Bottoms, Genuine and Spurious

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1 Introduction

Over the course of the past forty years, the concept of participation has profoundly modified the discourse and practice of international and national policy-making and implementation, in areas as different as urban planning and community development (Arnstein 1969; Cornwall 2008), humanitarian aid (Hinton 1995), the environment (Eden 1996) and international development (World Bank 1996; Michener 1998; Botchway 2001). The participatory approach is at the center of a semantic field filled with familiar if vague notions: “engagement,” “ownership” and “empowerment,” are the desired or imagined results of administrative and political processes that range from “capacity building” and “consultation” to the use of “focus groups,” “lay experts” and “hybrid forums” in the formulation and applica-

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1 Younger readers might not recognize this reference to Edward Sapir’s famous article “Culture, Genuine and Spurious” (1924). In it, Sapir characterizes culture as one of a set of concepts that “label vague terrains of thought that shift or narrow or widen with the point of view of whoso makes use of them, embracing within their gamut of significance conceptions that not only do not harmonize but are in part contradictory” (Sapir 1924: 401). Much the same proviso applies to the concept of “the bottom,” as I hope to demonstrate. The research for this article is based on a grant from the Swiss National Science Foundation, Interdivisional co-ordination and co-operative research (CORE), grants n° CRSII1-141927 (“Intangible Cultural Heritage: the Midas Touch?”) and CRS111-127570 (“Intangible Cultural Heritage in Switzerland: Whispered Words”). I extend my thanks to the FNS and to the fine team of scholars who have worked with me on this project. I would also like to thank the colleagues at the Trilateral Villa Vigoni Workshops on “Institutions, Territories and Communities: Perspectives on Translocal Cultural Heritage”, and in particular Nicolas Adell, Regina Bendix, Chiara Bortolotto and Markus Tauschek for organizing these fruitful encounters.
tion of policy. Indeed, the notion of participation has become so widespread and unavoidable that some authors speak of it as “the new tyranny” (Cooke and Kothari 2001), an ideology that serves to mask political interests and smooth over controversy by appealing to an unimpeachable political subject – “the community” – and a seemingly self-executing mode of administration – “the bottom-up approach.”

By all accounts (Seitel 2001; Blake 2009; Bortolotto 2011; Urbinati 2012; Berliner and Bortolotto 2013; Brumann in this volume), the brandishing of bottoms in the area of heritage policy began with the 2003 UNESCO Convention for the Safeguarding of Intangible Cultural Heritage (hereinafter: ICH Convention), for it is the ICH Convention and the discussions leading up to its formulation that led UNESCO into a full-body embrace of the participatory paradigm. Eschewing expert-based determinations of the content and value of cultural heritage, the ICH Convention promotes a “bottom-up” approach in which “communities, groups or, if applicable, individuals” (UNESCO 2003: passim) are held to be the principal actors in decisions about what is important, endangered and worth safeguarding in the area of ICH. Without resolving all of the questions raised by this new paradigm, the UNESCO Secretariat has given considerable thought to what “participation” means in the context of ICH, soliciting the impressively complex document entitled “Expert Meeting on Community Involvement in Safeguarding Intangible Cultural Heritage: Towards the Implementation of the 2003 Convention” (hereinafter: Expert Report on Community Involvement) (UNESCO and Asia/Pacific Cultural Centre for UNESCO 2006).

The present contribution is a product of my discomfort over the way in which these notions apply (or fail to apply) to the area of ICH in general, and in Switzerland, the context I know best, in particular. By ratifying the ICH Convention in 2008, Switzerland signed on to this program of participatory politics in the area of cultural heritage, and its cultural authorities have taken the idea of a “bottom-up” approach to the constitution of the national inventory of ICH quite seriously. However, neither at the international level nor in Switzerland is it entirely clear what the common-sense phrase “bottom-up” means or implies. Concretely put, while the institutions and people who occupy “the top” in Switzerland are relatively identifiable (officials responsible for cultural policy at the cantonal and federal levels, and the experts they consult), it is simply not clear who counts as “the bottom.” Thus, the initial cause of my discomfort was empirical and practical:

2 In the interests of reflexivity, I should state at the outset that I have been both actor and observer in Switzerland’s implementation of the ICH Convention. How this double role has affected my conclusions should become clear over the course of this article. However, as a general statement, it would be fair to say that my initial reaction was hostility, and while that position has been largely softened by my appreciation of the complexities and ambiguities of this process, I have not entirely shed my initial doubts about the ICH Convention’s legitimacy, intellectual coherence and usefulness (see Hertz forthcoming).
Where, precisely, is “the bottom,” and what kind of life form might it represent? Who can legitimately claim to be there or it, and what must they do to remain so? If “bottoms” are the opposite of “tops,” does being a bottom simply mean being the opposite of a government official or expert? But what is the opposite of an official or expert? Must one demonstrate powerlessness or ignorance? And what if, through the very process of promoting ICH, one’s influence and expertise increase? Does one then cease to be a legitimately representative of “the bottom?”

As I probed these questions, my discomfort became more systemic. Switzerland can rightly pride itself on the multiplicity of its democratic institutions. In this context, adding another layer of “participation” to the repertoire of political procedures, particularly as applied to the safeguarding of heritage and traditions, could seem unnecessary. What does the ICH Convention mean by “participation” over and above the many ways in which Swiss citizens are already encouraged by law and by their political institutions to participate in the governing of their country? The constant references throughout the ICH Convention, as well as their guidelines, publicity material and working papers, to “the community, group or, if applicable, individuals” only make things more complicated. Who are these people if not simple citizens? What are the differences between these collective entities and individuals, and, since human beings are all individuals in the end (or at the beginning), what does “applicable” mean in UNESCO-speak? Do these communities—groups—or—if-applicable-individuals (hereinafter: CGoials) represent a different kind of “bottom,” more legitimate than mere inhabitants empowered to vote, sign initiatives, oppose new construction, create associations, or request money from cultural authorities?

In this chapter, I will explore some of the conceptual and procedural conundrums that the ICH process has made visible in Switzerland, for I believe that this small and peculiar country represents an ideal case for shedding light on the political and ideological blindspots of the participatory paradigm. My guiding question is the following: What is the relation between the participatory paradigm and good-old-fashioned citizenship? Put otherwise, by encouraging the participation of CGoials in the constitution and management of ICH, is Switzerland simply encouraging more citizen involvement in cultural activities, or is it empowering entirely new political entities to play a key role in the cultural governance of this country? I hope to answer these questions empirically, but they clearly suggest another, normatively oriented question that I will leave open for further discussion: If the ICH Convention has the effect of creating and legitimating new cultural actors, is this a desirable outcome, and has it been arrived at through procedures that respect the “free, prior and informed consent” of Swiss citizens?

In exploring these questions, I will draw on the analysis of “the social base of folklore” proposed by Noyes (2012) in her useful entry in A Companion to Folklore (Bendix and Hasan-Rokem 2012) for, I argue, the implicit conceptual framework that guides our understanding of “the bottom” is largely identical to folklore scholars’ centuries-old attempts to understand where and what “the folk” is or are.
Following Bauman (1971), Noyes identifies three main paradigms for conceptualizing the folk. The first of these – call it the “foundational conception” – locates the folk at “the deepest stratum of social life, flattened and superseded by the historical, hierarchical, or institutional overlay of modernity” (Noyes 2012: 14). Foundational folk are essentially innocent: Unsullied by institutions or other mediating forms, uncontaminated by self-consciousness, they are always already there, simply going about the business of being.

In a second paradigm – let us call it the “relational conception” – the folk takes the form of communities that “assert or maintain [their] differential being against external pressures” (Noyes 2012: 15). Relational folk do not have quite the innocence of their foundational brethren: They are not always already there but actively, even contentiously so. However, as this conception has developed historically over the course of the 19th century, it has mainly indexed marginalized, stigmatized or oppressed collectivities, the by-products of processes of modernization, urbanization and colonization. Thus, their attempts to consolidate themselves through collective investment in the “cultural stuff” (Barth 1969) that distinguishes them from their neighbors – their attempts, in short, to portray themselves as foundational folk – are often ennobled by the violence and inhumanity of the (internal or external) colonial encounter.

