of the first Committee was to evaluate the results of the survey study carried out by the Unesco secretariat on the basis of 92 replies received from Member States to the questionnaire and to suggest "measures to safeguard the existence, development and authenticity of folklore and traditional popular culture and to protect them against the risk of distortion" (Report adopted by the Committee I:3). The Committee decided to leave the copyright issues to the groups of experts to be convened jointly by Unesco and WIPO (World Intellectual Property Organization), and concentrated on the definition, identification, conservation and preservation of folklore, giving certain recommendations both to the Member States and Unesco. The preamble of these recommendations defines the importance of folklore as follows:

"Folklore is integral to the cultural heritage of mankind. Hence it is a living, changing and developing phenomenon. Its manifestations include the various kinds of popular, ethnic, regional and national, often syncretic traditions which, to the common understanding of the range of social and cultural research disciplines, must be properly maintained, collected, stored or archived, published, studied, and utilized under special protection by nationally and internationally acknowledged means. Protection against neglect, distortion, and abuse covers the rights of tradition bearers, folklore specialists, and the users of folklore data, as well as the needs of archives, museums, and research institutions." (Report, Annex I, p. 1.)

The recommendations covered a wide range of positive measures to enhance the position of folklore in its natural local context, in international cultural exchange and as an integral part of cultural policies both nationally and in the framework of international organisations. One innovative element was the recognition of the existence of an infrastructure of institutions and professional folklorists, created in Europe mostly during the past century but lacking or new

in many a developing country. The role of this infrastructure in folklore protection was deemed to be far more important than was admitted in the copyright-related work for the protection of expressions of folklore led jointly by Unesco and WIPO. In the latter the traditional community was simply confronted with folklore users or commercial exploiters, without paying much attention to the infrastructure already in charge of the safeguarding of folklore.

The task of the Second Committee of Governmental Experts on the Safeguarding of Folklore (1985) was "to carry out a thorough study of the possible range and scope of general regulations concerning the safeguarding of folklore" (Report adopted by the Committee, I:3). After discussing the key concepts of folklore protection in a critical and scholarly manner, the Committee adopted a pragmatic approach and outlined a number of concrete measures which, if implemented by the Member States and Unesco, would improve the state of folklore in world culture, support existing mechanisms and create new ones for the national and international protection of folklore. As to the form of implementation of the recommended measures, most delegations underlined the need for an international instrument, whereas numerous other delegations expressed reservations concerning the advisability of adopting a legally binding instrument. A compromise was found in the statement that an international convention was probably not the best way of supporting folklore at this point, but a recommendation given by the General Conference of Unesco to the Member States might be a possible solution.

The task of the Special Committee

Resolution 15.3. of the 23rd General Conference of Unesco (Sofia 1985) requests the Director General to convene a Special Committee of Governmental Experts to "decide whether the safeguarding of folklore could be an object of an international instrument in the form of a recommendation to the Member States" and to give a report to the next General Conference (1987). There seems to be some need to extricate the recommendation from the copyright-oriented approach which aims at a legally binding instrument and concentrates on restrictive action and criminalisation of the misuse of folklore. The Second Committee voiced its doubts as to the feasibility of making this approach the dominant one at the expense of more positive action to support folklore work. It is most likely that the hesitancy of some Member States in this matter derives from the overemphasis on legal action to protect folklore. The copyright aspect may be viewed in the context of the administrative possibilities and practices of existing folkloric infrastructures, for example. On the other hand, there is a need to look at the social, economic and political factors involved in the various elements of recommendations as defined by the Second Committee. The task of the Special Commit-

tee could be to review these recommendations, select, clarify and complement the elements most likely to constitute a core recommendation in harmony with the interests of most Member States and thus capable of being adopted and passed by the General Conference.

A positive but not legally binding international instrument would seem to be in greater accordance with the present stage of development in safeguarding folklore than merely stating that folklore belongs to the national comain. There is no reason to deny that ninety per cent of the effectivity of any form of protection is in the hands of sovereign, national policy. The question is, rather: should this protection profit from a recommendation by the international cultural community stressing the worldwide acceptance of certain principles and suggestions for future cooperation and assistance?

The task of the Special Committee would thus be

a) to discuss the feasibility of an international instrument in the protection of folklore,

b) to decide on the best form of such an instrument,

c) to review, select, clarify and complement the elements of the conclusions and recommendations made by the Second Committee of Governmental Experts on the Safeguarding of Folklore in view of their possible inclusion in a core recommendation to be defined by the Special Committee,

d) to discuss the role of Unesco, Member States and international organisations involved in folklore work in view of the forms of possible implementation of t.ie core recommendation,

e) to decide upon the final formulation of the core recommendation.

The work of the previous Committees will here be summarised and commented upon in view of the discussions to be held in the Special Committee.

