

Folk Culture and the Public Domain



Olena Boriak

Senior Research Fellow
at the Centre for Ukrainian
Folklore and Ethnology,
Maxym Rylskyi Institute of Art Studies,
Folklore and Ethnology,
National Academy
of Sciences of Ukraine

2001-2002 Fulbright Scholar
at the University of Virginia

Research Field: Cultural Anthropology /
Women Studies

Project Title:

“The Ritual and Mythology of the Midwife:
A Woman’s Place and Role
in Traditional Society”

“Folklore comes early and stays late in
the lives of all of us”
Barry Toelken

The venue for the American Folklore Society’s (AFS) annual meeting was not chosen by accident. Anyone interested in the cultural roots of the American Continent knows Albuquerque and its surroundings. This picturesque city in New Mexico is located in a green valley not far from a low range of cliffs where the Pueblo Indians used to find refuge. According to one legend, the word “pueblo” comes from the Spanish word for “town». This is what the early settlers called the local people who lived in the multi-storied adobe brick buildings of New Mexico and Arizona.

When Europeans and the Pueblo Indians first met, the Indians belonged to 8 linguistic groups and lived in large communities^{1:16}. Spaniards who worked their way along the Rio Grande first arrived in 1540. The town got its name in 1760 from its founder — Viceroy of New Spain Duke de Albuquerque. For nearly a century and a half it remained a small village until the railroad came to town in 1877. Since then

In Ukraine, we are just beginning to look at contemporary trends

the “Burque” (or Wild Town) which residents called Albuquerque began turning into a large academic and technological center in the American southwest. Kirtland air base and the U.S. Department of Energy’s National Laboratory are both located here but the average American citizen associates the town with its annual air balloon festival.

More than 700 scholars including four international scholarship recipients from Mexico, Slovenia, Russia and Ukraine, university teachers and students took part in the conference. It was physically impossible to attend all the sessions and visit each event because many of them were scheduled at the same time. We had to choose from the program what we thought would be the most interesting for

us. But it was hard to guess and sometimes it turned out that I was in the wrong place at the wrong time and missed something I’d wanted to see.

The main goal of the annual gathering was to hold discussions among folklorists, present research, and generate new ideas. I will outline a few of the sessions I attended and highlight some of the main differences and similarities between approaches in American folkloristics and Ukrainian folklore studies.

American folklorists tend to view modern folklore in its many varieties and as influenced by new social, political and economic contexts (including gender folklore, ethnic folklore and professional use of folklore) and consider it to be “everyday life.” The field of American research is exceptionally wide with several schools of thought and distinct approaches towards observing and studying material. “It is a dynamic field of inquiry. Not only do approaches and methods change as perceptions change, but the very content of the subject expands as studies reveal new kinships and forms.”^{2:7”}

In Ukraine folklore studies have a traditional, descriptive nature which historically has focused only on verbal narrative. Ukrainian folklore studies today are still examining past phenomena with in a limited set of categories for recording those phenomena. In Ukraine, we are just beginning to look at contemporary trends.

Of course many topics discussed by the American folklorists community are studied in Ukraine as well. However, many more topics in American folkloristics are still outside Ukrainian areas of study and have not been addressed yet. American folkloristics encompasses a much wider range of features than in Ukraine, includes many additional categories and has significantly more researchers. For example, the American Folklife Center in the Library of

Congress defines folklore as “traditional cultural expressions” (TCEs) or as “expressions of folklore.” Specifically, “... this is a wide range of creative symbolic forms such as custom, belief, technical skill, language, literature, art, architecture, music, play, dance, drama, ritual, pageantry, handicraft^{2:9}.” What makes these folklore is that they “are mainly learned orally, by imitation or in performance, and are generally maintained without benefit of formal instruction or institutional direction^{2:9}.”