Finally, more recent scholarship has argued for a “performative conception,” defining the folk as that which is produced through its diverse vernacular expressions and performances in the “contingencies of a situation it seeks to transform” (Noyes 2012: 15). Performative folk represent another kind of innocence, the innocence of fluidity, dynamism and evanescence, in which doing has ontological priority over being. However, as Noyes points out, the “contingency” of the performative turn in folklore studies has called into question the notion that there exists “[a truly] isolable object”, a collectivity that is simply “out there,” independent from practice or performance itself (ibid.). In sum, performative folk may not be folk at all, a problem I will return to below.

As I hope to demonstrate, the confusion and ambiguities in the administration of ICH reflect vacillating engagements with each of these conceptions. Furthermore, none of them quite explains how ICH actually plays itself out in Switzerland. As intimated, I argue that it is only by introducing another, non-folkloristic figure of “the bottom” – the citizen, in all her interest-based, ill-informed partiality

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3 On this point, it is to be feared that the post-colonial, UNESCOesque celebration of “cultural diversity” has blinded us to the problematic relationship between ethno-cultural differentiation and social conflict, even warfare. In his famous talk “Race et Culture”, commissioned by UNESCO in 1971 to inaugurate the “International Year for Action to Combat Racism and Racial Prejudice”, Lévi-Strauss (1971) made this point in no uncertain terms: “on doit reconnaître que cette diversité culturelle résulte pour une grande part du désir de chaque culture de s’opposer à celles qui l’environnent, de se distinguer d’elles, en un mot d’être soi.” For a vigilant, universalist approach to ICH that attempts to avoid this trap, see Lucas and Bisou 2012.
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(Lippmann 2009 [1927]) – that we can gain purchase on the form and function of ICH in democratic societies.

I begin with a brief overview of UNESCO’s embrace of the “bottom-up” paradigm, highlighting, as others have before me, some of the difficulties it raises, both conceptually and practically. I will then propose a (scandalously) schematic analysis of Switzerland’s deep structural attachment to “bottoms,” outlining two related but different semantic fields historically evoked by this idea, one “foundational,” the other “relational.” When applied to our analysis of how the ICH Convention was implemented in this country, we find traces of these “bottoms” but few fully fledged materializations. I will demonstrate this through an in-depth examination of how ICH inventorization was accomplished in a canton that is said to have undertaken a genuinely “bottom-up” approach. What emerged in this process was rather a mixture of “relational” and “performative” bottoms, and more importantly, collectivities of just plain old citizens. I will conclude by examining the implications of this surprise encounter with citizenship for ICH administration in democracies.

2 Conceptualizing Participation in ICH Directives

It has become commonplace to point out that the ICH Convention is the first of the UNESCO Conventions that places the “participation” of “communities, groups or if appropriate, individuals”, along with their “free, prior and informed consent”, at the center of its scheme for the safeguarding of cultural heritage worldwide.4 Article 15 of the ICH Convention explicitly recommends a participatory approach5 and Articles 2.1, 11, 12 and 13 make reference to the centrality of “communities, groups and, where appropriate, individuals” in the operationalization of ICH (UNESCO and Asia/Pacific Cultural Centre for UNESCO 2006: 7). One of the clearest indications of this centrality is the decision not to adopt a so-called “objective” standard of value for ICH, to be applied by expert agencies. This orientation is in stark contrast with the 1972 World Heritage Convention that stipulates, in Articles 1 and 14.2, respectively, that protected World Heritage meet the standard of “outstanding universal value” and that the Director-General of UNESCO be assisted in the preparation of all necessary documents by experts

4 Brumann (2013) argues that the participatory paradigm of the ICH Convention has had spillover effects on the entire architecture of heritage protection at UNESCO. He focuses on the changing administrative practices surrounding the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage, in which an increasingly anthropological understanding of world heritage has led to greater attention paid to the intangible aspects of material heritage, sites and landscapes, and thus to the groups who practice or are affected by this heritage in various ways.

5 “Article 15 – Participation of communities, groups and individuals. Within the framework of its safeguarding activities of the intangible cultural heritage, each State Party shall endeavour to ensure the widest possible participation of communities, groups and, where appropriate, individuals that create, maintain and transmit such heritage, and to involve them actively in its management.” (UNESCO 2003).
from the International Center for the Study of the Preservation and Restoration of Cultural Property (ICCROM), the International Council of Monuments and Sites (ICOMOS) and the International Union for the Conservation of Nature (IUCN).\textsuperscript{6} Another indication of the centrality of the participatory framework is the mandatory use of informed consent forms in the constitution of files to be presented for inclusion on the two UNESCO lists of ICH,\textsuperscript{7} the forms serving implicitly as a kind of guarantee or testimony that at least a minimal form of participation – consisting in being (ideally) well informed and signing a document – was respected. Notably, these forms are made available not only to the Intergovernmental Committee that evaluates submissions but also to the public at large, thereby materializing the presence of certain (kinds of?) humans in the creation, recognition and valuing of ICH, as represented by the hand-penned signatures of those who have been assigned the role of “bearers” of heritage within the international arena.\textsuperscript{8}

The fixedness of the phrases “community, group or, if applicable, individuals” and “with their free, prior and informed consent” – no synonyms, approximations or shortcuts are in evidence – and the repetitive and mechanical quality of their use within both the ICH Convention and the Operational Directives for the Implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage (hereinafter: ODs, see note 8) suggest that the reader of these documents is face-to-face with a real live legal fiction, a phrase that has been “coined” over the course of laborious negotiations between State parties and UNESCO staff so that it can circulate as currency in international exchange, allowing its users to gain purchase on certain kinds of entities legitimated by the international normative framework (Hertz 2010: 5, note 8; see also Groth 2012). These phrases are notably central in the ODs, suggesting that they are crucial not only to the conceptual scheme set forth by the ICH Convention but also to its operationalization. CGoiIs must be the object of “functional and complementary cooperation” (ODs Article 79), their participation must be facilitated by a “consultative body or a coordination mechanism” allowing them to identify, define, and draw up inventories of ICH, elaborate and implement programs, projects and activities, prepare nomination files, remove elements from lists and transfer them from one list to another (ODs Article 80). CGoiIs must be “sensitized” to the value and importance of

\textsuperscript{6} For the full text of the Convention, see http://whc.unesco.org/en/conventiontext/ <accessed April 20, 2014>.

\textsuperscript{7} The requirement of “free, prior and informed consent” appears in four places in the UNESCO Operational Directives for the Implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage (for full text, see http://www.unesco.org/culture/ich/en/directives <accessed April 20, 2014>.

their ICH (ODs Article 81); they should have their capacities built (ODs Article 82); their access to research on ICH facilitated (ODs Article 85); and they should be encouraged to form networks amongst themselves (ODs Article 86). Indeed, they may even be invited to participate in meetings of the Intergovernmental Committee within the limit of available resources (ODs Article 89). However, a closer look at the ODs, taken in conjunction with the interpretation provided by the Expert Report on Community Involvement (UNESCO and Asia/Pacific Cultural Centre for UNESCO 2006), the product of a series of meetings convened in Tokyo in 2005–2006 in order to prepare the ODs, brings to light a number of important discrepancies between this conceptual framework and its operational mechanisms.

3 The Social Base of CGoiaIs

As mentioned above, the functional equivalent of experts in the ICH paradigm are explicitly CGoiaIs. Notably, however, the ODs also mention two other types of actors (beyond State parties, Commissions and the Secretariat) who have a role to play in the operationalization of this paradigm: On the one hand, “experts, centres of expertise and research institutes” (ODs Articles 79–89); on the other hand, non-governmental organizations (ODs Articles 90–99) which, while they are not themselves “communities” in the sense outlined above, nonetheless possess “a regular active membership”, which forms “a community linked by the desire to pursue the objectives for which [the NGO was] established” (ODs Article 91(e)i). This is the clearest sign that the ICH Convention is not, strictly speaking, a purely CGoiaIs-based affair. Rather, as Bortolotto has pointed out (Bortolotto 2012), while its legitimating ideology and many of the operational mechanisms of the ICH Convention may be “bottom-up” in tone, the ICH Convention allows for and even requires a number of “top-down” interventions that it does not thematize as such. This is confirmed by the Expert Report on Community Involvement, which explicitly concludes that while “the practitioners and custodians of ICH must play a central role in safeguarding measures, [...] top-down and bottom-up approaches are equally indispensable for designing and implementing measures at the national and the international level.” (UNESCO and Asia/Pacific Cultural Centre for UNESCO, 2006: 8).