The definition of folklore

The term 'folklore' is a technical concept and should not be confused with the innumerable interpretations as to what is or may be included in folklore in different cultural traditions, academic disciplines or national cultural policies. There has been some tendency at previous meetings to expand the term by referring to such broader concepts as "traditional culture" or "popular folk culture". There may be various reasons for such expansions: the orality of folklore may seem too narrow in cultures where interaction with the literary tradition has been one of the characteristics of folklore processes, or it may seem to be necessary to include phenomena of material culture in the concept, or the concept may seem less acceptable because of its unfavourable or derogatory stamp on the national

scene. These and other similar doubts should not engage the Special Committee in long discussions. It will be recalled that not even the best possible definition of folklore can solve the problems of safeguarding folklore. Much more important is to visualise the folklore process in its entirety: the "first life" of folklore, the natural, mostly unnoticed presence of folklore in tradition communities; the growth of an awareness of traditions and cultural or social identities, partly expressed through folklore; collection, informant - collector/researcher relationships; archiving, documentation, analysis, editing and publication; the impact of the "second life" of folklore in non-original cultural contexts; the nature of feedback in the communities where folklore was collected, the cultural emancipation of these communities and the elimination of "scholarly asymmetries"; various culture-political uses of folklore; the commercialisation of folklore in different contexts such as tourism, festivals, entertainment industries; the inclusion of folklore in educational curricula; the integration of elements of folklore into literary and "high art" cultures; the creation of institutions and policies for the conservation and preservation of elements of folklore; and finally, the creation of forms of international cooperation and exchange in the field of folklore work. It is against the background of these processes that the tasks of folklore protection will have to be defined, the concrete subject matter of folklore products probably varying greatly from case to case. All this calls for a deeper understanding of the cultural, social and economic processes into which folklore is woven. If and when the need for some kind of regulation, standardisation or promotion of these processes ever arises, good judgement and flexibility of methods will be a standard requirement if folklore itself, the tradition communities maintaining it, and various professional groups working with folklore as well as the public at large are to gain something from the safeguarding of folklore.

The definition of folklore adopted by the previous Committees is as follows:

"Folklore (in a broader sense, traditional and popular folk culture) is a group-oriented and tradition-based creation of groups or individuals reflecting the expectations of the community as an adequate expression of its cultural and social identity; its standards and values are transmitted orally, by imitation or by other means. Its forms include, among others, language, literature, music, dance, games, mythology, rituals, customs, handicrafts, architecture and other arts."

The definition places the emphasis on cultural and social identity. By way of comparison it may be interesting to read another, more recent definition formulated by the 4th Nordic Conference on Folklore Archiving and Documentation (organised by the Nordic Institute of Folklore in Bergen in September 1986), where the main topic was "The Safeguarding of Folklore".

"Folklore is collective, traditional knowledge formed by human creativity and phantasy. This knowledge is in certain cases manifest through expressive cultural forms and it is through these forms that folklore is transmitted. Folklore is continually created anew through performance situations marked by individual traits. Folklore is mainly communicated through words and actions, but even in artefacts, such as food, clothes, art and buildings, one can find ideas and symbols which are folklore. Variations in form and content resulting from oral transmission are the most reliable characteristics of folklore. Even written and mass media forms are folklore to the extent that variations occur. The terms tradition and folklore overlap. Tradition is a wider term than folklore, but folkloric performance can contain elements that are not part of tradition. Folklore reflects the world view of different folk groups, and strengthens the identity of these groups." (NIF Newsletter 4/1986, p. 21.)

More definitions will be produced by scholars in the future, but even these two can give an approximate idea of the nature and content of folklore. Material culture is included, not as objects primarily but as ideas and processes. Since there are already both national and international ways of protecting the material cultural heritage, the emphasis in folklore protection must be on the non-physical heritage. In Unesco this area again received new attention at the Second World Conference on Cultural Policies in Mexico in 1982. Since then a special Section of Non-Physical Heritage has been created at Unesco. The support for the safeguarding of folklore that is expected from Unesco will probably come partly from the programmes administered by the Section of Non-Physical Heritage.

The identification of folklore

By identification the previous Committees have denoted the need for an inventory of the world's folklore materials in order to safeguard them. Recognising living forms of folklore, especially those running the risk of extinction under the pressure of modernisation, technological development and unifying mass culture, is one task of identification, an inventory of existing collections and archives containing folklore another. The conclusion of the Second Committee on identification was as follows:

"Folklore as intellectual property must be safeguarded by and for the group (familial, occupational, national, regional, religious, ethnic, etc.) whose identity it expresses. To this end, it would be advisable:
1. to make a register of institutions concerned with folklore;
2. to set up identification and recording systems (collection, transcription, cataloguing) or to develop those that already exist;
3. to establish a standard typology of folklore;
4. to coordinate the classification systems used by different institutions."

