THE GIANT COLA COLA IN GRAVINA
Intangible Cultural Heritage, Property, and Territory between Unesco Discourse and Local Heritage Practice

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In this paper I compare the theory and the practice of heritage highlighting the gap which separates ideas underpinning the intangible cultural heritage normative definition (via the text of the Unesco Convention for the Safeguarding of the Intangible Cultural Heritage) and in the broad discourse of the institution (the "esprit de la convention") from concrete application of heritage policies to "traditional culture" made by local actors. I focus on how the idea of "property" is dealt with in both contexts and consider the role that the spatial location in a territory plays in this regard.

The establishment of a system of "geographical indicators" for handcrafts, the heritagization and monumentalization of a special kind of clay whistle in southern Italy is taken as an example to demonstrate how local heritage policies address issues of property – territory and intangible heritage.

Keywords: intangible cultural heritage, property, Unesco, territory, community

Intangible Cultural Heritage and the Idea of "Property"

Since its first occurrence in the 1954 Hague Convention (*Convention for the Protection of Cultural Property in the Event of Armed Conflict*) the term "cultural property" has been employed in Unesco legal instruments, both soft law declarations and recommendations, and binding hard law conventions. International law literature stresses the fact that this term is often combined with that of "cultural heritage", therefore allowing ambivalent domestic juridical interpretations (Blake 2000; Prott & O'Keefe 1992; Frigo 2004).

Despite the fact that the term "cultural property" was traditionally adopted in international instru-ments, "cultural heritage" eventually became the term of art in international law. While the term "cultural property" is used in the 1970 *Convention on the Means of Prohibiting and Preventing the Il-licit Import, Export and Transfer of Ownership of Cultural Property*, the Unesco conventions from 1972, 2001 and 2003 prefer instead the term "cul-tural heritage" (*Convention concerning the Protec-tion of the World Cultural and Natural Heritage, Convention for the Protection of Underwater Cul-tural Heritage,* and *Convention for the Safeguarding of the Intangible Cultural Heritage*). More encom-passing, and embodying notions of inheritance, the term "heritage" incorporates concepts of duty to preserve and protect, resonating therefore with

the Unesco discourse on heritage (Prott & O'Keefe 1992; Blake 2000).

Moreover, international law experts see several inconveniences in the legal use of the term "cultural property". They stress the difficulties with the term "property" when it is applied to culture: entailing the *ius utendi and abutendi*, the idea of property "implies control by the owner expressed by his ability to alienate, to exploit and to exclude others from the object or site in question" (Prott & O'Keefe 1992: 310). Following international law analysis, the principle of ownership, implicit in the idea of "cultural property" has commercial features and would encompass the risks of commoditization of culture. Moreover, the notion of "property" is deemed particularly difficult to apply in the domain of folk culture: "in respect of folklore many would argue that there should be no concept of property" (Prott & O'Keefe 1992: 312).

According to these principles, the 2003 Unesco Convention for the Safeguarding of the Intangible Cultural Heritage does officially away with the idea of "property". The text of the 2003 Convention never mentions the term "cultural property" but rather uses "cultural heritage". The ideal of transmission being at the core of the Intangible Cultural Heritage (ICH) paradigm, the term "heritage" results in fact much more fitting to the end declared by this convention: safeguarding ICH, where "safeguard" means "measures aimed at ensuring the viability of the intangible cultural heritage" (UNESCO 2003 art. 2.3).

This choice is particularly interesting if we consider it in a comparative perspective: the 2003 Convention is in fact modeled on the most famed 1972 Unesco Convention from which it draws the main mechanisms – international lists, the intergovernmental committee, and the fund (Blake 2001). Despite the fact that the 1972 Convention does not use the term "property" in the title, this term occurs 28 times in the text of the convention with reference to natural or cultural domains. With regards to the use of the term "property", the 2003 Convention decoupled therefore from its prototype.