American folklore in its modern context has a very broad meaning and is divided into several forms (the term “Traditional Knowledge and Folklore” is also commonly used). These “genres” and categories are used together interactively to describe many different kinds of expression happening at once. They include:

1. Verbal folklore includes genres like epics, ballads, lyric songs (lullabies, love songs), myths (stories of sacred or universal import which people, cultures, religions, and nations believe in), legends (stories of local import which people believe actually happened but they learned about from someone else), memorates (culturally based first-person accounts and interpretations of striking incidents), folktales and jokes, (fictional stories which embody cultural values), proverbs, riddles, rhymes, chants, charms, insults, retorts, taunts, teases, toasts, tongue twisters, greeting and leave-taking formulas, names and naming, auto-graph-book verses, limericks, epitaphs and many others;

2. Material folklore, which we call “ethnology” in Ukraine, includes vernacular buildings (designed and made not by professional architects), dress/clothing, homemade tools, toys, tombstones, foods, costumes, stitchery, embroidery, braiding, woven items, quilts, decorations (Christmas trees, birthday party d?cor), musical instruments, etc., all of which are learned by example within an ongoing tradition shared by people with something in common;

3. Customary folklore which includes shared popular beliefs that are not transmitted by formal systems of science or religion (“superstitions”), vernacular medical practices (folk medicine), dances, instrumental music, gestures, pranks, games, traditional work “canons,” celebrations (festivals/birthday/wedding/anniversary/funeral/holiday/reli-

gious observances not required by law or theology)^{2:9-10}.

The AFS meeting’s plenary sessions raised many issues which are relevant to Ukrainian folkloristics as well. Making resources open and accessible to the public was one of them. The session “World

Who should own the Intellectual Property rights on national cultural heritage?

Perspectives on Intellectual Property Rights and Folklore” addressed the importance of Intellectual Property (IP) in folkloristics, specifically legal conflicts of interest, inadequate legislation in an information society dependent on modern information technology such as digitalization, the Internet, etc. Many of the questions raised are rhetorical. Who should own the Intellectual Property (IP) rights on national cultural heritage? How is protecting IP related to protecting cultural differences? What is the relationship between the preservation of cultural heritage and the protection of IP of “traditional cultural expressions” (TCEs)?

The key speaker at this plenary session was Wend Wendland from the World Intellectual Property Organization (WIPO) which recently developed a guide for protecting “genetic resources, technical skills and folklore” (www.wipo.int/about-ip/en/studies). The main problem he addressed was how to achieve balance between preserving traditional cultures and stimulating new creations which derive from traditional resources as well as from the latest results of economic growth. He stressed that when technical skills (in the broad sense) become more in demand, copyright law (for example use of brands is especially good for identifying indigenous cultural objects) should help folklorists protect their professional finds.

On the one hand, modern society is asking that information be accessible and that technical skills, folklore, musical and other archives should be available in the public domain. At the same time, folklorists, museum docents and archivists are owners of significant valuables and each piece of information, each sample has a unique value. But, who exactly owns the information which has been collected and processed by folklorists, museum docents, and archivists, information which was transformed from the raw and unprocessed data of the original source? Folklorists

regularly run into problems like performance using audio and video recordings and the irreversible commercialization of this formerly academic area. This is where museums, archives, and libraries that preserve texts and audio-video records play a crucial role in protecting and defending intellectual property.

This session included an annual awards ceremony held by the American Committee of Folklorists. The naming of Edward D. “Sandy” Ives* from the University of Maine as the recipient of the Kenneth Goldstein award (1927-1995) was very well-received. The award recognizes significant contributions to new folklore programs and projects and acknowledges sponsorship of organizations which support teaching and research in folklore.