The tasks set up here refer to basic groundwork in the field of folklore. The need for international cooperation is obvious in all four tasks. Actually it is pre-

cisely the international exnange of information and some coordination of activities that are likely to be linked with each other sooner or later by the development of information technology that the identification refers to. Task 1 reflects the rather accidental and chaotic state of international information on folklore institutions, largely due to the lack of coordination at national level and lack of cooperation at international level. The comparison with museums is a case in point: there are lists of museums and international organisations for museum work, also at work within Unesco. Material culture seems to be better off than the non-physical heritage. The important thing about a register of folklore institutions is permissiveness: since these institutions have never been organised as a group and since the development of infrastructures has differed from one country to another, there is no need to exclude, for example, institutions only partially involved in folklore work.

Task 2 aims at handbook-level standardisation of the documentation processes in folklore. This may be seen as a national task, but in fact the development of information technology presupposes the transferability of folklore data between data-bases in different countries. Hitherto there has been much individualism in the rules for collection and cataloguing, and national authorities have not been able to find generally acceptable norms to be recommended, say, to collectors receiving support from public funds. The task is closely connected with Task 4, the coordination of classification systems between different archives. There is no need to change the archiving routines too abruptly or from the outside: most folklore institutions are like sovereign states, but the situation is at present in favor of coordination on terms that archives and other institutions can agree upon. The development should start with national surveys on the need for coordination and proceed to regional and other international surveys.

Task 3 is probably the most central and most difficult one for identification. Some areas of folklore have been placed in coherent taxonomies, but others have not. There are several gaps and lacunae between the typologies of foiktales, ballads, riddles, proverbs, etc. Existing classifications have not been synchronised, not even within one and the same genre. Folklore materials do not find a natural place in such global classificatory systems as HRAF (Human Relations Area Files) or UDC (Universal Decimal Classification). The final aim of folklore typology at global level cannot be reached without dividing the task into several projects, which may also need time. One target would be a "General Outline of Folklore", a transcultural, phenomenologically comparative set of categories of folklore based on folkloric phenomena easily found in most cultures of the world. This typology is much needed for orientation purposes and could be produced by a group of experts from different research traditions and cultural milieux. An international conference on the standard typology of folklore would be necessary

to criticise and test the result. Some folklore archives in different parts of the world could be chosen for practical testing of the system which, if successful, could be disseminated for worldwide application at a later point in time. A second target would be a "Comprehensive Register of Folklore", on a lower level of abstraction than the previous Outline but still transcultural, comprising detailed information on the forms and types of folkloric products and phenomena, linking together selected items from existing catalogues and type systems but placing them in a new order and providing for bibliographic reference. For this purpose available classifications and taxonomies of folklore should first be inventoried and possibly stored as a data-base. The third field of work would be "Regional Classifications of Folklore", not necessarily transcultural but locally descriptive systems of tradition, archival or natural, enabling users to see the 'live' systems in tradition and ways of incorporating them into internationally accepted classification systems. This task presupposes close contact with living folklore and would best be carried out in the form of pilot projects in the field, preferably in different parts of the world.

The elements to be considered for inclusion in the core recommendation under identification could perhaps be reduced to the following three:

a) the creation of identification and recording systems (collection, cataloguing, transcription) or the development of those that already exist by way of handbooks, collecting guides, model catalogues, etc. in view of the need to coordinate the classification systems used by different institutions;

b) a national inventory of institutions concerned with folklore with a view to its inclusion in regional and global registers of folkloristic institutions;

c) participation in the creation of a standard typology of folklore by way of a General Outline of Folklore for global orientation, by way of contributing materials for a Comprehensive Register of Folklore and by supporting Regional Classifications of Folklore, especially fieldwork pilot projects.

The addressees of the recommendations (Member States, Unesco, international organisations and institutions in the field of folklore) will have to be dealt with separately.

The conservation of folklore

The ultimate legitimation of the existence of an infrastructure for archiving and research institutions in the field of folklore is that times change and so do folk cultures: what was once important falls into oblivion. Preserving a picture of the past as it was is perhaps the prime task of the institutional scholarly network

dealing with the intellectual properties of folklore. By documenting certain traditions this system encapsulates and puts aside parts of folklore for subsequent reviewing.

