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ABSTRACT

During the meeting in Baku in December 2013, the Intergovernmental Committee of the 2003 UNESCO Convention for the Safeguarding of Intangible Cultural Heritage, inscribed shrimp fishing on horseback in Oostduinkerke (Flanders, Belgium) in the Representative List of the Intangible Cultural Heritage of Humanity. On the one hand, this can be considered as an interesting example of sustainable development with regard to the relation between local groups and communities, policy makers (in the fields of culture and tourism), beaches and the sea, and on the other hand an occasion to stimulate reflection on the relation between traditional know-how, cultural spaces and intangible heritage. The recent history of how the nomination file was assembled, of the follow-up after inscription, and of the special roles played by heritage brokers and a local museum specialized in the history and ethnology of fishing, allow to discuss opportunities and challenges of the new paradigm of safeguarding intangible cultural heritage. In order to interpret these findings, two models are used as sensitizing devices. For one thing the famous article in actor-network theory – on the sociology of translation and the “domestication of the scallops”, by Michel Callon – will be mobilized, whereas the Harvard Business Blue Ocean model, developed by W. Chan Kim and Renée Mauborgne, can function as an eye-opener.

KEYWORDS

UNESCO, safeguarding intangible cultural heritage, brokerage, translation, shrimps, horses, North Sea

DOMESTICATING AND HARVESTING SHRIMPS – FISHER COMMUNITIES AND THE SEA

BLUE OCEAN STRATEGIES, TRANSLATION PROCESSES AND THE UNESCO PARADIGM OF SAFEGUARDING INTANGIBLE CULTURAL HERITAGE

Baku, Azerbaijan, 4 December 2013. On that day, “Shrimp fishing on horseback in Oostduinkerke” was inscribed by the UNESCO on the Representative List of the Intangible Cultural Heritage of Humanity. The decision was taken in consensus during the Eighth Session of the Intergovernmental Committee (8.COM) for the Safeguarding of the Intangible Cultural Heritage. Via three permanent URLs on the UNESCO site, <http://www.unesco.org/culture/ich/en/RL/00673>, but also <http://www.unesco.org/culture/ich/fr/RL/00673> (“la pêche aux crevettes à cheval à Oostduinkerke »), and <http://www.unesco.org/culture/ich/es/RL/00673> (“la pesca del camarón a caballo en Oostduinkerke”), anyone interested in reading more about this peculiar tradition, proposed in a nomination file by Belgium in 2012/2013, can do so in English, French or Spanish. The basic story goes as follows:

Twelve households in Oostduinkerke are actively engaged in shrimp fishing: each has its own speciality, such as weaving nets or an extensive knowledge on the Brabant draft horses. Twice a week, except in winter months, the strong Brabant horses walk breast-deep into the surf of Oostduinkerke, parallel to the coastline, pulling funnel-shaped nets held open by two wooden boards. A chain dragged over the sand creates vibrations, causing the shrimp to jump into the net. Shrimpers place the catch (which is later cooked and eaten) in baskets hanging at the horses’ sides. A good knowledge of the sea and the sand strip, coupled with a high level of trust and respect for one’s horse, are the shrimpers’ essential attributes. (<http://www.unesco.org/culture/ich/en/RL/00673>)

With regard to the rest of the description, the editor of the UNESCO website has cleverly highlighted some of the extra arguments for inscribing the phenomenon as an item on the UNESCO-list.

The tradition gives the community a strong sense of collective identity and plays a central role in social and cultural events, including the two-day Shrimp Festival for which the local community spends months building floats, preparing street theatre and making costumes. Both the shrimp parade and a contest involving hundreds of children being initiated into shrimp catching attract over 10,000 visitors every year. The shrimp fishers function on principles of shared cultural values and mutual dependence. Experienced shrimpers demonstrate techniques and share their knowledge of nets, tides and currents with beginners. (ibid.)

On 4 December 2013, it took about an hour before the radio, television, (online) newspapers, websites and social e-media in Belgium started picking up and broadcasting the news from Azerbaijan, immediately launched in Brussels through a press release by the Flemish Minister for Culture. The positive news of the inscription on the Representative List of the Intangible Cultural Heritage of Humanity was all over the media in Belgium the following hours and days. This rapid distribution and reception was not at all accidental, but the result of a press strategy, carefully planned by the Flemish Ministry and Flemish Minister for Culture and the local authorities of Koksijde–Oostduinkerke, in collaboration with heritage networks in Flanders. That day, the challenge was to communicate faster than the daily general UNESCO press release and to link the news to information about the new policy of safeguarding intangible heritage in Flanders and in the UNESCO. Notwithstanding the very careful wording, still some newspapers and websites misinterpreted it (as usual) and announced a new inscription of a Belgian site on the UNESCO world heritage list.¹ The official contact persons mentioned in the press release, including – if somewhat reluctantly and after several preceding meetings – the shrimp fishers themselves, had been convinced, or in any case instructed, that talking about unique and authentic world heritage of outstanding universal value would be using inappropriate language. They systematically had to try and emphasize in their contacts with the press and the public that shrimp fishing on horseback was not (included on the) world heritage (list) but that it was part of another register, that of the 2003 UNESCO Convention, as an item on a so-called representative list, and an illustration of the 21st century “safeguarding intangible cultural heritage paradigm”.

In *Go-press.be*, the collective online archive covering every article published in Dutch in the major newspapers since 2000, a search on 31 December 2014 combining the word *garnaalvisser*s (shrimp fishers) and “UNESCO” yielded 104 hits. Combining the word *paardenvissers* (literally horses fishers or fishers of horses, but the combination could be and should be understood as fishers on horseback) and “UNESCO” yielded 98 hits. The first newspaper articles about the shrimp fishers in Oostduinkerke in which UNESCO was mentioned were published on 10 November 2005. They were the result of a press conference that was held to launch a new book about the custom, with the dramatic title *From Armada to a Few* (Supeley 2005). The author sounded the alarm bell because there are almost no shrimp fishers left. In his speech on the occasion of the book launch, Marc Vanden Bussche, the mayor of Koksijde, emphasized that the municipality would take up the challenge: “The mayor will also try to get horse fishing recognized as UNESCO World Heritage”.² A few weeks later, another newspaper reported about the plans of Jan Loones, who was not only an alderman in Koksijde and a member of the Flemish Parliament, but also the son of a previous mayor, Honoré Loones. His father had saved the custom in Oostduinkerke in the 1950s by introducing the Shrimp Festival in summer. Together with his colleagues of the municipal council Jan Loones was also the

¹ This was for instance the case with the 8 December issue of *De Zondag*, a newspaper distributed for free via bakeries in Flanders on Sunday.