Once it is acknowledged that CGoiaIs are central to the idealized model of ICH set forth in the ICH Convention but not necessarily to its implementation, the co-presence of “top-down” and “bottom-up” approaches to ICH, as expressed through in the ODs, becomes glaringly obvious. Under the heading “Participation in the implementation of the Convention,” Article 79, for example, makes a finally rather weak recommendation: “the Committee encourages States Parties to establish functional and complementary cooperation among communities, groups and, where applicable, individuals who create, maintain and transmit intangible cultural
heritage, as well as experts, centres of expertise and research institutes” (emphasis added). How priority or relative legitimacy is divvied up amongst these different actors in the case of disagreement or conflict is not specified, and seems not even to be imagined as a potential area for clarification. While the creation of “bodies” and “mechanisms” is encouraged (ODs Article 80), no procedures are suggested, much less imposed, to regulate their functioning or interaction. Clearly, in cases where states are “sensitizing” CGoiaIs to the importance and value of their ICH (ODs Article 81), we are in the presence of ICH that has been identified as such by instances operating upstream from the CGoiaIs thought to be at its origin.9 How, one should ask, can states or experts know what this ICH is without prior notification by its “bearers,” the only actors legitimately in the position to declare that this heritage provides them with “a sense of identity and continuity” (ICH Convention Article 2)? “Capacity building” programs to promote community awareness and recognition of their ICH (ODs Article 82), along with research conducted by experts and exchange amongst experts and “communities” (ODs Articles 83–86), pose some of the same problems in less acute form. Finally, the involvement of non-governmental organizations opens another can of worms: What exactly are we to understand by the “advisory capacity” that these NGOs are requesting accreditation in order to exercise? And why must they too take the form of a “community linked by the desire to pursue the objectives for which it was established” (ODs Article 97)?

The conundrums into which this hybrid top-down/bottom-up paradigm leads us become even more patent when one analyzes the valiant attempts to think them through evidenced in the 2006 Expert Report on Community Involvement.10 This report, produced by a well informed and theoretically sophisticated group of experts (anthropologists, folklorists, museum curators and heritage administrators and practitioners from various social backgrounds), sets out to clarify who exactly populates the “bottom” invoked in the term “bottom-up,” and to provide operational definitions of its basic social forms. It takes us to the heart of the contradictions within the ICH participatory framework, reflecting different conceptualizations of “the folk,” as outlined above.

The Expert Report on Community Involvement begins by emphasizing the importance of avoiding “fixist” or essentialist definitions of CGoiaIs, in keeping with its view that “ICH safeguarding is to focus on practices and processes rather

9 This is true also of the complicated relations between state, experts and CGoiaIs in the series of articles concerning “raising awareness” about ICH (ODs Articles 101–102), intellectual property rights (ODs Article 104) and public information (ODs Article 105).

10 These meetings were headed up by Rieks Smeets, who was to become the first Chief of UNESCO’s Intangible Cultural Heritage Section. However, as Chiara Bortolotto points out (personal communication), the role of experts in suggesting how Conventions are applied is complicated by the fact that States are not bound by the recommendations that these cultural experts elaborate. The influence of this Expert Report thus remains unclear: while it most probably influences the understanding of the UNESCO Secretariat, it is not necessarily referred to or used by the Intergovernmental Committee for the Safeguarding of Intangible Cultural Heritage, the only body authorized to make decisions about the Convention’s application.
than on products” (UNESCO and Asia/Pacific Cultural Centre for UNESCO 2006: 8), and that it is important to avoid “static” (ibid.: 9) definitions of terms that fail to take into account the dynamic nature of ICH. Accordingly, the experts suggest “focusing on the ICH as the common element for defining community, group and individual for the purposes of the Convention. The resulting definitions were to be flexible tools.” (ibid., emphasis in the original). Importantly, this approach implies that CGoiais have no existence independent of the particular item of ICH under consideration, an approach that reflects a performative conception of CGoiais in which cultural expression, practices and know-how have ontological priority over the group. However, this conception clearly runs counter to other key formulations in the ICH Convention that are foundational in nature, as exemplified by the reference to CGoiais’ “environment, their interaction with nature and their history” in Article 2. And the contradictions do not end here, as becomes obvious when the Expert Report attempts to probe the precise nature of CGoiais and provide a way to understand the structure of the “bottom.”

The Report notes that the key terms of the ICH Convention that are “community,” “group” and “where applicable, individuals” are always listed in the same order, implying both “a hierarchy between communities, groups and individuals” and “features that […] distinguish them” from one another (UNESCO and Asia/Pacific Cultural Centre for UNESCO 2006: 8-9). Interestingly, this (legally motivated) reading of the language of the ICH Convention suggests that there are bottoms and bottoms, and that some are conceptually “on top” of others, though what this means operationally is not clarified. “Communities” was taken to be the most inclusive term of the three, including both practitioners of ICH and individuals for whom this tradition provided a sense of “belonging together, or a sense of identity, based on shared ICH” (UNESCO and Asia/Pacific Cultural Centre for UNESCO 2006: 9), whether or not they take an active part in its practice or possess specific knowledge in relation to it.11 The “group” was defined as a “subset” of the community or, after due consideration by the experts, as the “network” of people maintaining an active relation to the practice of the ICH in question. As such, a group was conceived as “composed of people in a community that perform specific roles in the practice and transmission of ICH such as tradition bearers, performers or custodians” (ibid.).12 As for “individuals,” they are single people

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11 The full definition is as follows: “Communities are networks of people whose sense of identity or connectedness emerges from a shared historical relationship that is rooted in the practice and transmission of, or engagement with, their ICH.” (UNESCO and Asia/Pacific Cultural Centre for UNESCO 2006: 9).

12 “Groups comprise people within or across communities who share characteristics such as skills, experience and special knowledge, and thus perform specific roles in the present and future practice, re-creation and/or transmission of their intangible cultural heritage as, for example, cultural custodians, practitioners or apprentices.” (UNESCO and Asia/Pacific Cultural Centre for UNESCO 2006: 9).
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...playing the same role as groups, and like groups, they may operate within or across a number of “communities” simultaneously.13

Apparently, two different logics of legitimacy are at work here: The community is legitimate because it is the locus of the “sense of identity” that stems from “shared ICH” (a foundational or relational conception of the bottom); groups and individuals draw their legitimacy, on the other hand, from their special skills, experience and knowledge (a performative conception). Which form of legitimacy trumps the other in cases of conflicting interpretations of ICH remains an open question: The Expert Report on Community Involvement hints that communities are “higher” than groups or individuals, but in a situation emphasizing the importance of the “bottom,” perhaps height is a disadvantage.

And the picture is even more complicated than this already complicated analysis suggests. If we imagined that the relations between communities, groups and individuals could be understood through a standard territorialized matryoshka image of social organization (Gupta and Ferguson 1992) – a community includes but is larger than a group, which is in turn larger than and includes the individual – we would have been mistaken. Communities are defined as a social form: “Networks,” potentially linking people from different territories, with different interests and who occupy very different roles in relation to a given item of ICH. Groups, on the other hand, are defined functionally: They are comprised of “people” (individuals?) from a single or many communities (“across communities,” or networked communities?) who “perform specific roles” in relation to the item of ICH under consideration. And individuals, it turns out, far from being the building blocks of these collective forms, are simply one-man groups.

Aside from the ad hoc nature of these definitions, a number of difficulties are in evidence. For example, how are these different social entities related to the key concept of the “environment” mentioned in Article 2 of the ICH Convention, which would seem to link these social units to specific territories and/or ecosystems? Does the ICH Convention have concrete territories in mind, or are the “environment,” “nature” and “history” mentioned in Article 2 to be understood as socially constituted, a non-“fixist” social space within which the particular item of ICH is practiced? In other words, are CGoiaIs rooted in history, ethnicity and historically constituted relations to land and natural resources (a foundational or relational conception), or are they ephemeral communities of performance and practice that need not lie within historically determined boundaries between historically determined groups (a performative conception)?

13 “Individuals are those within or across communities who have distinct skills, knowledge, experience or other characteristics, and thus perform specific roles in the present and future practice, re-creation and/or transmission of their intangible cultural heritage as, for example, cultural custodians, practitioners and, where appropriate, apprentices.” (UNESCO and Asia/Pacific Cultural Centre for UNESCO 2006: 9).
These questions might seem nit-picky or theoretical, but they have concrete implications for who decides what in a given situation. If it is the ICH that defines the community and its “environment,” then mere spectators, tourists for instance, have a major role to play in its constitution. But most likely, these tourists have come to watch a demonstration of ICH, and to marvel at the community that practices it, precisely because they do not consider themselves to be a part of it, because it is practiced by “others?” Are tourists then a “group” or “individuals” who accomplish the rather important function of watching but do not belong to the “community” as such? Similar questions can be raised about NGOs, which, we should remember, the ODs define as another kind of “community.” Is the cultural NGO who brings these tourists to the middle of the Amazon a “community” or a “group,” or none of the above, particularly if its statutes state that its primary purpose is to promote the sustainable development of the “community” it is urging people to visit?