The “American Folklore Society Fellows’ Invited Plenary Address” focused on the presentation by Barre Toelken, professor of English and History at Utah State University where he directs the American Studies graduate program and the Folklore program. Toelken is internationally recognized for his research in Native American culture 3, 4, 5 and ballad studies⁶. His book “The Dynamics of Folklore” (1996)² is recognized as the most comprehensive study of American folklore and has become a textbook for folklore courses in American universities. The respect which Toelken enjoys among the folklore community was obvious and I regretted that he is so little known in Ukraine. In characterizing folklore “artifacts,” Toelken includes “text” — the end product of folk performance, that is expressed in words (ballads, stories (retellings) sayings) or through material objects (quilts, huts, fireplaces), music (fiddles), or physical movements (dance, gestures), or culturally-based thoughts and behaviors (native beliefs and rituals)^{2:4}.

Barre Toelken is without a doubt a legend in American folklore. He told a story from personal experience about being treated for pneumonia as a child growing up with a Navajo tribe who had adopted him more than 40 years ago. He became personally involved in the ritual healing ceremony conducted for his benefit called “The Red Antway.” The ritual singing “hataali” accompanied treatment using different plants. According to Toelken, the main part in this event was the

“hozho.” This term represents concepts like beauty, stability, balance and harmony. The patient and future professor was cured and to this day can’t explain the reason for his fast recovery.

Different cultures have different ways of decoding experience and of interpreting life events

This and other experiences led the researcher to conclude that one’s understanding of the world is determined in part both by experience and culture, but different cultures have different ways of decoding experience and of interpreting life events. “What seems supernatural to one group is quite natural to another. One of the important aspects of intercultural exploration, especially in terms of the “supernatural,” is exposure to other ways of organizing information and thus to stretching the limits of our understanding.”^{8:46-59} According to Toelken, folklorists help nurture the hope that cultural diversity is neither a virtual political exercise nor a science but rather an extraordinary and under-appreciated enabler for understanding humanity.^{9:201, 207; 10} Toelken’s presentation was accompanied by slides which he took during nearly 50 years of field research among the Indians. These generated considerable interest among the audience and I saw that the field chores of ethnologists are the same everywhere.

Several panels and sessions addressed issues that are also critical to Ukraine’s folklorists during this period of economic and social transformation. The panel “Fieldwork and Ethnography” was one of several having the word fieldwork in its title. Contemporary methods for identifying and recording materials found in the field were discussed in many different contexts. But the undisputed predominant theme was the plea for more video

Taxidermy was outlawed in the 1970s

recordings, databases and use of computer systems. I noticed that American folklorists are very fastidious about collecting empirical materials. Required professional qualities of a field researcher include competency, ability to maintain confidentiality and ability to carry out certain civic responsibilities. It was emphasized that nurturing these habits was the main objective of teachers — spe-

cialists in ethnography. An entire session was devoted to this topic and included practical recommendations for teaching folklore and fieldwork training methods.

A common problem echoed during this panel was the legitimacy of data collected in the field. This idea was discussed at length in Kenneth DeShane’s presentation “Insider Ethnography as Liminal and Hybrid». The researcher warned against using expressions such as “those who write culture” when referring to ethnographers-fieldworkers and that the position “inside” is deceiving because the researcher is actually constructing and creating culture. He asked the audience whether getting maximally close to the “native” language, gesture and pose without using a tape recorder as opposed to observing from outside is in fact convincing evidence of submersion by the researcher in a foreign culture.

The speaker suggested the answer to this question in the title of his presentation. He also warned against the danger of romanticizing certain cultural elements while recording the culture’s uniqueness and the sometimes subconscious desire to return to past roots as in the case of researching African diaspora. In the panel devoted to fieldwork and ethnography, the presenter from Slovenia Mojca Ramsak stressed the importance of keeping regular field diaries especially when recording life stories. This presentation reminded me of Ukrainian ethnographer Ludmyla Shevchenko who 80 years ago argued for keeping careful records of personal impressions.