The Second Committee expressed this view and gave some recommendations:

"Conservation is concerned with documentation regarding folk traditions and its object is, in the event of the non-utilization or development of such traditions, to give researchers and tradition-bearers access to data enabling them to understand the process through which tradition evolves and changes. While living folklore, owing to its evolving character, cannot always be directly protected, folklore that has been fixed in a tangible form should be effectively protected. To this end, it would be advisable:
1.   to establish a network of archives where the information and documents collected would be stored;
2.   to create museums where folklore will be exhibited, to develop museums of folklore or the folklore sections in the multidisciplinary museums and to establish data or archives centres;
4.   to establish an index of all institutions and persons holding items of folklore;
5.   to train collectors, archivists, documentalists and other specialists in the conservation of folklore."

Ideally every country should have a network of archives, libraries, museums, or other interested institutions willing to receive folklore materials for conservation. Much folklore work is spontaneous and may not be easy to link with permanent institutions, because enthusiasm for collecting something often comes in waves and its targets tend to change. Considerable freedom should therefore be left for broad interest in folklore as expressed by social groups, various societies, professions and individuals. It is precisely the freedom of the folklore processes themselves that is at stake here: there is no need to regulate them, because they are expressions of social development, the selection of value symbols and a manifestation of cultural identity. But precisely in view of the lack of any coherent or institutional background to folklore movements, it is crucial to create networks of institutions that care for the materials collected even after interest in them has died down among the instigators of the movement. The technical requirements of conservation can also mostly be met only by professional archivists at institutions. The same can be said of control of the use of materials, for research, education, entertainment, etc., of central importance to folklore protection.

Since the question of the ownership of the material is so delicate, especially in the case of contemporary, living tradition, full use should be made of the possibility of making copies of most folklore materials. If technology can provide a solution, it should be used. If the tradition community itself shows interest in creating some kind of collection, archive or museum, it should receive support. If an individual wants copies of material he or she has amassed, his request should be granted. A copy of the material should always remain as close to its

place of origin as possible, provided that its conservation and control of its use are properly taken care of. A practical solution may be found in the nearest regional archive or institution with archiving facilities. But there should always also be some larger archive willing to take in materials from any part of the country.

An effective network of folklore archives presupposes the introduction of a central archive function which may be separate or located in conjunction with some existing archive. The central archive does not collect primary materials but assembles knowledge about existing materials for a central catalogue, probably in the form of a data-base, to permit information services for various groups of users of folklore materials. The central archive can supply information on the content, availability and cost of copying certain materials, but it cannot give the materials themselves. The central archive is well informed of various standards and regulations that apply to folklore work and is also active in disseminating this information. It is clear that for the purposes of safeguarding folklore the central archive is most important. To avoid any misunderstanding it must be emphasised that the central archive is a service function, not a bureau administratively above the folklore archives proper.

Task 2 reflects the unsatisfactory state of intellectual folk tradition at museums; only objects are allowed in, not oral traditions. With modern audio-visual techniques it should not be difficult to change this situation in favour of oral, behavioural and dramatic folk traditions. Sound-tapes and videos can do much to enrich a visit to a collection of isolated objects. Because institutions are self-perpetuating, it may be difficult to bring about changes at well-established museums. Some administrative pressure in the form of an authoritative recommendation from outside might encourage many museums that may already be thinking along these lines.

Task 4 seems to be an expansion of task identification a), the inclusion of persons in the inventory. On a national level this may be well motivated, because the contribution of individuals is by no means dependent upon links with some institution interested in folklore. There are also some private collections in the possession of individuals. The question is, should this expansion which may add considerably to the volume of a register, be included in the core recommendation, and if so, in what form?

Task 5 is most important. From an international perspective the need for training courses is very concrete, because so many countries have started or restarted their folklore work only recently. There is a need to exhange experiences, to compare working situations, goals and techniques, to raise the analytical and theoretical level of folklore work, not only from the point of view of conservation but research in general. Countries with long traditions in folklore

collecting, archiving and research may be able to give some advice and help which will save the less-developed infrastructures from many unnecessary mistakes. Bilateral cultural agreements, e.g. between Finland and China, have proven to be effective channels for balanced cooperation in the techniques of fieldwork and archiving. One factor in the contemporary development is the rapid increase in technical innovations which is making the training of archive personnel urgent.

There are some aspects of conservation which the Second Committee either did not analyse or mentioned only in passing. For example, the physical conservation of manuscripts, photographs, films, sound and video tapes, etc. in different climates is an urgent field for research, not a matter of writing a simple recommendation. Documentation materials are sold without any guarantee of how long and under what conditions they will last intact. The copying of old wax cylinders is an example of how modern methods can save and even improve the quality of sound and make available materials thought to be doomed. Similar miracles may be needed to save much of the existing folklore material which is rapidly deteriorating in unfavourable climatic conditions and/or has been placed in unsafe archive rooms in unsafe areas. An example would be the folk music collection of a central institution in Mexico City: no copies exist of the material, which is stacked in one small room in a house in the middle of the earthquake zone. Valuable manuscripts centuries old and more recent folklore collections are kept on open shelves in Dhaka; no copies have been made. Most Committee members could probably come up with similar examples. The recommendation on conservation should therefore state very clearly that the physical security of folklore materials is at risk and that the least that can be done is to provide at least one security copy of all materials, preferably more in view of wear and tear. Security copies should be placed elsewhere, e.g. in regional archives (cf. above), and working copies should be made and used in analysis, cataloguing, borrowing, etc. The originals should be kept in the best possible archive conditions to permit further copies.