It would seem that only an implicitly territorialized, ethnicized and fixist framework could allow us to assert that the NGO is not a “group” comprised of “people within or across communities [imagine, as is often the case, that their staff are indigenous activists living in the city] who share characteristics such as skills, experience and special knowledge [is running a tourist business none of these?], and thus perform specific roles in the present and future practice, re-creation and/or transmission of their intangible cultural heritage” (UNESCO and Asia/Pacific Cultural Centre for UNESCO 2006: 9). And yet, were they a “group” like any other, then their definition of the content of the ICH under consideration would have equal weight with that of other participants. If we picture this scenario in the Amazon, where tour guides regularly instruct indigenous peoples on the best way to perform their rituals in order to attract Western tourists, we must conclude that something has gone oddly off.

Put starkly, the ICH Convention and the Expert Report on Community Involvement propose what are in effect contradictory understandings of CGoiaIs: While the ICH Convention seeks to grant if not rights at least claims to ethnicized, historically constituted minority groups and populations, the Expert Group defines CGoiaIs as networks, contingent, practice- or performance-based collectives, similar to Lave and Wenger’s “communities of practice” (Lave and Wenger 1991). Thus, the difficulties encountered when it comes to pinpointing the relation between cultural expression and its practitioners – what Noyes calls “the visibility of the cultural and the elusiveness of the social” (Noyes 2012: 15) – lead the Expert Group to take away with one hand what the ICH Convention has granted with the other. Anthropologists and folklorists can appreciate the problem; indeed, as mentioned above, we have been a driving force in the move away from fixist notions of communities or groups and towards performative, contingent, network-based models for understanding collective action in the area of cultural heritage (see Noyes 2003, for an excellent review of this history). However, we might hesitate to condone the solution. In adopting a performative conception of the social base of
ICH, the Expert Group has in essence deprived these (relationally constituted) social actors of the (strategically reified) grounds on which to assert their foundational claims against others.

If we are not simply to wag ivory-tower fingers at hardworking people whose job it is to fulfill concrete institutional missions, we must then ask the following question: Could the Expert Group, or UNESCO for that matter, have done otherwise? In order to answer this question, we needed a better understanding of the stakes – of the various performative effects (or absence of effects) – underlying this normative framework. For the time being, a troubling mixture of descriptive and prescriptive conceptions characterizes the various documents whose purpose it is to move ICH from abstraction to application: The ICH Convention sets forth a series of principles and summons into existence new legal fictions (CGoiaIs) to live them out. It leaves to the ODs, and to the experts mandated to help elaborate them, the difficult task of making these new legal entities correspond with something that can be observed in the real world. Experts rightly turn to anthropological and folklore studies of expressive culture for enlightenment, only to rediscover the same forms of confusion, for these disciplines, in their various ways, have also made something of a living brandishing, celebrating, taxonomizing and mobilizing “bottoms.”

Admittedly, over the course of disciplinary history, our various attempts to refine our conceptual tools have moved us further and further away from romanticized vision of foundational folk with which we began, both because of our increased critical perspective on the negative, even catastrophic, side-effects of some of these formulations over the course of 20th century history and, I would suggest, because of our increasing irrelevance to contemporary policy formation within the international and national arenas. However, today, if we are to contribute usefully to this debate, we need to launch a process that moves in the opposite direction: From empirically grounded description and analysis of popular expressive culture, social practices and vernacular skills and knowledge creation (an enterprise already largely under way, with felicitous results) to normative conceptualizations that are capable of promoting the goals of socio-cultural inclusion, recognition and diversity that the UNESCO framework sets out to attain. Switzerland, I argue, is a good place to start.
4 Switzerland, the Land of a Thousand Bottoms

Switzerland may picture itself – both literally and figuratively – as a land of heights, but it is, by consequence, also a land of bottoms. Indeed, Switzerland has been inventing and experimenting with “bottoms” since its foundation as a nation, conventionally dated to the “Federal Charter,” a pact of mutual protection against political imposition and economic exploitation by the Holy Roman Empire that was signed in 1291 by representatives of what were to become the three cantons of Uri, Schwyz and Nidwald. In the founding mythology of the Swiss nation, this pact is associated not with the legalistic signing of an agreement in Latin, but rather with a highly romantic moment, the encounter between three free men, representing their respective cantons, who are said to have met in 1307 to swear mutual alliance in the meadow known as the Rütli (or Griulfi), in a stirring demonstration of what would today be called “free, prior and informed consent.”

For our purposes, this foundational myth is important for what it reveals about the contrasting conceptions of “the bottom” in the Swiss political context. In one conception – the relational – the bottom can be seen as a position, the oppressed half of a power relationship, in which the top is represented by a foreign state or power. An external pressure creates putative community, which, as fractious and

Figure 1: Le Grand Muveran, Ferdinand Hodler (1912), obtained via Wikimedia Commons
fragile as it may be when viewed from within, is accepted for the strategic purposes of the moment in relation to an aggressive outsider. That these three brave men from Uri, Schwyz and Nidwald were land-owning, serf-employing local power holders – and thus, in a sociological sense, in no way “representative” of their respective “peoples” – drops out of the analysis precisely because they were granted the political legitimacy to represent their cantons against foreign oppressors. It is barely an exaggeration to say that we have here the successful transformation of local populations into a “First Nation,” as the current indigenist vocabulary would call it: A historically constituted group resisting encroachment by colonial powers.

The second way in which our three heroes are at “the bottom,” conceived foundationally as a place and not a position, becomes clear when one looks at the iconography of this mythical moment, particularly prominent in romantic efforts to shore up Swiss nation-building in the 18th and 19th centuries. In two famous paintings of the Rütli Pact reproduced below, the contracting parties are clearly “under” something, but that something is not a human institution. Rather, in the painting by Füssli their upward gaze is directed towards the sky, and the light that emerges looks suspiciously as if it emanates from God. The painting by Renggli echoes this depiction, but adds another element in the form of the Alps – literally naturalizing, or rather, “naturizing,” their foundational act, unmediated by anything but glaciers and the Lord himself, with which their uplifted hands appear to be in direct contact.

Figure 2: Die drei Eidgenossen beim Schwur auf dem Rütli, Johann Heinrich Füssli (1780), obtained via Wikimedia Commons.

Figure 3: Schwur auf dem Rütli, Jean Renggli (1891), obtained via Wikimedia Commons.
The combination of these two conceptions, or rather the slip from the former to the latter, denotes a fundamental ambiguity in the way in which Switzerland understands its own political structures. On the one (raised) hand, Switzerland as a nation is conceived relationally, as an act of resistance to foreign exploitation and influence. On the other, the founding of the Swiss nation appears in all of its uninnocence, an unmediated allegiance of equals, uncontaminated by any superior human institution and sanctioned only by the benevolent forces of God and/or Nature. This second foundational interpretation is, of course, in direct resonance with the romantic nationalism associated with Herder’s concept of the *Volk*, and it is no surprise to find it popping up, or should we say popping down, here. What is important for my demonstration is the way in which these two conceptions blend together, creating what I will call the “downward pull” of the Swiss political imaginary, which affects everything from the constitution of the Swiss Federal Counsel to the composition of the Fribourg Federation of Costumes and Customs.

Though the details of this history would take us far beyond space limitations and my own expertise, let me nonetheless take it from the top. The “highest” level of government in Switzerland, the Swiss Confederation, or federal state in the general lexicon, enjoys a conditional form of legitimacy and power based, in theory and to a large extent in practice, on the consent of the foundational political units of the country, “the states,” or cantons. It is cantonal governments who are in many respects the primary loci of political decision-making and tax imposition, as evidenced by the “subsidiary” nature of federal policy in many areas, including that which concerns us here, culture. The delicate balance of power between the Confederation and the cantons, and between the cantons themselves, is the product of centuries of cooperation, tension and even war amongst regional powers that only recently (in 1848) attained a stable form as the country we currently call Switzerland.