² *De burgemeester wil ook proberen de paardenvisserij te laten erkennen als Unesco-werelderfgoed*. Paul Bruneel, “Ode aan de paardenvissers”. *Het Laatste Nieuws/Oostende–Westkust*, 10 November 2005, 20. See also *Het Nieuwsblad*, 10 November 2005, 66.

driving force behind the renovation of the National Fishery Museum in Oostduinkerke, another project launched by his father. During the visit of a Flemish Parliament delegation to the UNESCO headquarters in Paris, he announced that the tradition of shrimp fishing on horseback should be included into “the world heritage list”.³ A month later, the whole municipal council declared that they would seek recognition as *immaterieel werelderfgoed* (“intangible world heritage”) of UNESCO: “According to Mayor Marc Vanden Bussche (Liberal Party) the shrimp fishers are unique in the world and their craft one of the most important tourist attractions of the Belgian coast. Previously, UNESCO had already recognized the Carnival of Binche and a number of giant figures as “intangible world heritage”.⁴ The same article also mentioned that in 2006 only seven fishermen were still actively pursuing this custom. As it is part of the canon of “Belgian folklore”, the Belgian king would probably give his support to the initiative, just as it was expected from the Flemish Parliament – according to Jan Loones. Furthermore, a contact with Rieks Smeets was mentioned, at that time chief of the Section of Intangible Cultural Heritage at the UNESCO headquarters. Smeets had seized the opportunity to emphasize that the establishing of an inventory of intangible cultural heritage in the member state was a crucial and necessary first step.⁵

BUT UNESCO INTANGIBLE WORLD HERITAGE DOES NOT EXIST...

The 2005 and 2006 discussions in Koksijde, which caused such a stir in regional and national newspapers, took place before the 2003 UNESCO Convention (<http://www.unesco.org/culture/ich/en/convention>) entered into force. At least 30 States had to ratify the convention first (Jacobs 2007, Aikawa–Faure 2009). This goal was achieved on 20 April 2006. Now it became possible to organize a General Assembly and to establish an Intergovernmental Committee. This committee would then be given the task to develop the Operational Directives (<http://www.unesco.org/culture/ich/en/directives>) which would determine the rules, the criteria and the procedures to establish international instruments like the Representative List. An older program called the Proclamation of the Masterpieces of the Oral and Intangible Heritage of Humanity (2001–2005) had been stopped, as specified in Article 31.3 of the 2003 Convention: no further proclamation will be made after the entry into force of the Convention. The first set of Operational Directives was ready and adopted in 2008 and only then could the procedures (that actors like the municipal council in Koksijde were waiting for) actually be started.

There are many ways to tell the story about the making and implementation of the 2003 Convention. In the first decade, many of these publications were produced by UNESCO officials and consultants and by expert-members of the delegations (Jacobs *et al.* 2014b). An interesting version of the genealogy of the 2003 Convention is presented in a special UNESCO information kit (<http://www.unesco.org/culture/ich/en/kit>). However, this recent and global history is still being constructed and negotiated as more and more ratifications and perspectives are added. In

³ Mark Maes, “Bondig”. *Het Nieuwsblad/Oostende–Westhoek*, 13 January 2006, 19.

⁴ Volgens burgemeester Marc Vanden Bussche (VLD) zijn de garnaalvisserij uniek in de wereld en bovendien een van de belangrijkste toeristische trekpleisters van de Belgische kust. Eerder erkende de Unesco in ons land alvast het carnaval van Binche en enkele reuzen als ‘immaterieel werelderfgoed’. Paul Bruneel and Stijn Vanderhaeghe, “Garnaalvisserij straks Unesco-werelderfgoed?”. *Het Laatste Nieuws/Oostende–Westkust*, 8 February 2006, 16.

⁵ Mma, “Paardenvisserij mogelijk beschermd”. *De Standaard–West–Vlaanderen*, 15 February 2006, 63.

this contribution, we will explore the possibilities of a sensitizing model that was developed and tested in the first decade of the 21st century, in the same period when the new intangible cultural heritage paradigm emerged. Until now, the “blue ocean” model has not yet been used to try and understand how and why the 2003 UNESCO Convention was developed and quickly embraced by most states in the world, or why it is inappropriate to use the concept of world heritage. It is important to feel and understand the tension that is implicit in the first paragraph of this article. Why was the municipal council, including the political protagonists like mayor Marc Vanden Bussche and Jan Loones, so careful to avoid the “world heritage discourse” or the use of a concept like “unique intangible world heritage” in December 2013, while six or seven years earlier (and, as we will see until the preceding months) this was the dream they, the shrimp fishers on horseback, and their families were formulating in relation to the UNESCO? Why is it so difficult for journalists and other people to avoid concepts like authentic, unique, superior, or world heritage when speaking about intangible heritage and the UNESCO? Does it matter? Is it only a question of sloppy research or inappropriate language? But what does this mean?

It is clear that this process is not fully understood. In several contributions I have been trying to unravel what has been going on here (see Jacobs 2007, 2012, 2013, 2014a). As far as the vocabulary is concerned, it is partly a matter of changing paradigms in folklore studies, ethnology, and anthropology (Jacobs 2014c). This can account for a number of terms that are almost “taboo words”. Scholars like Laurajane Smith have presented powerful concepts like the “authorized heritage discourse” (AHD) to talk about the 1972 UNESCO Convention and to make clear why alternatives to the AHD are constructed (Smith 2006, 2013). Many of the problems related to the lists and the confusion about world heritage were discussed in a very critical meeting in Tokyo in 2013 (see Jacobs 2013, Khaznadar 2013, Smith 2013 and other contributions in the published report). The debate is still not settled and new perspectives are welcome.