Related to this theme was a panel titled “Suspect Objects: Forms of Ambivalence in Folklore Studies.” In his presentation about taxidermy and ethnographic “negative capability” John Dost reviewed the popularity of taxidermy which was outlawed in the 1970s. This was a fashion trend in interior design which displayed animal parts (headless dogs, deer heads

with blood streaks) or unusual compositions (a tiger with skyscrapers on its back, a monkey holding a deck of cards at the poker table, a squirrel with roses, etc.). None of the slides of these stuffed animals were aesthetically pleasing. What made this presentation interesting wasn’t the shocking display itself (this was the general reaction of the audience) but the folklorist’s analysis of his own

feelings and behavior during observation. This was a case of researcher and interviewee having different attitudes towards the object of study (in this case moral and aesthetic positions) even though some argued that taxidermy is just another form of hunting. Dorst elaborated on the concept of “negative capability», the ability of the researcher to remain unaffected throughout the research, to remain unbiased and to not show emotion.

A roundtable and special meeting were held on the role of archives and the responsibility of archivists who become keepers of traditions. During the panel titled “Creating Community Connections: Bringing Folklore Archives to the Public” Kristi Bell told about her experience setting up an exhibition of archived folklore materials. She suggested that these kinds of exhibits not only “revive and bring to life” sometimes unique materials but also significantly impact visitors and society. A very popular session “Archive and Museum” called for making folklore and photo archives more accessible, especially to students.

Results of a cross-cultural analysis of American funeral rituals

A panel addressing transformation of traditions included a discussion of “Neo-Paganism” as a phenomenon of modern times. Adam Andrews reviewed the causes of the rise and fall of new religious movements emphasizing the tendency of new religions to become institutionalized and absorbed into existing religions. Hillary Colter shared examples from a popular television program which featured stories of people’s experiences with death and the afterlife as an example of the close relationship between mass-media and folklore. In this example, the TV “psychic” and his audience used telecommunications which allowed spiritualism to create its own on-line audience and the feeling that “the spirit moves everything». Daniel Wojcik highlighted the new views of cosmologies on morality, death and the soul, using for his argument human cloning. He examined these in the context of mythological views on human creation, stories about “ancient astronauts,” eschatological legends and UFOs. Modern superhero of literature Harry Potter was also mentioned. Participants argued that we are witnessing how the supernatural is becoming the “supertechnological.” The term

“supertechnology” is often used when discussing the modern function of folklore. Russel Frank examined photographs found on the Internet which had been altered by computer technology, as well as different jokes and tricks. The Internet was described as a multi-purpose tool for conducting interviews by e-mail, as an alternative to tedious and lengthy field research and, according to Larry Ellis, as a source of the many genealogical Websites which often disseminate family legends. Mobile phones, video cameras, and web-based communities were given by Jonathan Lohman as examples of new technologies for holding festivals and carnivals, using New Orleans Mardi Gras as an example. The Internet as an information exchange tool was a recurring theme. Stephen Drazhev’s project introduced an IT program called “Folk Fantasy” which helps folklorists convert written, sound and material objects (“tangible” expressions) collections in national and regional educational archives by compiling resources into a single database and by exchanging information through the Internet.

Empiricism was also a frequent topic, although facts were rarely discussed in their pure form. Jacqueline Thursby presented results of a cross-cultural analysis of modern American funeral rituals, mourning songs, memorial banquets and food rituals. Similar themes were discussed in Shane Rasmussen’s presentation “Arbitrary Traditionality: Cultural

Folklore festivals and pageants preserve cultural heritage

Authenticity and Modern Mainstream American Deathways” in which he criticized the American funeral industry. He argued that as a result of commercialization and the standardization of funeral services, American burial rituals only partly allow grieving relatives of the deceased to exercise very personal and much needed traditions.

Several sections were devoted to videos, most of which were for sale as teaching materials. I attended a showing called “The Last Storyteller” which featured a storyteller from Ireland. The storyteller died soon after filming began

so only a few of his scenes were included in the video. What the audience sees is a masterfully filmed presentation of stories told by the storyteller with actors and archive materials all artistically and graphically reproducing a folklore environment, the typical appliances, household tools, costumes, etc. The results of using mass media to reinterpret traditional heritage were something even the project’s creators didn’t expect to achieve.