This history is reflected in numerous institutions that deflect, delay and complicate, but also consolidate, decision-making processes: A constant attention to what is called “cultural diversity” (guaranteeing the presence of representatives of the three main national languages that are German, French and Italian in all political bodies); innumerable procedures for consensus-building and consultation amongst cantons, regions and the Confederation; a multiplicity of intermediary institutions (the Swiss Conference of Cantonal Ministers of Education, for example, or Conference of Governments of Central Switzerland, or the umbrella organization, the Foundation for Federal Co-operation). These principles, procedures and mechanisms go far beyond the presence of representatives of each canton in the (bi-cameral) federal parliamentary system.

14 Cantons are regularly called *pays* or “countries” in political discourse, and there is a corresponding tendency towards the ethnicization of differences between them, loosely associated with differences in accent and with stereotypes linked to their respective socio-economic positions (the canton of Fribourg is reputedly “smelly” because it was long rural; citizens of Zurich are necessarily “snobs” because their canton is an important global financial center, etc.).
Furthermore, with the institutions of Swiss “direct democracy,” political parties, interest groups, associations of all stripes and even loosely associated networks can and do use democratic instruments such as initiatives to formulate “bottom-up” policy recommendations, or, more frequently, referenda to resist “top-down” propositions, with the result that the lives of Swiss citizens are punctuated by voting (three to five times annually) in which “the People” are invited to take position on all manner of cantonal and federal policy, from regulations on the vaccination of farm animals to Switzerland’s adhesion to international bodies and conventions.15

Following this spirit of popular involvement in policy-making all the way down to the town, village or neighborhood levels, one finds procedures for consultation in, appeal against and opposition to zoning decisions about construction and infrastructure, one finds the militia-system that governs the lowest level administrative units in very small communes, and one find the dense web of NGOs, associations, clubs and groups (frequently operative at the local level linked to other local levels through federations) that make Swiss “civil society” one of the most densely populated in the world (Helmig et al. 2011). And not coincidentally, this constant downward drift is associated with a deep and invested (both emotionally and economically) history of folklore studies and promotion of tradition, making Switzerland an ideal setting for the deployment of the ICH “bottom-up” framework, to which we now turn.

5 Identifying “the Bottom” in the Administration of Swiss ICH

As mentioned above, cultural policy in Switzerland is subject to the principle of “subsidiarity,” which means that the Federal Office for Culture (hereinafter: FOC) and other federal entities play a secondary role in the promotion and financing of cultural activities in this country. In the context of Switzerland’s ratification of the ICH Convention, this had precise and concrete implications. By signing the ICH Convention, the federal state committed itself to the creation of a national inventory of ICH in Switzerland, but following the Swiss Constitution, the responsibility for the content of this inventory lay with the cantons. Upon the signing of the ICH Convention, therefore, the FOC drew up a set of general procedural guidelines for

15 Of course, this omnipresent reference to “the People” harbors both democratic and anti-democratic (populist) potential, as the recent history of anti-immigration political parties has demonstrated. In an early article, Bendix (1992) argues that the complex layering of Swiss political mythology works against the emergence of a racialized notion of the nation. Sadly, this emphasis on internal political diversity and federalism is under considerable strain today, as immigration increasingly appears to a large proportion of the Swiss population as the main political problem to be resolved. Though Switzerland has been caught up in the whirlwind of cosmopolitan thought, capitalist circulation and labor migration for centuries, the presence of dark-skinned immigrants in this snow-and-milk-based imaginary has created the impetus for the shoring up of national boundaries, and the intensification of a racialized notion of the “Swiss nation” (see Lavanchy 2014).
the cantons in order better to centralize information, but left cantonal governments a large margin of freedom to interpret these guidelines in conformity with their own laws and procedures.

The result is an interesting mish-mosh of scenarios, well documented by Graezer Bideau (2012). Some cantons, such as Fribourg, proceeded in what was classified as an entirely “top-down” manner: A commission of six experts (three historians, two anthropologists and one journalist) drew up the list of “living traditions” for the canton and, after submission to cantonal authorities for modification and approval, used previously published historical and ethnographic material to assemble the documentation required by the FOC for inclusion of the selected cantonal items within the national list of living traditions. In discussions with the person responsible for this procedure, the director of a well known and highly regarded (in all senses of the term) regional museum in the canton, it became clear that her decision to proceed via an expert committee was based not in a conviction that the “bearers of tradition” were illegitimate partners for decision-making, but rather in her sense that any appeal to these groups and individuals (of which there are many and with whom she was already in regular contact) would inevitably run the risk of leaving some out while including others. In a canton such as Fribourg, where “intangible culture” has been thematized, politicized and marketed for more than a century, this risk had rather tangible consequences: The production of unproductive competition for symbolic resources amongst “bearers of tradition,” which no one would be authorized or equipped to arbitrate. In addition, despite the symbolic centrality of the notion of tradition for the canton, cantonal authorities had provided little extra financing to the museum director to accomplish the task they had set for her. Most importantly for our purposes, her decision to eschew “bottom-up” procedures stemmed not from ignorance about the existence of “the bottom” – if by “bottom” we mean individuals and associations already active in the promotion of cultural expressions generally recognized as “traditional,” “living” and important for their “sense of identity and continuity” – nor from a habitus of expert superiority, but rather from her worry that “the bottom” represented an enormous can of worms, a Pandora’s box that she had neither the time nor the resources to open.

In contrast to Fribourg, most Swiss cantons chose to follow what Graezer Bideau calls a “variety of methods” (2012: 307), combining “top-down” and “bottom-up” procedures. Concretely, this meant that cantonal authorities used experts to draw up a preliminary list of “living traditions” and then, or simultaneously, provided information to and consulted with local cultural associations already identified as active in the area of tradition. Frequently, this approach also involved

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16 In order to facilitate popular comprehension of the thrust of the ICH Convention, the FOC translated the UNESCO concept of “intangible cultural heritage” from “bureaucratese” (Hafstein 2012: 504) into German, French, Italian and Romansh, as lebendige Traditionen, traditions vivantes, tradizioni viventi and tradizuns vivas, respectively.

communication and collaboration with the level of administration directly below the cantonal level, the commune. As mentioned above, communes in Switzerland can be very small, sometimes representing as few as a couple of hundred inhabitants, in which case they are governed through a semi-militia system of administration in which civil servants work half-time (or less) at their administrative positions while occupying other jobs elsewhere.

An effect of the downward pull of Swiss political structures discussed above, this jealously guarded local autonomy creates a situation in which civil servants at the communal level are rather “close” to the “bottom.” Politically, they are only half different from their fellow citizens who do not exercise political responsibilities; socially, they are constrained by systems of local social control in contexts where face-to-face contact and criss-crossing social ties are frequent.\(^{18}\) As we shall see below, this grey zone, representing the juncture between “the State” and “the People,” is one of the places where “the bottom” is produced in the area of ICH administration in Switzerland.

Despite this downward pull, particularly present in the area of culture, only three Swiss cantons proceeded with what was (retrospectively!) labeled a “bottom-up” approach to ICH. The cantons of Aargau and Solothurn joined forces to undertake a vast consultation of cultural associations active in their region, resulting in an extraordinary expression of interest in lebendigen Traditionen and more than a thousand proposals for inclusion on the bi-cantonal list!\(^{19}\) But lest we rush to conclusions about the relative productivity of this “bottom-up” approach, I would like to highlight the other canton categorized (again retrospectively) as having opted for the “bottom-up”: the Republic and canton of Neuchâtel, which produced results diametrically opposed to those of Aargau-Solothurn.\(^{20}\)

\(^{18}\) I would not wish to be misunderstood here: The commune is not a “community” in the 19th century sense attributed to this word by social theorists such as Tönnies or Durkheim. Communes vary greatly in size and social composition, from the commune of Zurich, with a population of nearly half a million, to the commune of Corippo in the Ticino, with a population of approximately 15. More importantly for our purposes, even the smallest, most rural communes are networked into cantonal, national and international systems of law and regulations, their inhabitants are as much a part of the global economy as are the inhabitants of Singapore, and they are as linked to regional, national and global cultural flows as their city-dwelling compatriots. Nonetheless, forms of social control based in residence – through the local service economy, through the school system, through kinship and neighborly ties – do exert pressures on communal political authorities that are both more diluted and more mediated at the canton and national levels, with the result that communal authorities in smaller communes can and do take up the posture of the “regular guy,” representing his or her constituencies against government while simultaneously downplaying and mobilizing the fact that they are themselves political actors.