CULTIVATING THE 2003 UNESCO CONVENTION AS A BLUE OCEAN STRATEGY?

The Blue Ocean Strategy is the seductive title of an eye-opening article published by W. Chan Kim and Renée Mauborgne in 2004 in the Harvard Business Review. The ideas were elaborated in a book with the same title published a year later (Chan Kim and Mauborgne 2005). The central proposition is that an organization can create new demand in a new market space rather than compete with other companies in an existing industry. The blood flowing in the latter arena, as in a sea full of competing, aggressive sharks, led to the “Red Ocean” metaphor. The softer metaphor of the “Blue Ocean” suggests a more appealing challenge. Sometimes blue oceans are created beyond the existing boundaries of a field. Most are created like Cirque du Soleil, by expanding existing industry boundaries within red oceans (in this case of classic circuses), but generating new spaces where the rules of the game are

waiting to be set. The Blue Ocean Strategy as it was formulated by Chan Kim and Mauborgne in 2005 seems to capture opportunities in a mass-market environment. In this field, a successful operation involving value innovation in combination with a clever strategy and sound business model can generate a lot of money. But as the authors illustrated with the case of the rapid transformation of the NYPD (New York City Police Department) in the middle of the 1990s, the model can also be applied to understand the “competition” between police and law enforcers on the one hand, and criminals on the other. The profits in this case were a 50% decrease in the number of murders and of 35% in thefts in New York between 1994 and 1996, to great satisfaction of the customers (the public).

One of the paradigmatic examples Chan Kim and Mauborgne extensively used in their book to explain their theory even falls within the spectrum of intangible cultural heritage as it is conceptualized by the 2003 UNESCO Convention (Article 2). The field of traveling circuses can be considered as a red ocean with more than 200 years of history in the Western world. It has been – in particular in the format of traditional family circuses – a declining industry in competition with many other forms of (multimedia) entertainment. There is also a rising opposition against the use of wild animals in circuses, triggered and animated by animal rights groups (like GAIA in Belgium).⁶ On the other hand, since 1984, there is the enormous, worldwide success of Cirque du Soleil. Unlike Ringling Bros. or Barnum & Bailey and other circuses, they did not aim at children (and their parents) in the first place, but at adult, paying customers, with or without their children. Thus, they created a new public (space), upgrading and reinventing a circus formula. They deconstructed the traditional circus and focused on, upgraded and glamorized three components: the acrobatic acts, the clowns, and the tent. They reorganized the circus repertoire and did away with a whole series of difficult issues, like the use of animals. They added a vague story line, special music, and invested in an atmosphere that was closer to theatre. Cirque du Soleil combined the best of theatre, ballet and circus, and eliminated or reduced other elements. The Cirque also reduced costs. This proves that there are alternatives for the view that 21st century enterprises should be either low-cost providers or niche-actors: cultivating and harvesting value that crosses conventional market segmentation, in order to achieve a sustainable competitive advantage.

But – and this is crucial – in the framework we wish to analyse, the Blue Ocean Strategy does not refer in the first place to evolutions in the cultural industry or to the world of circus as performing arts in a competitive market; it refers to the register of cultural heritage; a form of living heritage, important for communities and groups. It refers to what Barbara Kirshenblatt-Gimblett (2004) called metacultural production. In this logic, we would refer to safeguarding different forms of circus performance, including in particular the more traditional forms of traveling circuses.

⁶ Note that until now, and in contrast to several other forms of intangible cultural heritage involving animals, there were no protests from GAIA against the treatment of shrimps (as they are caught, cooked, and eaten) in the Oostduinkerke-custom inscribed in the Representative List of the 2003 Convention.

In this article we wish to explore the thesis that the struggles around the implementation of the 1972 UNESCO Convention and its operational guidelines, and in particular the ensuing competition to be included on the World Heritage List, and then to exploit the WH emblem for several purposes, can be conceptualized as a Red Ocean paradigm. The development and implementation of the 2003 UNESCO Convention and its operational directives can then be presented as an attempt to generate a Blue Ocean Strategy. In short, and for the sake of the argument, in the 21st century, aspiring to and using the UNESCO World Heritage status is a Red Ocean Strategy and the paradigm of safeguarding intangible cultural heritage is a sort of Blue Ocean Strategy.

A crucial factor in the Blue Ocean Strategy is the tipping point theory. The basic idea is that, in an organization, big changes can happen quickly when the beliefs and energies of a critical mass of people create an epidemic movement toward an idea. The axiom is that in every organization there are people, activities and acts that exercise a disproportionate influence on performance. The group of governmental experts and diplomats that created the 2003 UNESCO consensus text, followed by the UNESCO Section of Intangible Cultural Heritage and the epistemic community and networks of and around the members and observers of the Intergovernmental Committee, and by key persons in the member states that have ratified the convention: all together, this group of a few hundred people have succeeded in creating a global policy effect (Jacobs, 2007, 2013, 2014a; Aikawa-Faure 2009). The remarkable speed of the ratification of the 2003 Convention, 161 member states in a decade, speaks volumes.

MUTATIS MUTANDIS, THE RED 1972 AND THE BLUE 2003 OCEANS

The double model that Chan Kim and Mauborgne launched offers an interesting sensitizing framework to understand the success, in policy and practice, of the 21st-century paradigm of intangible heritage. *Mutatis mutandis*, we suggest that (implementing) the 2003 UNESCO Convention is a blue ocean in comparison to the red ocean of (implementing) the 1972 UNESCO Convention. Within the UNESCO headquarters, in the first decade of the 21st century, the different heritage sections in the secretariat were like separate continents, or, to stay within the metaphor, different seas and oceans. Although there is constant pressure to merge oceans, what Chan Kim and Mauborgne call environmental determinism, drawing the blue into the red, it can be useful to cultivate the Blue Ocean Strategy for a while.