This is the result of romanticizing the storyteller and the ancient and traditional world closest to the real world of the time in which he lived and which he recreated in his stories. This ideal world, however, when put on a pedestal seems too subjective. There is a danger of having created something “foreign». A famous scene from the film which the audience especially liked shows a group of women standing in a circle, kneading and plucking white sheep wool with their hands. They resemble a working community slowly weaving a new story and a new substance which reflects their feelings, their impressions, and their hopes.

Another popular theme found in many of the presentations examined how folklore functions under modern conditions. One tendency is to use festivals, not only to preserve the living spirit of folklore but also to attract public attention, to give folklore a new breath. Those who attended these presentations realized that there is a fine line between commercializing these activities and, the more important issue, keeping traditions “alive” today and supporting their longevity.

For example, a long-standing tradition of German immigrants to Pennsylvania revolves on pre-Lenten celebrations. The community rents a hall and everybody together makes apple butter with cinnamon in huge kettles. This annual communal “food project” served to establish ethnic identity in the community and was very popular. It has not been held in the last few years. There were many other examples of folklore festivals and pageants which served to preserve cultural heritage. These include donkey races in the northern region of Piedmont, Italy and snow festivals with ice sculptures (which repre-

sent the combination of social relations with political events); traditional festivals in the American Midwest featuring professional musicians from Jamaica and the modern fad for displays with fire torches ("The Flame Dance") which included dances from dramatic scenes in Japanese mythology using fire (pyrogenics) on the stage. Modern technology allows for alternatives to gasoline like white gas and special textiles. This technologically "renewed" use of fire and dangerous-looking stage tricks kept the audience in a state of tension and definitely in touch with their instincts.

Struggles of Afro-American families to overcome slavery, segregation, language appropriation and urbanization

American folklorists argued that their goal was to "create" performances and discussed different ways to develop such projects. A favorite topic was the new musical style "Musica Mediterranea" which combines the music and languages of different Mediterranean cultures with elements of Anglo-American pop music. The presentation examined the unusual popularity of this musical style in Italy and in other countries as a phenomenon of the globalization trend.

Several sessions were devoted to studying subcultures. The study of a small surfing community in Huntington Beach, California, was presented by the folklorist Deborah Gallinger in her presentation "Surfing and Spirituality: Exploring the Vernacular." Margaret Yokom related the experience of setting up a special "Traditions Committee" at a college whose goal was to celebrate and develop existing university traditions and to support those already being practiced by student groups.

Cultural diversity and cultural tolerance have always been issues for the US which is very ethnically diverse and where the interests of native Americans clashed with those who came to settle these lands. Last year's meeting of American folklorists was no exception. A documentary titled "Truth I Ever Told" was dedicated to the struggles of Afro-American families in their efforts to overcome slavery, segregation, language appropriation and urbanization. The video is based on about 30 hours of interview footage with four generations of an Indian farming community in Texas.

An interesting section titled "Cultural Circulation" addressed the active migration of people and different types of performances, artifacts, ideas, etc. It was suggested that these had become detached from their homeland-identified sources and were becoming cultural hybrids of different influences, fragments, or different kinds of fetishes.

Traditional dance was also a very popular section. Costume and dress codes as objects of ethnological study were examined in 3 sessions. An ethnic dance costume for the stage was presented by Susan Eleuterio. Issues included the costume's role in creating and preserving cultural identity, spiritual and physical influences on the audience of style, color, decoration, etc. Decoration as part of garments worn in liturgical dance choirs was studied by Robert Evanchuk. Carol Branch pointed out that fashion and costume aren't only the calling card of the wearer but also a system of non-verbal communication between the performer and the audience, a dialogue in which the "speakers" understand and feel each other better. Suzanne Waldenberger examined the symbolic function of clothing worn during ceremonies of transition from childhood to womanhood for Hispanic girls, including the traditional quinceanera ceremony for Latinas. Its special features are the tailoring, color and decoration of girls' dresses which remind us of a princess or Barbie doll. Consequently, transition is marked not by religious ceremony but by the dress of its members.