\(^{19}\) http://www.immaterielleskulturerbe-ag-so.ch/die-liste-2010-11/\<accessed April 24, 2014\>.

\(^{20}\) The enormous differences in the responses of these three cantons have been made invisible through the FOC’s decision both to limit significantly the number of items to appear on the federal list of ICH and to “balance out” the number of propositions retained per canton – out of respect, ironically, for “cultural diversity” and “representativeness.” Thus, the more than 1000 propositions welling up from Aargau and Solothurn were winnowed down to 15 and 11, respectively, while seven of the eight propositions from the canton of Neuchâtel were retained for the national list, as we shall see.
personally involved in this procedure, I will describe it in some detail in order to probe exactly how “the bottom” was produced in the canton of Neuchâtel and what this tells us about the kinds of beings that count as “bottoms.”

6 Touching Bottom in Neuchâtel

Located in the region of “the other Swiss mountain range,” the Jura Range stretching from Geneva to Basel on Switzerland’s western boundary, Neuchâtel is a canton that, unlike many others in Switzerland, has traditionally downplayed the role of tradition in official discourse. A number of historical factors can be linked to this distinctly hands-off attitude. First, in contrast to a canton such as Fribourg, Neuchâtel was central in the Protestant Reformation, a fact that led to the near total elimination of the rituals and calendar-based festivities associated with Catholicism. Second, while the political constitution of Swiss cantons is notoriously chaotic and fundamentally international in nature, Neuchâtel stands out as one of the least politically “indigenous” cantons in the Confederation: Long under the nominal control of French rulers of various stripes, it was officially a Prussian principality for most of the years from 1707 to 1848, creating an aura of cosmopolitanism that was highly valued at a time when the canton was economically prosperous. Finally and no doubt most importantly, Neuchâtel is also characterized by a precocious process of industrialization: In part because of its international ties, the region profited greatly from proto-industrial production of textiles, lace, watches and other luxury goods in the 18th century, and the secondary sector became predominant in the 19th century, marginalizing the primary sector both economically and symbolically. Indeed, the “tradition” most generally associated with the canton of Neuchâtel is watch-making, an activity that depended and still depends heavily today on an international workforce, international financing and international trade (Munz 2011).

This history helps explain why, when the Neuchâtel Service for Cultural Affairs received the FOC’s request to constitute a cantonal inventory of “living traditions,” the immediate reaction was reluctance, indifference and confusion. The director of the Service contacted the Anthropology Institute (that is to say, me), in the hopes that I could help her devise a strategy for creating an inventory of ICH in a canton that, in her words, “has no traditions.” In her view, the canton’s policy in relation to culture was limited to offering support to new creations and emerging activities, though it did subsidize some established associations active in the area of popular culture. Its conservation arm operated uniquely in the area of material and monumental heritage, and she did not have the legal basis to reorient its activities into the area of intangible culture. Finally, she told me, the cantonal

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21 Caveat lector: the capital city of the canton of Neuchâtel is also called Neuchâtel.

22 For an analysis of Neuchâtel’s complicated relation to tradition, see Hertz and Wobmann (2014a).
government was not particularly interested in cultural policy in general, and particularly indifferent to the question of cantonal “traditions.” Thus, she had received virtually no political or economic support for the task that the FOC had thrust upon her. Given my own involvement in the large research project at the origins of this paper, that is to say, in studying the process she hoped I would help design, I expressed hesitation at the idea of participating directly in the creation of the cantonal inventory. However, I did join the ad hoc expert group that she constituted to reflect on the best way to proceed.

The group was composed of seven civil servants responsible for material heritage preservation, cantonal archives and local museums, of two university professors (myself and a historian), of a civil servant working directly for the Service in question and of the director herself, who presided. Its initial discussions were conducted in an atmosphere of mixed curiosity and consternation. Trained as a historian, the Service’s civil servant directly responsible for the constitution of the inventory was manifestly reluctant to follow UNESCO in recognizing as ICH practices and activities that were not, in his view, genuinely traditional, for “traditional” signified for him cultural expressions whose origins could be dated back to at least before 1848, the moment when Neuchâtel entered the Swiss Confederation as a modern, independent Republic, and ideally to before the Protestant Reformation. As for the other cantonal and communal civil servants in the group, they also expressed some reluctance to take up what they felt to be a highly charged and confusing political initiative. Some of them, active in international circles and structurally suspicious of federal cultural bureaucracy, were wary of the right-wing, populist overtones of the ICH Convention, quickly identifying the dangers of reifying and romanticizing “communities.” Others, more rooted in local settings, wondered how they were to go about thinking up new activities or exhibitions above and beyond the programs they regularly put in place to encourage more popular participation in the identification of intangible culture (the international *Journées du patrimoine*, for example, or in local promotional efforts such as the *Journées du patrimoine horloger*). The archivists saw their role as one of back-up; they were more than willing to help with documenting the living traditions that were to figure on the cantonal inventory, but they had no great desire to participate in choosing them.

As for myself, I had a number of hidden agendas. In a negative vein, over and above my discomfort at the idea of playing an active role in a process I was supposed to be simply observing, I wanted to avoid two impossible tasks: Defining what was an authentic “living tradition,” and identifying real-live CGoiaIs associated with them. On a more positive note, I was curious to see how a thoroughly non-interventionist stance would work itself out in practice. What if, I wondered, we took UNESCO ideology at its word? What would happen if we “at the top” did virtually nothing – sat back, folded our arms and simply waited for “the bottom” spontaneously to express itself?
This highly situated interpretation of what was meant by a “bottom-up” approach was amenable to all parties concerned for reasons that, it should be emphasized, had relatively little to do with the spirit of the ICH Convention. The director of the cantonal Service for cultural affairs and her overworked staff member could avoid extra expense and time, all the while claiming orthodoxy. The other members of the Commission could avoid innumerable meetings from which they had nothing in particular to gain. I could run my experiment in laissez-faire heritage policy, and the cantonal government, which took no interest in our activities, could continue to take no interest in our activities. It was thus decided that the initiatives of the cantonal Service for culture would take two forms and two forms only. First, it would organize a press conference in which it explained the notion of “living traditions” and the creation of the cantonal inventory, and invited interested parties to contact them via a dedicated website. Second, it would send this same information in a letter to all of the communal administrations. After that, it would simply sit back to wait and see how “the bottom” would respond.

7 CGoiaIs in Neuchâtel

Eight propositions came bubbling up from the wellspring that is “living tradition” in the canton of Neuchâtel. They represented a hodge-podge of practices and festivities that surprised the expert group, and amused and perplexed the press in its (minimal) coverage of events (Droz 2011). As mentioned, the most noteworthy aspect of this procedure for the press was the absence of watch-making heritage from the list, for watch-making, and micro- and nanotechnologies generally, are signature activities for the canton, both economically and symbolically. But apart from this sorely missed guest, who were the CGoiaIs that were invited to the party and with which ICH communities, groups and individuals was the canton newly populated? What follows is a brief description of each of them, in all of their heteroclite normalcy. If this description is meandering and “random,” as young people say, well, tradition is meandering and random, and CGoiaIs, or what stood in for them in Neuchâtel, are diverse, unpredictable and not particularly communicative.

23 The cantonal website is a masterpiece of ex post justification, highlighting the “courageous choice” to “respect the spirit and the letter of the Convention” by “refusing to draw up an a priori theoretical list so that bearers [of tradition] could better manifest themselves”. It also explains that because of its strict interpretation of the “participatory model,” certain “important local customs” were left out of the inventory, since no one came forward to present them. It then proceeds to give a list of these absent traditions, with an entire paragraph devoted to watch-making. It concludes by remarking that the question of living traditions “met with little response” in Neuchâtel as compared to other cantons and that the Anthropology Institute (that is to say, me again!) was busy thinking about how to deal with Neuchâtel’s living traditions under these conditions. See http://www.ne.ch/autorites/DJSC/SCNE/traditions-vivantes/Pages/inventaire-neuchatelois.aspx <accessed April 24, 2014> (my translation).
Of the eight proposition received, seven were selected for the national list and claim pride of place on the cantonal website for “living traditions.” In terms of thematic emphasis and social form, they varied significantly. Two of them were directly linked to celebrations surrounding Neuchâtel’s revolutionary history. The “Neuchâtel Revolution commemorative march,” proposed by an association created approximately thirty years ago, is a collective walk that follows the route that Neuchâtel troops are purported to have taken in 1848 in their move to oust the Prussian Prince from his castle in the capital city of Neuchâtel. Linking the historically opposed “higher” and “lower” parts of the canton, this march symbolizes cantonal unity and the democratic values associated with the canton’s liberation from foreign rule, but as its founder explains, it is more importantly a moment of collective leisure when people from all walks of life can enjoy the canton’s fresh air and lovely scenery together. The second of these revolutionary traditions was proposed by the communal administrations of Butte and Môtiers, and commemorates the moment in 1814 when Neuchâtel entered the Swiss Confederation but was forbidden to celebrate by the Prussian monarch, jealous of his powers. Called the “Fountain Festival,” it consists in a yearly ritual in which school children are mobilized to decorate the many historic fountains of these two small towns. On the anniversary evening of September 12th, the organizers lead the public from fountain to fountain where the children sing songs, accompanied by a local brass band; the ritual ends with a danced round in which the public is invited to participate.