There is a strong pressure to compete within a kind of environmental determinism, in casu to stay within what Laurajane Smith baptized “the authorized heritage discourse”. The alternative is based on the view that the boundaries (of the market, of the industry...) are not fixed, but can be influenced by actions and the beliefs of actors: a reconstructionist view. In a red ocean, the cost of differentiation is high because everyone competes with the same best practice rules. Chan Kim and Mauborgne

suggest that the perspective is different when looking for an alternative: “In the reconstructionist world, however, the strategic aim is to create new best practice rules by breaking the existing value–cost trade–off and thereby creating a blue ocean” (Chan Kim and Mauborgne 2004, 18). The Blue Ocean Theory offers sensitizing concepts that help to understand how this works. The toolbox presented by Chan Kim and Mauborgne contains analytical tools and frameworks like the “strategy canvas”, the “four actions framework”, and the “eliminate–reduce–raise–create grid”. The four actions framework can be captured in a one–long–liner. Which factors should be eliminated, reduced well below or raised above the standard in the industry, and which factors that the industry never lived up to should then be created? The authors suggest that organizations create blue oceans by looking beyond conventional boundaries of competition, following steps of visualizing strategy, creating new demand by unlocking the three tiers of noncustomers and launching a commercially viable Blue Ocean idea. These are of course the typical schematization formulae of a management book, which should be treated as what they are: sensitizing devices.

In the last part of their book, Chan Kim and Mauborgne emphasize the importance of tipping point leadership and fair process. It seems important to elegantly take the four hurdles: cognitive, resource–related, motivational, and political. They prevent people from understanding the need to break away from the status quo, finding the resources to implement the new strategic shift, keeping everybody committed to implementing the new strategy, and from overcoming the powerful vested interests that may block the change. These processes can be detected among heritage policy makers all over the world.

PURPLE MASTERPIECES, VIOLET NOMINATION FORMS, AND TRANSLATION PROCESSES

The fact that local politicians and the press in Oostduinkerke–Koksijde referred in 2005–2006 to “Intangible World Heritage” and publicly spoke about starting up the procedure, even before the 2003 UNESCO Convention entered into force, and more than two years before the criteria and procedure were determined, speaks volumes. It reveals that there was an intermediary formula that functioned in the liminal twilight zone of finding an alternative to the World Heritage formula: not red, but also not yet completely blue. Let us call it purple. The program was called the (proclamation of) Masterpieces of Oral and Intangible Cultural Heritage. It was presented as a distinct alternative for world heritage, but the criteria were ambiguous and contradictory (Jacobs 2007, Aikawa–Faure 2009). It caused much debate and consensus–building–via–ambiguity while the 2003 UNESCO Convention was being drafted, and the discussion continued during the process when the Operational Directives were drawn up and later adapted. One of these ambiguous consensuses was to speak about a “representative list” (Article 16) without defining the notion of representativity. A pragmatic trick was used by just including the 90 items proclaimed masterpieces as items on the representative

list, no more questions asked (for the time being) even if other criteria would be used for inscribing new items on that list. Potential solutions in order to expose shams, to prevent inflation effects or to manage the representative list by introducing a sunset clause were not yet accepted. A very open process inspired by the way Wikipedia works has not yet been accepted. Via a so-called New Delhi consensus (see Jacobs 2013, 2014a), a decision was made to go for easy criteria and to reduce inflation effects by getting the instream under control, i.e. to only examine a limited number. This system was inscribed into the operational guidelines in 2008. In the next six years the system functioned more or less effectively (but consider the hard criticism in Khaznadar 2013). As time progressed, the procedure became more and more complex and the entry port smaller and smaller. For a limited group of insiders in the UNESCO networks, and in particular in the epistemic community of the Intergovernmental Committee, the Secretariat and the connected networks of consultants, brokers and experts, the written and unwritten rules remained more or less clear. For outsiders, these subtle rules and the complex tug-of-war with appropriate vocabulary and the art of filling out a form, was much less transparent (see Smeets 2012, Jacobs 2014a). Is complexity in handling a handful of very easy criteria a way to try and manage the credibility of the lists, to gain time when dealing with the lure and temptations of the violet masterpieces—associations and to redirect the craving of politicians, the press and the public for the Red Ocean sensations of a “UNESCO World Heritage list”? Should this be seen as an attempt to keep on generating resources for international capacity building and safeguarding programs, to inspire governments in expanding the notion of heritage and heritage practices, and to develop policies for safeguarding intangible heritage (see the interesting suggestions in Torggler et.al, 2013)? In our opinion, the bluest parts of the 2003 UNESCO Convention is Article 18, calling for best practices, and Articles 11 to 15, asking for new national policies and calling on the potential for new operational directives on sustainable development.

But finding a balance between red, violet, blue, and other shades in the practice of working with the 2003 Convention within the UNESCO involves a lot of negotiation, translation, mediation and follow up, in particular when dealing with nominations and inscriptions on the lists. To understand the processes that are involved, we propose to resort to another publication, more specifically a model that was presented by Michel Callon. In an extended case study about domesticating and harvesting scallops and the viability of this trade in fishers’ communities along the coast of France, first published in 1986 in a volume edited by John Law, Callon zoomed in on a challenge of threats for a “living culture” (in this case, of scallops in the sea) for which methods that opened new perspectives were discovered in the Far East (more precisely Japan) and then tested, discussed, and applied in France. This proved to be a story about negotiation, power struggle, and constructing and cultivating networks (Callon 1986). The story told in the 1980s about the scallops and fishermen had ecological, economic, social and cultural