The social semiotics of clothing and its cross-cultural characteristics were examined by Paul Jordan-Smith, including an analysis of the changes in traditional dress in Afghanistan following the defeat of the Taliban. He suggested that foreigners use even clothing as tools for spreading ideology. The topic of food and cooking was a broad one. In the section "Food and Ideology" Mario Montano presented food stereotypes as markers of class, race and age. Lucy Long discussed the cultural politics of "the family meal" and Diane Tye examined special food preparation methods in terms of gender roles.

Different genres of folklore were presented, including legends, stories, beliefs, songs, children's and academic folklore (academics talking about themselves!) and humor. The issue of performance as an enabling event was a recurring theme, especially in its preserving authenticity and legitimacy. A meeting

was led by specialists on legends and on beliefs. The scholars stressed that the former work mostly with texts (and contexts) while the latter examine ways in which folk discourse is materialized (there was also a somatic analysis of several beliefs). Nevertheless, despite the differences in approaches, participants argued that it is important to combine research in these areas.

Special meetings focused on traditional cultures of Native Americans, on African and Afro-American and Latin-American folklore as well as on folklore of European countries (England, Ireland, Italy, Germany, Russia, Rumania, Ukraine, Scotland, etc.), oral history, etc.

My impressions are subjective and fragmented so I can't pretend to have grasped the whole of what went on in Albuquerque. But this experience was important for understanding contemporary approaches in American folkloristics and implications for developing the study of folklore in Ukraine. Toelken argued that the one element all folklore has in common is constant change "All folklore participates in a distinctive, dynamic process. Constant change, variation within a tradition . . . (is) a defining feature that grows out of context, attitude, cultural tastes, and the like.^{2,7}" I hope that this sentiment will serve as an added inspiration for my colleagues in Ukraine.



Dolls at the fair

End Notes:

1. Colin G. Calloway, *First Peoples: A Documentary Survey of American Indian History* (Boston, New York: Bedford/St. Martin's, 1999).
2. Barre Toelken, *The Dynamics of Folklore*, rev. ed. (Logan, UT: Utah State University Press, 1996).
3. Toelken, *The Anguish of Snails: Native American Folklore in the West* (Logan, UT: Utah State University Press, 2003).
4. Larry Evers and Barre Toelken, eds., *Native American Oral Traditions: Collaboration and Tradition* (Logan, UT: Utah State University Press, 2001).
5. Barre Toelken, *Morning Dew and Roses: Nuance, Metaphor, and Meaning in Folksongs* (Urbana: University of Illinois Press, 1995).
6. Toelken, *Ballads* (New York: Holt, Rinehart and Winston, 1969). Audio Recording.
7. Toelken, *The Dynamics of Folklore*.
8. Toelken, *The Moccasin Telegraph and Other Improbabilities: A Personal Essay*, in *Out of Ordinary: Folklore and the Supernatural*, ed. Barbara Walker (Logan, UT: Utah State University Press, 1995).
9. Barre Toelken, "The Yellowman Tapes, 1966-1997," *Journal of American Folklore* 11 (1998).
10. Barre Toelken, *Healing Logics: Culture and Medicine in Modern Health Belief Systems*, ed. Erika Brady (Logan, UT: Utah State University Press, 2001).

* Edward D. Ives is founder of the Northeast Archives of Folklore and Oral History and the Northeast Folklore Society. He received his MA in Medieval Literature (old ballads) at Columbia University in 1950 and began teaching at the University of Maine. During his tenure he studied Maine folksongs and completed a PhD in folklore at the University of Indiana in 1962. He retired after 44 years of teaching at the University of Maine.