Among the elements to be considered for inclusion in the core recommendation under conservation are the following:

a) the establishment of a network of archives where collected folklore can be properly stored and made available for controlled use;

b) the establishment of a central archive function for service purposes (central cataloguing, dissemination of information on folklore materials and standards of folklore work including the aspect of safeguarding);

c) the creation of museums or folklore sections at existing museums where folklore can be exhibited;

d) the training of collectors, archivists, documentalists and other specialists in the conservation of folklore from physical conservation to analytic work;

e) the prcvision of means for making security and working copies of all folklore materials, and copies for regional institutions of materials collected in that region;

f) participation in international folklore work by attending training courses and conferences for archivists and in activities of international organisations concerned with folklore.

The preservation of folklore

Preservation refers to the immediate needs of tradition communities to preserve their traditions under the pressure of external cultural forces and hegemonies. It also refers to the revitalisation of folklore in a secondary context as part of constructing or moulding social identities or for the purposes of performance, entertainment etc. as well as to the need to safeguard the authenticity of folklore-based symbols and products in the modern circulation of information through the mass media. The Second Committee stated:

"Preservation is concerned with protection of folk traditions, having regard to the fact that the people have a right to their own culture and that their belief in that culture is often eroded by the impact of the industrialized culture purveyed by the mass media. Measures must be taken to guarantee the status of and economic support for folk traditions both in the communities which produce them and beyond. To this end, it would be advisable:
1. to introduce into educational curricula, at all levels, the study of folklore in an appropriate manner;
2. to take into account not only popular and rural cultures but also those created in urban areas;
3. to make available to local institutions copies of documents stored in central archives concerning a particular community or region;
4. to guarantee the right of the various ethnic groups and national communities to their own folklore;
5. to set up on an interdisciplinary basis a National Folklore Council or similar bodies where various interest groups would be represented.

This approach is necessitated, on the one hand, by the emancipation of traditional communities and, on the other, by increasing external pressures. The idea is that folklore can under certain circumstances help to eliminate those asymmetries created by the dominance of Western industrialised culture, high cultures in general and the mass media and entertainment cultures. These hegemonies tend to erode the feeling of self-esteem, self-reliance and tradition-oriented social and cultural identity. The nearest available and most immediate culture may in comparison with hegemonic cultural forms seem impotent, old-fashioned and trivial. Even educational work which is not well adjusted to various culture-ecological milieux may disseminate similar ideas and feelings. This leads to an alienation and hollow imitation of idols created partly by profit-hungry enter-

tainment industries. The folkloristic alternative to such development would be the realisation that progress is not equal to the abandoning of traditions, because traditions also change and are able to adapt to new developments, even changes in values and modifications of world-view. The pressure of modernisation and internal emotional erosion as experienced by most traditional communities may be partly alleviated by supporting some still dynamic traditions, or, in the extreme case, by revitalising them. It is impossible to judge, without having a particular concrete case in mind, when this kind of support or choice is well-placed, but the fact remains that it is also a natural process: traditional communities have started this fight in many ways, and what they need is recognition and appreciation, eventually also economic support, for their choice. In essence, there are forms of wealth and poverty in social life which cannot be measured in economic terms only. Folklore seems to be one of the few commodities available to the poorest communities, in fact, making them spiritually rich.

The practical implementation may seem problematic as far as preservation is concerned. Scholars are unwilling to steer the development of folklore, yet their advice may be much in need when decisions on the innovative uses of folklore are made. Traditional communities, on the other hand, cannot be properly represented by scholars or administrators; this places the onus of expectation on the emancipation of these communities, which could in the ideal case provide for folklore work and research themselves. Because of the difficulties of representation, special arrangements such as a National Folklore Council and/or a full-time official of the <u>ombudsman</u> type might be necessary to create authority and a forum for all interested parties, ranging from governmental offices and scholarly institutions to various professional groups, traditional communities and so on.

Elements to be considered for inclusion in the core recommendation under preservation could be:

a)   the introduction into curricula at all levels of the study of folklore in an appropriate manner, taking into account not only village or rural cultures but also those created in urban areas by diverse social groups, professions, institutions, etc. and thus promoting a better understanding of cultural diversity and different world-views, especially those not participant in the dominating literary civilisation;

b)   the guaranteeing of the right of various ethnic groups and national communities to their own folklore by supporting their work in the fields of documentation, archiving, research, etc. as well as in the application of traditions in performance;

c)   the setting up on an interdisciplinary basis of a National Folklore Council or similar authority representing various interest groups.