dimensions, a cocktail that today, a quarter of century later, would probably be framed as “sustainable development”. What interests us here in particular are the different phases of the translation process. Callon applied a classic recipe of actor–network analysis, “follow the actor”... How did the central actor, in the story of Callon a team of three researchers of the Centre National d’Exploitation des Océans, manage the safeguarding operation? Callon used different connotations of the word “translation” to describe the process, including the use in Euclidean geometry where “a translation is a function that moves every point a constant distance in a specified direction” or applying a vector. In translation sociology, the association of movement is combined with the association of formulating a problem in a different way, e.g. with other words in a different language. In his article, Callon presents different phases of a general process called translation, during which the identity of actors, the possibility of interaction, and the margins of maneuver are negotiated. From the perspective of a central actor, the following phases can be distinguished: (1) problematization: trying to become indispensable to other actors by defining them and their problems, and offering a way forward via “obligatory passage points”, in a first phase as (part of) their own programme; (2) interessement: processes that try to strengthen the role that other actors have in that programme; (3) enrolment: strategies to interrelate the roles; (4) mobilization: methods used to ensure that the supposed spokesmen represent their “collectivities” (or, e.g., communities) and are not betrayed by the latter. The translation is a never accomplished or fixed process: it can always be challenged, appropriated or changed, and it may fail. The 2003 UNESCO Convention text itself, as well as the organs and instruments of the Convention, the representative list of Article 16, the national inventories, the operational directives, the nomination forms that have to be used, or the appropriate vocabulary can be described by using these concepts. In Flanders even a new, unusual word like *borgen* was introduced (something that Michel Callon called “a device of interessement”) as a translation in Dutch of the concept of safeguarding, to make clear that embracing the 2003 UNESCO Convention for the Safeguarding of Intangible Cultural Heritage should not signify business as usual.

At the occasion of the tenth anniversary of the 2003 Convention, these processes were analyzed by the UNESCO’s Internal Oversight Service. The researchers who made the assessment of the first decade of working with this normative instrument identified a series of misunderstandings and challenges, of which the following enumeration speaks volumes:

178. In fact, in the context of this evaluation lack of awareness and understanding of the Convention and insufficient capacities were identified as some of the major challenges encountered in the implementation of the Convention. This manifests in many ways such as in a general lack of familiarity with the Convention; confusion of the concepts and principles of the 2003 Convention with those of the 1972 Convention (authenticity, outstanding universal value etc.); a focus on “preserving” past “authentic”

forms of ICH, rather than safeguarding them as living heritage that is constantly recreated by community; (...) lack of appreciation by communities of their ICH; and insufficient knowledge in communities about the Convention and national safeguarding programs etc. (Torggler et al. 2013, 178 / <http://www.unesco.org/culture/ich/doc/src/ITH-13-8.COM-INF.5.c-EN.doc>)

The operation of propagating, monitoring, and enforcing the “appropriate language” of the 2003 UNESCO Convention is performed via direct feedback and more and more special documents of the Secretariat, reports of the meetings of the General Assembly, of the Intergovernmental Committee and both its Consultative and Subsidiary Body. Rieks Smeets coined the term “the third source of guidance” to capture the effects of working with the UNESCO’s ICH forms (Smeets 2012). Special instruments like the document “Transversal issues arising in the evaluation and examination of nominations, proposals and requests” (among others referring to appropriate language), updated for every meeting of the Intergovernmental Committee, try to consolidate this movement.⁷ The official purpose of that document is to assist the Consultative Body, the Subsidiary Body and the Intergovernmental Committee in their work, but in practice it is also a set of guidelines, reminders, do and do-nots for everybody, or at least for those actors concerned with the listing process. Or, in other words, one of the core translation processes of the new paradigm.

In the Paris meeting of the Intergovernmental Committee in 2012, the many debates and struggles, and the problems to be consistent in the decisions of the Intergovernmental Committee when dealing with the nominations for the lists, caused a crisis. Many proposals of the Subsidiary and Consultative Body were overturned, in particular for referrals. As a form of a compromise, a decision was made that only nomination forms that were complete would be presented to the bodies for evaluation.

SHRIMP FISHERS, BROKERS AND THE UNESCO

As soon as the Operational Directives had been adopted in 2008, the Flemish government not only started a Flemish inventory of intangible cultural heritage but also opened a call for proposals for the UNESCO lists and register. Several nomination files were prepared and the organization FARO (in particular Marc Jacobs), in collaboration with the Agency for Cultural Heritage (in particular Arlette Thys, Hans Vanderlinden and Dries Vandenbroucke), helped with fine-tuning the language and following up the intermediate feedback of the Secretariat. Several proposals passed smoothly and were inscribed in 2009, 2010 and 2011.⁸ Also in Oostduinkerke-Koksijde the plan to nominate the shrimp fishing on horseback was reactivated in 2009 and echoes of the aspirations and different steps can be retraced in the press. Via the municipality of Koksijde a nomination file was submitted to the Flemish government before the deadline of 31 March 2009 to inscribe the phenomenon on

⁷ Transversal issues arising in the evaluation and examination of nominations, proposals and requests. ITH/13/8.COM/INF.7 Rev., Paris, 24 February 2014. http://www.unesco.org/culture/ich/doc/src/ITH-13-8.COM-INF.7_Rev.-EN.doc.

⁸ See the Periodic Report in: <http://www.unesco.org/culture/ich/doc/download.php?versionID=26289>.