In their content, these festivities are similar to the national celebration that takes place every year to commemorate the “Grütli Pact” in so-called “Primitive Switzerland,” the mythical moment of nation building that supposedly took place on the plain of the same name. In all three celebrations, a temporarily united, politically determined “us” comes together to display its opposition to an absent “them,” an oppressive foreign powers whose overthrow demonstrates the essentially democratic spirit of the Swiss, respectively Neuchâtel, people. At first glance, therefore, these traditions seem to be based on the foundational-relational conception of the bottom as described above, in which villagers can celebrate their community by invoking a common enemy. However, it does not take much fieldwork to discover that participants are not particularly preoccupied with shoring up the boundaries of a foundational-relational “us.”

26 For a description and documentation, see http://www.lebendige-traditionen.ch/traditionen/00162/index.html?lang=en <accessed April 24, 2014>. Alert readers will have noticed that the canton of Neuchâtel was, for a brief moment between 1814 and 1848, simultaneously part of two encompassing political entities: the Swiss Confederation and the Prussian Empire, another mark of distinction.
Indeed, examined through the lens of the performative conception of the bottom, it is easy to identify the “contingent situation” that these rituals seek to transform: For the commemorative march, rejuvenating the bonds between the “higher” and “lower” parts of the canton through an active demonstration of openness, fun and collective effort; for the Fountain Festival, creating a moment of intergenerational solidarity and perhaps (though this argument is only implicit) drawing attention to the revolutionary history of the Val-de-Travers, the region where these two villages are located, traditionally excluded from the “high/low” dichotomy that divides the canton into two (see Hertz & Wobmann 2014b).

The five remaining “living traditions” on the Neuchâtel list all involve activities that could be grouped within a loose category of “popular culture” or, more colloquially, “local pastimes.” Particularly interesting for our purposes, only one seems to rely on the existence of a territorially or administratively defined “community,” thus activating a foundational or relational conception of its social base. This is the annual grape harvest festival that takes place in the capital city of Neuchâtel and thus connotes the “lower” part of the canton in which wine production was a traditional means of livelihood, in contradistinction to the “upper” part of the canton, associated with watch-making. Though the festivities and the parades have been organized for at least 80 years by a local association (linked to the city’s wine producers), the expert group was at first reluctant to include this festival in the inventory, arguing that similar demonstrations take place throughout Switzerland in the fall, and that this one had nothing specific to offer. It turned out that they were mistaken, however, as Neuchâtel’s is one of the last parades of this sort still to use live flowers (le corso fleuri) to decorate the floats, justifying its presence on the cantonal and national lists of ICH. The website also notes, almost in passing, that this festival is by far the largest tourist attraction in the canton gathering, in its heyday in the 1950s, 80,000 spectators in a town of 25,000.27

Like the revolutionary traditions, the grape harvest festival presupposes a place with an identity, and more importantly, an audience. The other four traditions on the cantonal list are all more inward-looking, centering on the activities of a small, non-homogenous group of practitioners who are not promoting much. With reference to the “sense of identity and continuity”, the “environment, […] nature and […] history” referred to in Article 2 of the ICH Convention (UNESCO 2003), they can be arranged on a scale running from “based-in-a-historically-or-geographically-constituted-sense-of-collective-identity” to “none-of-the-above,” with “more-or-less-popular-in-the-region,” and “that’s-where-the-river-runs” falling somewhere in between.

Two involved popular pastimes supported by local associations who received no support from the cantonal government or their respective communal administrations. Of these, the most the historically grounded was the group of cantonal

lace-makers associations who practice lace-making of various types, ranging from creative new techniques learned through national and international exchange of information (particularly with Japan) to local styles, notably the historically documented motifs called the “Neuchâtel style,” once prestigious, very difficult, and largely forgotten since Neuchâtel ceased to be a center for lace production in the early 19th century. This association of associations, each one representing an important region or city in the canton, is not particularly endangered, not does it seek to gain anything materially through its inclusion in the list of living traditions. Indeed, when initially interviewed for my research project, these lady lace-makers spoke mainly about the pleasures of their get-togethers, their passion for lace-making and the subtle forms of rivalry that pit local associations against one another. One president even expressed distinct reluctance to enter into what she considered to be needlessly bureaucratic procedures of an ill-defined nature for uncertain ends.

Similarly unmotivated by a desire to promote anything but middle-aged fun was the application by a federation of associations which practice “Neuchâtel skittles,” a game that involves rolling a large wooden ball towards pins along a lane made of two planks that touch in the middle at a slant, forming a kind of circumflex. Called, somewhat tendentiously, the “forerunner of ten-pin bowling,” this game displays minor regional particularities and is slowly but surely losing its popularity. Indeed, the Neuchâtel expert group had, for the most part, never heard of it, and the players we interviewed (distinctly masculine) made it clear that they had no desire for excessive publicity; they simply wanted to increase their membership slightly in order to guarantee the survival of their sport (Doyen and Mayor 2014). Classification as a “living tradition” gave them a certain sense of pride and recognition, but was also viewed with ironic distance, as one of their members affirmed: “we’re just regular people, here.” In folkloristic terms, their orientation was distinctly towards what we have called the performative: Indeed, they frequently pointed out, with a hint of pride, that their members came from all walks of life and did not necessarily share anything beyond the pleasure of getting together to skittle.

Further down the spectrum of “traditionally localizable” was a pastime popular in a particularly peripheral corner of the canton, the commune of Les Brenets, located on the border with France from which it is separate by the slow-flowing

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29 As can be imagined, even touching the oversized wooden pins at the end of this lane is difficult, and knocking down all seven of them virtually impossible, creating excitement for seasoned members, and nothing but frustration for newcomers. For description and documentation, see http://www.lebendige-traditionen.ch/traditionen/00166/index.html?lang=en <accessed April 24, 2014>.

30 In French, “nous sommes tous des privés ici”. This phrase is virtually untranslatable into English, but signifies at a minimum that they have nothing to do with the State (interview with the author, May 2014).
Doubs River. In the winter, this river occasionally freezes over and becomes a large natural skating rink that attracts numerous villagers as well as families from neighboring regions including, of course, France, the other side of the rink. It is also, however, dangerous, and a certain amount of local know-how is mobilized in order that skaters avoid the areas of the river where the ice is thin. Animated by a sense of local history and pride, one of the administrators of the commune thus proposed that “Ice-skating on the River Doubs” enter the registry of cantonal living traditions. Once again, no money, prestige or promotion was expected from this enterprise and the “community” that UNESCO calls a “bearer of tradition” was none other than the administrative authorities of Les Brenets. Furthermore, no particular value, history or purpose motivated this application. Rather, the simple pleasure that others could learn of this simple pleasure was ample justification for their proposition in the minds of the communal administrators.

The final tradition was proposed neither by an association, nor by a communal administration; indeed, it is the only “living tradition” that the ad hoc expert group took it upon itself to suggest for inclusion on the cantonal inventory. It concerned what was translated in the national inventory as an “outdoor barbecue party,” known locally by a term of regional parlance, la torrée. Doing a torrée involves very precise, if ridiculously familiar, elements: A family or friends (usually the men-folk) build a large fire in the woods; once the ashes are smoldering nicely, Neuchâtel-style sausages are placed in the cinders, often wrapped in a cabbage leaf and then again in the local newspaper, both of which are thought to add flavor. Common during school outings, family gatherings and professional or associative retreats, it is practiced by locals of all walks of life. As such it is both entirely popular and unsupported by any form of local association or group. As a consequence, while it was impossible to locate a particular “bearer” of this tradition, it was also unthinkable to the expert group not to include it on the list. With the help of a local student strongly attached to this tradition, the Anthropology Institute thus volunteered to submit this file to the canton, serving as a proxy for what the expert group identified as the cantonal population as a whole.