The dissemination of folklore

The documentation centres of folklore are not meant to become graveyards for past cultural forms. Their materials must be recycled in the society in an appropriate manner. This is the only way to let people reflect upon their own cosmos and learn to understand it in the mirror of folklore. Today numerous previously passive cultures have become activated and emancipated: the man in the street uses the terms "tradition" and "identity" as eloquently as the scholar investigating these phenomena. The situation is more symmetric than ever before in the history of folklore. It is not so much the first, natural life of folklore but the second life, the documentation and especially the recycling of folklore that creates the need for folklore protection. In this process unwritten folklore constantly seeks to become literature or some other form of art, thus finding itself a place in the totality of national and/or local culture. Because this is the only chance folklore has of becoming something more than the property of an insulated community, of making a contribution to world culture, the process should not be stopped.

The Second Committee expressed itself on dissemination in this manner:

"The attention of people should be drawn to the importance of folklore as an ingredient of cultural identity. It is essential for the items that make up this cultural heritage to be widely disseminated so that the value of folklore and the need to preserve it can be recognized. However, any caricature or distortion during dissemination should be avoided so that the integrity of the traditions can be safeguarded. To this end, it would be advidable:
1. to encourage the organization of national, regional and international folklore events such as fairs, festivals, films, exhibitions, seminars, symposia, workshops, training courses, congresses and so on and to disseminate them;
2. to publish information in bulletins and periodicals;
3. to familarize the mass media with all folklore events;
4. to establish institutes, documentation centres and libraries specializing in folklore;
5. to facilitate meetings and exchanges between individuals, groups and institutions concerned with folklore."

It may seem that there is some overlapping with the previous recommendations. This may be explained by the fact that the emphasis has been placed on the broad activation of public interest in folklore, on better general understanding of different cultural traditions in one's own country and abroad as well as on the availability of means to obtain all the information on folklore necessary for participation in folklore processes, for creative work or simply to satisfy the curiosity. The focus on scholarly work, so dominant under conservation, has partly been put aside, although it might be argued that it is precisely through scholarship that knowledge about folklore is disseminated. Reference to professional institutions specialising in folklore does, however, make it very

clear that the educational and publicising activities in question should always be based on thorough knowledge and scholarly analysis. Even so it might be desirable to specify some of the target groups of the "bulletins and periodicals" mentioned. Reference to the mass media - newspapers, journals and magazines, radio, TV and commercial video - could be more specified and also take into account the role that the media play not only in disseminating attitudes toward folklore but also in acting as instruments of documentation. Folklore collecting by way of questionnaires, competitions, various cultural programmes, etc. can easily amass folklore materials; most countries have occasional experiences of this. The problem seems to be that the media do not have archiving facilities nor do they have very systematic plans for documenting folklore. Considering that in most countries, especially in developing ones, national or regional TV is almost the only unit with adequate technical proficiency and apparatus for the audiovisual documentation of folklore, it should be emphasised that at least the most important national or regional media units should hire people trained in folklore documentation and research and make their technical facilities available for systematic documentation. The incoming material should not be thrown away but stored in TV, radio, newspaper etc. archives or, in some cases, deposited in folklore archives proper. In some countries there are already departments of ethnology or folklore at the TV and radio companies.

The most effective means of disseminating authentic folklore performances will be the commercial video. Every country should start creating at least one audiovisual centre for folklore work, where the results of modern video-based fieldwork can quickly be edited also for public review. This must receive financial support from the state, region and municipality, which can in turn use the films in schools, folklore museums, national and international folklore festivals and exhibitions. The training of researchers at the universities and archives will also profit greatly from video techniques.

One problem of dissemination is that jobs for professional folklorists in the field of "applied folklore" are very scarce. On the other hand, some countries show signs of growing interest in creating posts for "state folklorists" as well as other regional or sub-cultural functions (this is true of some industrialised countries such as the U.S.A.). In some countries various professions, occupational groups and even firms are interested in documenting the folklore of their field of activity (this is the case in Finland, for example); these projects may involve temporary assignments for folklorists, publication activities, and in many cases the material amassed through, say, a collection competition on occupational folklore may turn out to be remarkably good and "different" from earlier holdings.