the Flemish inventory list with the goal to go for UNESCO recognition. In the press, the regional historian (heemkundige) Jackie Beun, member of the friends of the national fishery museum in Oostduinkerke, emphasized the claim that the custom had been practiced “for more than five centuries in the same form” and that it had become unique in the 21st century: it only took place at Oostduinkerke. A special committee was brought together to prepare a UNESCO nomination.⁹ The newspaper articles published in 2009 still presented it as a step towards recognition as “world heritage”, in order to stress “the uniqueness”.¹⁰ In December 2010, a special meeting was held in Oostduinkerke’s fishery museum to which Marc Jacobs of FARO was invited for additional information. He used the opportunity to underline that a specific vocabulary and approach would be needed for the application, since this was not a procedure to become world heritage. Special emphasis was put on the importance of prior and informed consent and on the fact that the major stakeholders had to be fully aware of the implications of the new safeguarding paradigm. The idea was to cultivate this process under guidance of the fishery museum and to start a participatory process that could lead to a filled out nomination file. But in the following weeks important changes took place in the local museum, including the retirement of its director. Thus, the decision was made to assign the task of writing the file to an employee of the National Fishery Museum. Based on the instructions available on the UNESCO website, Didier Bourry elaborated a version in French that was sent to the UNESCO in 2010. But there it entered into a pool of several Belgian proposals. The rules had changed, allowing only one nomination per year per member state. In 2011 it was the turn of the Walloon part of Belgium who submitted the Marches of Entre-Sambre-et-Meuse file, that was inscribed on the Representative List at the Intergovernmental Committee meeting in Paris in 2012 (<http://www.unesco.org/culture/ich/en/RL/00670>). In March 2012, it was the turn of the Flemish Community and the Flemish Minister for Culture and her advisory commission to submit the proposal from Oostduinkerke-Koksijde which became the official candidate for examination and potential inscription in December 2013.

In the articles published in Flemish newspapers, it is possible to detect the positive effects in Koksijde during the years between launching the idea and the actual UNESCO evaluation procedure in 2013. A 35-year-old “French fries” baker from Koksijde bought a Brabant horse and began, in the spring of 2011, a two-year internship to become a full-blown shrimp fisher. It was national news, with reference to a procedure in the UNESCO, aimed at the status of “intangible world heritage”. The example was followed in April 2011 by a 16-year-old school boy, the son of a local baker.¹¹ In the summer of 2011, even the business newspaper *De Tijd* noted that something was happening at the coast and that there were now 12 active shrimp fishers, including the two apprentices. The journalist critically observed that their harvest of shrimps was very small and from an economic perspective totally unfeasible. “It should be clear that the whole spectacle is a staged play. The fishers on horseback get a

⁹ Dany van Loo, “Paardenvisserij op weg naar erkenning als werelderfgoed”. *De Standaard/Vest-Vlaanderen*, 2 April 2009, 16.

¹⁰ Valerie Verkain, “We zijn uniek in de wereld”. *Het Laatste Nieuws*, 11 April 2009, regional page.

¹¹ Mark Maes, “16-jarige jongen gaat garnaalvissen te paard”. *Het Nieuwsblad/Oostende-Westhoek*, 29 April 2011, 54.

fee from the municipality to give a demonstration during the summer season. They are a unique trump card for tourism: Oostduinkerke has the only horse fishers in the world that are still active. Belgium hopes to get the centuries-old tradition recognized as UNESCO world heritage".¹²

In 2012 an important change took place in the museum of Oostduinkerke. Dr. Maja Wolny, a Belgian citizen of Polish origin, was appointed as its new director and became actively involved in the restyling of the recently renamed NAVIGO museum. Another new professional, Ineke Steevens, was recruited as a researcher and assigned the follow-up of the UNESCO trajectory. In November 2012, the former collaborator of the museum, Didier Bourry, received a letter from the Section Intangible Heritage of the UNESCO Secretariat, telling him that the wrong form had been used and that the file could not be examined. A series of comments were added, containing the indication that the many letters of support from different authorities, politicians and institutions were not necessary, nor wanted, but that documents proving prior and informed consent of the tradition bearers and other stakeholders were. The UNESCO's feedback suggested that a whole series of small details, inappropriate words and subtle transgressions of the unwritten rules would be problematic. The explicit reference to the "Transversal issues" document was more than a hint.¹³ At this occasion, several lessons were learned from the experience, also by the Ministry, who got a copy of the letter. Now that the UNESCO procedures were becoming more strict, and in view of the fact that the safety net in the form of correspondence, feedback and guidance by the Section of Intangible Heritage of the UNESCO headquarters was going to disappear, it was decided to channel any future correspondence via the Ministry, and to include an extra layer of screening via civil servants and experts (at FARO and in the advising commission). Ineke Steevens was supposed to make the bridge between the centers of expertise (like CAG, tapis plein or FARO: see Casteleyn *et al.* 2014) and the local community. Marc Jacobs agreed to again be involved and to screen on a voluntary basis the different versions of the nomination file and to provide critical feedback. The condition was to create and maintain an intensive local process of information exchange and strong involvement of the Koksijde community, its politicians and its fishers and their families. An emergency meeting was held in the building of the Ministry of Culture in Brussels on 29 November 2012, to discuss the work that had to be done in Koksijde. On 7 January 2013, a new meeting brought together members of the Advisory Commission on ICE, Marc Jacobs of FARO, and a delegation of stakeholders from Oostduinkerke-Koksijde. A close and critical reading of the application, examined through the eyes of a judging UNESCO body, indicated a number of problems and, above all, the need to seriously consider the fact that the file would be inscribed on the representative list and not on a world heritage list. Problematic issues, inappropriate vocabulary, lack of precision, more focus on the fishers and their families, the importance of setting up a monitoring committee to monitor the safeguarding measures – all these subjects were talked through at the meeting. Just before 31 March

¹² *Het mag duidelijk zijn dat heel dit spektakel opgezet spel is. De paardenvissers krijgen van de gemeente een vergoeding om tijdens het zomerseizoen af en toe een demonstratie te komen geven. Ze vormen een unieke toeristische troef: Oostduinkerke heeft de enige paardenvissers ter wereld die nog actief zijn. België hoopt de eeuwenoude traditie dan ook erkend te krijgen als Unesco-werelderfgoed. "Paardenvissers beleven hausse". De Tijd, 28 July 2011, 7.*

¹³ C. Duvelle, secretary of the 2003 Convention, to Didier Bourry. ITH/12/7.COM/INF.7, Paris, 9 November 2013.