Summing up this series of propositions, what do we find? As the table below suggests, there are three institutional forms that enter into play in Neuchâtel’s living traditions: associations, communal administrations, and in one case, an individual standing in for a research institute, standing in for an expert group, standing in for the entire cantonal population. While most of these traditions are practiced

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31 For description and documentation, see http://www.lebendige-traditionen.ch/traditionen/00158/index.html?lang=en <accessed April 24, 2014>. See also Wobmann and Hertz 2014. Another proposal by the same administrator concerned an annual festival organized by the village, but this idea was rejected by the national expert group on the grounds that every commune in Switzerland organizes at least one communal festival and there was therefore no reason to list that of Les Brenets and not all the others.

simply for the sake of it, they are all loosely related to regional history, geography or topography. Two of them also refer to the political events that led to the creation of the political entity that is Neuchâtel, celebrating not so much what Neuchâtel was or is as what they thought it should be. While pride was in the air, so was irony; while specialized skills were in evidence, so were simple activities such as walking, drinking, skating, eating and watching. None of the “bearers” of this “ICH” justified themselves or their practices with reference to the notion of “community,” nor were they particularly comfortable with the phrase “intangible cultural heritage,” preferring the term “tradition.” Most importantly, none of them saw his or her group or activity as exclusively neuchâtelois, nor did they accord particular legitimacy to their status, or take themselves to be “bearers” of some form of cantonal identity.

<table>
<thead>
<tr>
<th>Revolutionary commemorative march</th>
<th>Fountain festival</th>
<th>Grape harvest festival</th>
<th>Neuchâtel lace-making</th>
<th>Neuchâtel skittles</th>
<th>Skating on the Doubs river</th>
<th>Outdoor barbecue (torrée)</th>
</tr>
</thead>
<tbody>
<tr>
<td>associations or federations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>communal administration</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>individual (proxy)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>foundational-relational folk</td>
<td>kinda +</td>
<td>kinda</td>
<td>nope +</td>
<td>nope +</td>
<td>nope +</td>
<td>nope</td>
</tr>
<tr>
<td>performative folk</td>
<td>yup +</td>
<td>yup +</td>
<td>kinda –</td>
<td>nope</td>
<td>nope +</td>
<td>kinda</td>
</tr>
<tr>
<td>regular folk, going about their business</td>
<td>nope</td>
<td>nope +</td>
<td>kinda</td>
<td>yup</td>
<td>yup +</td>
<td>yup</td>
</tr>
</tbody>
</table>

Figure 4: Analytics of Neuchâtel’s “living traditions”

Legend: “yup” signifies the clear presence of the particular logic of belonging listed in the left hand column; “nope” signifies its absence; and “kinda” signifies something between the two. As for the plusses and minuses, they are there to indicate whether these logics of belonging were explicitly articulated (+), latent, not mentioned or ambivalent (no indication) or downplayed (–). Clearly, this whole exercise in table-making demonstrates that fieldwork data does not fit neatly into boxes. My point is neither does ICH.

In sum, the foundational and relational conceptions of the bottom so prominent in the ICH framework seem to play at best a secondary role here. Indeed, I would be comfortable claiming that the “communities” that are hearty citizen marchers, singing school children out too late, gals on floats and drunken partiers, lady-like lace-makers, aging bowlers, happy ice-skaters or family picnickers are a
pure artifact of the ICH framework and the ICH Convention’s obsession with CGoiAl. But does this mean there’s actually nobody “down there,” nobody at “the bottom” at all?

8 Conclusion: The Phantom CGoiAl

In 2012, to celebrate the Swiss Year of the Forest, the canton of Neuchâtel organized an enormous torrée in a communal field in which each commune was given a spot near a fire, and massive amounts of Neuchâtel sausage and wine were made available for purchase. The weather was clement, the cars lining the forest path numerous, and the celebration was a huge success. The torrée had been listed on the cantonal list of Intangible Cultural Heritage, and everyone seemed to agree that this move was appropriate; it was even part of the celebratory sub-text leading up to the organization of this event. But what were the bonds that linked the couples, individuals, families and politicians that came to roast their meat in these multisited cinders? Were they primordial, ethnic or created in the heat of performance? Yes, there were traces of these sentiments in the air: Jokes, usually depreciative,

33 Many of the ideas in this conclusion are directly or indirectly inspired by exchanges with Jean-Louis Tornatore, although they may be unrecognizable to him. May he be thanked and relieved of all responsibility simultaneously.
about how such-and-such was typically neuchâtelois; playful disputes about the right way to wrap one’s sausage (with the well worn tension between people from the “high” and “low” parts of the canton expressed through the question of which newspaper – “high” or “low” – one wrapped with); a low-intensity sense of communitas created by the smoke, the smells and the sunlight. Attached through professional, social or kinship relations to the various communes organizing communal campfires, the participants came to partake in the giant picnic: Nothing more, but certainly nothing less. However, if push came to shove, they might well have affirmed their desire, if not assert their right, not to bother with the “community” of picnickers hailing from different communes in the canton, not to share ideas, values or tastes with their neighbors, not to join hands in a massive cantonal dance through the wooded pastures, etc.

In other words, what united these picnicking individuals was perhaps best captured by the notion of citizenship: The participants in this tradition were, for the most part, just plain old inhabitants of that recognizably arbitrary geo-political unit called “Neuchâtel.” Clearly, as citizens, they were more than simple individuals, isolated from one another through centrifugal market and political forces, for they had come together to celebrate a cheerful cantonal occasion. Indeed, as citizens, they had come together to form what philosopher John Dewey (1927) calls a “public”, a temporary, fragile collective entity brought into being whenever the circumstances present themselves, with the goal of keeping the State working for them and not against them. If they wanted money to pursue a cause, an activity or commemorative endeavor, they knew what to do: form an association and request money from the communal or cantonal administrations or from para-state (the Swiss lottery system) or private sources. If they opposed cantonal projects for the construction of windmills on “their” mountaintops, fearing the desecration of “their” landscapes, “their” natural heritage, they knew what to do: launch a referendum or an initiative, mobilize their friends in political parties, and stage demonstrations. If they wanted to preserve an old farmhouse from destruction by real estate promoters, they knew what to do (and most likely, the cantonal heritage office had already done it for them). These are the democratic options open to Swiss citizens in the Swiss political system. Do they need more of them? Do they need more avenues for “participation?” I could imagine answering this in the affirmative, but many people disagree strongly, asserting that the multiple channels by which “the bottom” can express its collective will in this system are already excessive, slowing down the process and discrediting us in the eyes of our neighbors.

34 The question of whether the canton should construct a series of windmill parks on the mountaintops was indeed put to popular vote through a popular initiative in May of 2014, and a majority of “the People” said “yes;” no concept of “community” can account for the fact that there were necessarily winners and losers in this process, that the result divides as much as it unites.
Participatory politics were developed in the 1960s as a reaction to what were perceived as failures of the state. Originating in the West, largely in the areas of urban and community development (Arnstein 1969), promoters of participation highlighted the excessively bureaucratic, technocratic or authoritarian decisions by urban and social planners, and claimed the right as citizens to have their say in decisions about the social and built environments that surrounded them. The paradigm was imported with gusto and a certain number of hidden agendas into development contexts, where it seemed to provide an alternative to top-down arrangements between international institutions and corrupt state officials. The undesirable side effects of these arrangements have been largely criticized (White 1996, Michener 1998, Cooke and Kothari 2001), and take us well beyond the scope of this article. They raise important questions about the possibilities for collective deliberation and action in the complex institutional contexts of globalized modernity. But these should be distinguished from another line of argument, implicitly developed in the ICH participatory framework. This argument suggests not that citizens of states should have access to political structures and decision-making, but that certain types of collective actors, CGoiaIs, have special rights (and perhaps special duties) in relation to the state and the international community. This conception sits poorly with the institutions and practices of a functioning democracy such as Switzerland. And we could argue that it is a poor substitute for the instauration and/or improvement of democratic structures in other countries. So my question is the following: Do we want to promote cultural democracy (and in the process, the culture of democracy) through the egalitarian paradigm of citizenship, or do we want to promote “participation” through the incoherent and implicitly reifying paradigm of the CGoial?

35 For a useful history of the concept of “participatory democracy” in France, see Wuhl 2008.
References