Among the elements to be considered for inclusion in the core recommendation are:

a) encouraging the organization of national, regional and international events such as fairs, festivals, films, exhibitions, seminars, symposia, workshops, training courses, congresses, etc. and supporting the dissemination and publication of their materials, papers and other results;

b) the establishment of departments of folklore news and programmes at key units in the national and regional TV, radio and other media through special grants, by creating jobs for folklorists at these units, and by ensuring the proper archiving of the folklore materials collected by the mass media;

c) encouraging regions and municipalities to establish full-time jobs for folklorists for consultation and the planning of folklore activities in the region;

d) the creation of audiovisual folklore centres for the production of educational videofilms on the basis of recent fieldwork and other materials and encouraging their use in schools, folklore museums, at national and international folklore festivals and exhibitions;

e) ensuring the availability of adequate information on folklore through libraries, museums, archives, as well as through special folklore bulletins and periodicals;

f) facilitating meetings and exchanges between individuals, groups and institutions concerned with folklore, both nationally and internationally.

The development of legislation concerning folklore

The core recommendation to be considered by the Special Committee need not take up the issue of "legally binding international instruments", especially if these are apt to provoke controversy among the delegates on the Committee. This implies, among other things, that the Model Provisions for National Laws on the Protection of Expressions of Folklore Against Illicit Exploitation and Other Prejudicial Actions prepared by experts under the auspices of Unesco and WIPO and referred to in the reports of both previous Committees on the safeguarding of folklore would not be integrated in any manner in the core recommendation. It would be left to WIPO and the Unesco Copyright Division to decide whether and when to proceed in this matter.

The fact still remains that legislation is being created with no special regard for folklore but obviously concerning it, and sometimes in a way which may become detrimental to the development of folklore. In recent years the Nordic countries (at least Norway, Sweden and Finland) have introduced Secrecy Laws and Data Protection Laws (Right of Privacy Laws) which will apply to folklore and will probably lead to complete secrecy as to the name, sex, age, profession, etc. of informants submitting materials to archives. This will cause the archives

to change their routines from what has so far been the secrecy of certain collections in accordance with the wishes (often written agreements) of the informant. Something should be done to enable the publication of personal data on folklore informants in cases in which this is their expressed wish. Withholding their names comes close to demanding, say, that an artist may not sign his painting in the name of privacy.

Another undeveloped area is the judicial position of folklore archives. The problems of ownership and control of the use of archived materials are manifold: Who owns the material when the informant dies or once the agreed secrecy period has lapsed? If archives are to protect their holdings, what is their liability in the case of physical damage to materials, or what is their authority in granting permission for use, charging royalties in the case of publication, etc. of their materials? Has the collector any rights concerning availability of the materials he has submitted to the archives? (He may be concerned with the physical safety of materials, his chances of using them in his research prior to others, their proper cataloguing, and so on.) These and other issues were briefly referred to by the Second Committee as examples of actual problems that do not seem to be covered by the Model Provisions mentioned above.

The Special Committee might wish to include some general recommendation on the need to observe the special position of folklore in developing legislation that may apply to it.

The Second Committee on international cooperation

The Second Committe issued some recommendations to ensure the positive development of international cooperation in the field of folklore. These partly overlap with what has been suggested above in the more specified elements of the core recommendation. They are reproduced here for the reference of delegates at the Special Committee.

"In view of the need to intensify cultural cooperation and exchanges, in particular through the pooling of human and material resources, in order to carry out folklore development and revitalization programmes, Member States should be invited:
1. to cooperate with international and regional associations, institutions and organizations concerned with folklore;
2. to cooperate in the field of knowledge, dissemination and protection of folklore, in particular through exchanges of information of every kind, exchanges of scientific and technical publications, the training of specialists, the award of travel grants, the sending of scientific and technical personnel and equipment, the organization of meetings between specialists, of study courses and of working groups on particular subjects, especially on the classifying and cataloguing of folklore data and expressions;
3. to cooperate closely so as to ensure internationally that the various interested parties (community, or natural or legal persons) enjoy the econo-

mic, moral and so-called neighbouring rights resulting from the investigation, creation, composition, performance, recording and/or dissemination of folklore.

Task 1 is connected with the implementation of the core recommendation (see below). Task 2 is probably acceptable but overlaps to some extent with some previous elements of the Recommendation. Task 3 would be excluded, should the Special Committee decide to avoid any standpoint concerning the legal protection of folklore.

The Second Committee on the role of Unesco

In discussing the implementation of the recommendation the Special Committee may come to examine the best possible way for Unesco to participate in the implementation. The Second Committee expressed its opinion as follows:

"With regard to the activities that might also be undertaken by Unesco to safeguard folklore, the Committee considered that the General Conference might examine the following possibilities:
(a) establishing an international register of cultural property in the form of folklore, preceded by an inventory of the infrastructures conductive to a better knowledge of folklore;
(b) publishing at regular intervals a newsletter on the safeguarding of folklore, which would provide a link between all the institutions and persons to whom Unesco might wish to address itself;
(c) establishing, at a worldwide level, a standard typology of folklore and cultural property in a common indexation language, with the help of appropriate committees of experts;
(d) establishing a list of popular traditions selected by Member States as being most representative of their folklore heritage;
(e) providing developing countries with intellectual and technical assistance in the establishment of infrastructures and the training of specialized staff."