2013 the whole file was resubmitted using the new form that had been developed in the meantime. In the final stage the interaction between the Secretariat and the Flemish Ministry allowed to correct some minor details, about transgressions of the maximum number of words and old prior and informed consent letters.¹⁴ During the process of rewriting and translating the file, the press kept on producing articles about a world heritage procedure under way.¹⁵ In June 2013 not only Howard Gutman (at that time, the ambassador of the USA in Belgium) but also the Belgian King Albert II and Queen Paola came to visit and witness the shrimp fishing in Oostduinkerke, and once again the suggestion was made that this was supporting the “world heritage candidature”.¹⁶ In both cases of course, the effect was nonexistent, except for mystification and use in the national and local contexts. Over and over again, the suggestion was repeated that the custom was unique, that political forces and the symbolic capital concentrated in the *Orde van de Paardevissers*, or even the mobilization of the royal couple, was necessary to transform it into world heritage. In a report about the royal visit, published in the summer of 2013 on the front page of the most widely read newspaper in Flanders, it was mentioned that: “The fishers on horseback are unique in the world and hope to be recognized as UNESCO world heritage before the end of the year. The visit of the royal couple certainly was a welcome push for that candidature”.¹⁷ On 22 November 2013, a special meeting, in which Marc Jacobs (FARO) and Jorijn Neyrinck (tapis plein) participated as ICH experts, was organized in Koksijde to fine-tune the local communication with the press. The press spokesman of the Minister of Culture coordinated the contacts with national radio and television. The message that Oostduinkerke had embarked on a fishing experience in a UNESCO Blue Sea of safeguarding intangible heritage was communicated via many channels in 2013 and 2014. The shrimp fishing in Oostduinkerke now attracts many journalists, filmmakers and tourists. As the *Go-press.be* database demonstrates, many journalists keep on using the concept of world heritage in their articles about this phenomenon on the UNESCO list. And the stakeholders keep on exploring the borders of the metaphorical blue sea with creative combinations of words. Even on the NAVIGO website, an announcement on 31 December 2014 still reads that the ‘shrimp fishermen on horseback of Oostduinkerke have been added to the world list of intangible cultural heritage.”(<http://en.navigomuseum.be/>).

THE BIGGER PICTURE

The implementation of the 2003 UNESCO Convention is a story of how to start a conceptual system (in this case about corporeal or embodied forms of heritage, about traditions handed over from generation to generation and, in Europe, about forms of popular culture) and to cultivate participatory methods involving stakeholders like groups and (heritage) communities. The symbolic capital of the UNESCO empowers and legitimizes this movement on a global and local scale, and the ambiguous blue-red association with the international exploitation of

¹⁴ Letter of C. Duvelle to M. Laureys, Paris 22 March 2013.

¹⁵ Gudrun Steen & Dieter Dujardin, “Stap dicht bij werelderfgoed”. *Het Laatste Nieuws*, 19 April 2012, 19.

¹⁶ Tommy Huyghebaert, “Koningspaar leert garnalen vangen in Oostduinkerke”. *Het Nieuwsblad/Oostende-Westhoek*, 14 June 2013, 21.

¹⁷ *De paardenvissers zijn uniek in de wereld en hopen eind dit jaar erkend te worden als Unesco-werelderfgoed. Het bezoek van het vorstenpaar moet die kandidatuur een duwtje in de rug geven. “In rubberen laarzen bij de garnaalvissers”*. *Het Laatste Nieuws*, 14 June 2013, 1.

the label of “World Heritage” boosts its attraction and impact. Heritage brokers, mediators, and translators are crucial for the success of an application and/or cultural brokerage is a critical success factor to make it work and render it sustainable (Jacobs *et al.* 2014b). And, *en passant*, not only visibility and viability of these forms of culture can be generated, but also a livelihood and resources for communities, groups and, per definition applicable, individuals (and their families and neighbors), next to political and social capital.

In the *International Journal of Intangible Cultural Heritage* I have pleaded for a long-term study to interpret and understand this interesting 21st century episode (the 2003 UNESCO Convention paradigm) in the history of popular culture or “folklore” since the Middle Ages (Jacobs *et al.* 2014a). The relation with different levels of government is a crucial part of the history of popular culture as it was proposed by Peter Burke (1978). The long history of beach fishing in Oostduinkerke, like shrimp fishing, with nets pulled by people, donkeys and horses, shows long periods of prohibition, repression, fines and illegality, from the 16th until the early 19th century (Lansweert 2006). It was associated with poverty and hard conditions. It got a more positive connotation, when it was connected to the rising tourism in the 20th century, in particular after the Second World War. Mayor Honoré Loones played a crucial role in cultivating the value of this peculiar custom, by inventing a special Shrimp Feast in 1950, and by launching a publicity campaign to promote it. The municipal council also set up a system of small subsidies as incentives for the shrimp fishers to go out fishing during the summer season. These interventions, and the support of local politicians, the tourist office, and the pride and stamina of several shrimp fisher families, saved the custom. It became an icon, a symbol, part of the canon of Belgian and later Flemish folklore, associated with the Belgian and later Flemish coast of the North Sea. When a book was published about shrimp fishing in 1973, the author actively spoke about its likely disappearance in the near future. But the Shrimp Festival and the protagonists on horseback proved to be resilient. The investment in a museum telling the story of fishing in the North Sea, but devoting special attention to shrimp fisher families in Oostduinkerke, was another important instrument. In Oostduinkerke – due to the linking of family traditions and community life and local identity, and the constant support and attention of local politicians (also transmitting the political capital and support for the shrimp fishing from father to son, like in the Loones family) and of municipal services – a series of measures and methods were combined that today are called safeguarding. In fact, parts of the now recognized custom (like the Shrimp Festival) were started as a safeguarding measure *avant la lettre*. An interesting combination of visibility and visitability (Dicks 2003) – very compatible with Article 16 (of the Representative List) – has been cultivated in Oostduinkerke for some decades, and the symbolic capital of the UNESCO (and its association with world heritage and increasingly with intangible heritage), in combination with the attention that has been given to safeguarding

intangible heritage in Flanders, makes it into an inspiring case. In particular the respect for the opinion of the shrimp fishers themselves is interesting and the recent debate about prior and informed consent in the UNESCO procedure has empowered them even more. As the doubling of the number of shrimp fishers on horseback shows, this case seems to be, at last, one of the success stories of the 2003 UNESCO Convention and the potential of an often, and with reason, criticized instrument like the Representative List of Article 16. All the efforts by the cultural brokers in the NAVIGO museum, the Flemish centers of expertise and FARO, and the civil servants of the Ministry of Culture and other stakeholders to produce a good and balanced nomination did not go unnoticed. Today, after the evaluation by the Intergovernmental Committee in Baku, the file of shrimp fishing on horseback in Oostduinkerke is presented on the UNESCO website as an inspiring example for other nominations for the Representative List. (<http://www.unesco.org/culture/ich/index.php?lg=en&pg=11&exemplary=1#tabs>).