All the suggestions seem important. An initiative taken by Unesco lends authority and prestige at little cost. The economic factor arises when more permanent functions, such as the Newsletter, are created or more demanding projects are outlined. Participation in these forms would give more credibility to the approach within Unesco and elsewhere. The Special Committee may wish to examine the present possibilities of financing such initiatives within existing Unesco programmes. A separate programme for the safeguarding of folklore may be one alternative. Other financing alternatives should be sought; for example, some permanent functions such as the Newsletter could be offered to an existing folklore institution with some support from Unesco funds. It should be emphasised that even smaller grants from Unesco in connection with Tasks(a)-(e) mentioned above may prove important in funding the entire project.

The Special Committee may wish to consider the inclusion of the above recommendations in the core recommendation, once the form of this recommen-

dation has been decided and its implementation discussed.

Implementation of the core recommendation

There are at least three parties which may act in favour of the Unesco Recommendation on Safeguarding Folklore: Unesco itself, its Member States, and various international organisations and institutions concerned with folklore. In funding specific projects the number of participating bodies may increase.

Basically, the Recommendation is directed at Member States. It is their desire to engage in and enhance national folklore work and to open up avenues for international cooperation in this field that is at stake. The emphasis in the Recommendation will be on the latter, international cooperation, because without this there will be less hope of improving national policies concerning folklore work. A recommendation passed by the General Conference, even if it is in no way legally binding, will enhance the status of folklore in Member States and internationally. It may be considered as a launching pad for future developments.

Unesco should invest some of its meagre resources in the safeguarding of folklore. There may already be quite a few projects in the existing programmes that are relevant in this context, but new initiatives must be taken if the Recommendation becomes a fact. Of great importance is the correlation of new initiatives to the concrete suggestions included in the Recommendation. It would . create an unfavourable picture of the coherence of work within Unesco if projects entirely different from those included in the adopted Recommendation were given priority. The previous Committees have recommended the creation of a "task force" of a more permanent nature than the one-time Committees within Unesco in view of the need for extended expertise in the planning and evaluation of projects. The Special Committee may wish to consider the inclusion of some suggestion in this respect. Small workshops and expert groups are needed, for example, in planning the standard typology of folklore or in creating an international information network for the time when committee meetings cease to function.

International organisations and institutions in the field of folklore may in the present situation constitute a resource that has by no means been exhausted. Their interest is reflected in the number of observers sent to the previous Committee meetings. On the other hand, there are institutions and scholarly organisations not so visible but represented indirectly through the members of the national delegations. What is needed now is contacts from Unesco to all those organisations, global or regional, that are likely to be able to offer some assistance and cooperation in the future. A list could be circulated at the Special Committee sessions with a request for the names and addresses of such

institutions and organisations. These should receive all information on the present state of the safeguarding of folklore that Unesco can give, perhaps with a request to send to Unesco (a) their view on the action taken so far, (b) suggestions of future action and (c) an estimate of the ways and forms of their own future participation in this process. Once the Recommendation has been passed, the responding organisations might be engaged in its implementation by suggesting some concrete form of cooperation.

There are certainly other forms of international cooperation which cannot be dealt with in detail here. For example, there are regional institutes (in the Nordic countries, in the Arab Gulf states, etc.) which could assume certain responsibilities in their area. Bilateral cultural agreements between two countries have also been utilised for cooperation projects in the field of folklore. There are networks of societies of a regional character (for example, in the People's Republic of China), plans for regional cooperation in some form (e.g. in the SAREC countries) as well as scholarly societies which have all the top experts in the field (of folk-narrative studies, folk music, etc.) within their reach. All these sources of information should be contacted and also used for disseminating information on folklore protection. Direct contacts with foundations financing development work in the Third World might open new paths for international cooperation in the form of training courses, equipment, etc. Government departments for international development aid should be contacted and informed about actual needs and the potential for pilot projects and training courses in the field of tradition.

The Special Committee will have to decide upon the possible inclusion of recommendations to (a) Member States and (b) Unesco and upon the form in which international organisations and intergovernmental and other regional institutions or professional organisations may be included.

Final formulation of the Recommendation

Once the Special Committee has completed its work it may be necessary to finalise the wording in accordance with the discussions and within a rather tight schedule. Should the Unesco Secretariat and the Special Committee so wish, it should be possible to nominate 3-5 consultants who could meet the secretariat at a later point in time and assist in the wording of the Recommendation to be submitted to the General Conference of Unesco.