REFERENCES

- AIKAWA-FAURE, N. 2009. From the Proclamation of Masterpieces to the Convention for the Safeguarding of Intangible Cultural Heritage. In *Intangible heritage*, eds. L. Smith and N. Akagawa, 13–44. London: Routledge.
- BURKE, P. 1978. *Popular culture in early modern Europe*. London: Temple Smith.
- CALLON, M. 1986. Some elements of a sociology of translation: Domestication of the scallops and the fishermen of St Brieuc Bay. In *Power, action and belief: A new sociology of knowledge?*, ed. J. Law, 196–223. London: Routledge.
- CASTELEYN, L., E. JANSSENS, and J. NEYRINCK. 2014. Six years of experience in intangible heritage mediation in Flanders (Belgium). From cultural heritage cells and an ICH network to www.immaterieelerfgoed.be. *Volkskunde. Tijdschrift over de cultuur van het dagelijks leven* 115: 387–404.
- CHAN KIM, W. and R. MAUBORGNE. 2004. Blue Ocean Strategy. *Harvard Business Review* October 2004: 76–85.
- CHAN KIM, W. and R. MAUBORGNE. 2005. *Blue Ocean Strategy: How to create uncontested market space and make competition irrelevant*. Boston: Harvard Business Review Press.
- DICKS, B. 2003. *Culture on display. The production of contemporary visitability*. Berkshire: Open University Press.
- JACOBS, M. 2007. Das Konventionsprojekt der UNESCO zum immateriellen Kulturerbe. Von dem “Deus ex machina” und einem “Meisterwerk der Kompromisse” und seiner politischen Umsetzung. *UNESCO Heute. Zeitschrift der Deutschen UNESCO-Kommission* 54: 9–15.
- JACOBS, M. 2012. La sauvegarde du PCI en Flandre: Un changement de paradigme. *Culture et recherche* 127: 52–53.
- JACOBS, M. 2013. Criteria, apertures and envelopes. ICH directives and organs in operation. In *Evaluating the inscription criteria for the two lists of UNESCO's Intangible Cultural Heritage Convention. The 10th anniversary of the 2003 Convention. Final report*, 129–137. Osaka: International Research Centre for Intangible Cultural Heritage in the Asia-Pacific Region.
- JACOBS, M. 2014a. Bruegel and Burke were here! Examining the criteria implicit in the UNESCO paradigm of safeguarding ICH: The first decade. *International Journal of Intangible Heritage* 9: 99–117.

JACOBS, M., J. NEYRINCK, and A. VAN DER ZEIJDEN. 2014b. UNESCO, brokers and critical success (f)actors in safeguarding intangible cultural heritage. *Volkskunde. Tijdschrift over de cultuur van het dagelijks leven* 115: 249–256.

JACOBS, M. 2014c. Cultural brokerage. Addressing boundaries and the new paradigm of safeguarding intangible cultural heritage. *Folklore studies, transdisciplinary perspectives and UNESCO. Volkskunde. Tijdschrift over de cultuur van het dagelijks leven* 115: 265–291.

KHAZNADAR, C. 2013. How the application of abusively interpreted criteria is leading to the betrayal of the spirit of the Convention of 2003. In *Evaluating the inscription criteria for the two lists of UNESCO's Intangible Cultural Heritage Convention. The 10th anniversary of the 2003 Convention. Final report*, 96–190. Osaka: International Research Centre for Intangible Cultural Heritage in the Asia-Pacific Region.

KIRSHENBLATT-GIMBLETT, B. 2004. Intangible heritage as metacultural production. *Museum International* 56(1–2): 52–65.

LANSZWEERT, W. 2006. Koksijde–Oostduinkerke: Een gemeente van Ijslandvaarders, strandvisseren en paardenvissers. In *Koksijde. Stichting Kunstboek*.

SMEETS, R. 2012. On the third source of guidance for the implementation of UNESCO's Intangible Heritage Convention. In *The First ICH-Researchers Forum. The Implementation of UNESCO's 2003 Convention. Final report*, 3 June 2012, 71–86. Paris, Sakai City: Maison des Cultures du Monde & IRCL.

SMITH, L. 2006. *Uses of heritage*. London: Routledge.

SMITH, L. 2013. The Intangible Cultural Heritage Convention. A challenge to the authorised heritage discourse? In *Evaluating the inscription criteria for the two lists of UNESCO's Intangible Cultural Heritage Convention. The 10th anniversary of the 2003 Convention. Final report*, 122–128. Osaka: International Research Centre for Intangible Cultural Heritage in the Asia-Pacific Region.

SUPELEY, M. 2005. *De Oostduinkerke paardenvissers, van Armada tot Enkeling*. Oostduinkerke: Vereniging voor Vreemdelingenverkeer Koksijde–Oostduinkerke.

TORGGLER, B., E. SEDIKINA-RIVIÈRE, and J. BLAKE. 2013. *Evaluation by the internal oversight service of UNESCO's standard-setting work of the culture sector. Part I: 2003 Convention for the Safeguarding of the Intangible Cultural Heritage*. Paris: UNESCO.

VAN IMMERSEEL, F. 1973. *Garnalenvissers te Paard*. Tielt: Lannoo.