In fact, in the 2003 Convention the term "prop-erty" occurs only once to make clear that this treaty does not affect "the rights and obligations of States Parties deriving from any international instrument relating to intellectual property rights" (art. 3). Intellectual property (IP) issues associated with ICH were in fact quickly put aside by Unesco. As the chronicles of the gestation of the 2003 Convention report, a persisting duality informed Unesco's approach to the protection of "traditional culture". The dilemma was whether to conceive an instrument addressing the "overall question of folklore" or "its intellectual property aspect" (Sherkin 2001). As was the case with the previous Unesco legal instrument for the protection of folklore (the 1989 *Recommendation on the Safeguarding of Traditional Culture and Folklor*e), the 2003 Convention eventually does not address IP issues. This depends certainly on the difficulty of applying to collectively generated "traditional culture" a system which is conceived to protect the originality of an authored creation, and which originated in the nineteenth century as an answer to romantic ideals of authorship (Hafstein 2007) and to the needs of regulating the industrial exploitation of individual creation in western industrial countries (Martinez 2004). As several commentaries of the convention pointed out, more contingent pragmatic reasons explain this choice, which prevents overlapping institutional mandates and prerogatives of Unesco and World Intellectual Property Organization (WIPO) (Blake 2001; Cornu 2004; Rougeron 2004). To those who are not acquainted with institutional logics, this separation may seem to have a somewhat artificial character in that it cuts up an object which has a social existence as a whole phenomenon, and dispatches the treatment of its separate components to different organizations depending on their institutional mandate. Even if this is the consequence of a diplomatic compromise between institutions, Unesco was ultimately able to evacuate the sensitive IP issue, problematic and difficult in regard of ICH.

Yet is the idea of "property" actually detachable from that of heritage in the "practice of heritage"? Although the 2003 Convention does not openly suggest a definition of heritage in terms of "property" nor address IP issues, its implementation may in-

volve the production of a more general discourse on property not on a legal but on a symbolic level. I take here "symbolic ownership" as a form of possession that does not entail property rights in a legal sense (as a possession belonging to a legal individual) but establishes an authority over the use of a resource, which may still not have a clear owner. In fact, while tangible movable or immovable heritage belongs to a private or public owner, it is assumed that "folk traditions" reside in the public domain and are not regulated by proper property rights (Cornu 2004).

Issues of Property in Situ: *Cuccù* and *Cola Cola* as Heritage

In order to consider whether and how this symbolic ownership is fabricated and which kind of discourse is activated in order to claim it, I will present the local heritage treatment of an aspect of "folk culture", the local production of "traditional" clay whistles, in Gravina in Puglia, a small town of 40,000 inhabitants on the administrative border between two regions in Southern Italy: Apulia and Basilicata.

These objects and the intangible practices and representations associated with them are not inscribed nor candidate to one of Unesco's ICH lists. Nonetheless they meet the definition of ICH put forward by the convention: they are an example of "traditional craftsmanship" (UNESCO 2003 art. 2.2 [e]), "objects, artefacts" underpinning "practices, representations, expressions, knowledge, skills […] that communities, groups and, in some cases, individuals recognize as part of their cultural heritage". They are "transmitted from generation to generation" and "constantly recreated by communities and groups in response to their environment, their interaction with nature and their history", and "provide them with a sense of identity and continuity" (UNESCO 2003 art. 2.1). Local heritage stakeholders consider that these objects match the Unesco definition of ICH. "Clay whistles" are taken as an example of "traditional crafts" for the region "Apulia" in the volume *The forgotten heritage* (*Il patrimonio dimenticato*) published in 2009 by the national union of Italian Pro loco. This intervention echoes the 2003 Convention and is the outcome of the project SOS

Intangible Cultural Heritage ("SOS patrimonio culturale immateriale") intended to highlight "the treasure of grandfathers" ("il tesoro dei nonni") in each region of Italy. The description of clay whistles underlines their primeval presence in this area: archeological evidence would prove that clayware is a local product since the Neolithic era and the most ancient whistle identified, already in the shape of a cock, would date back to the Middle Ages.

According to scientific references, the pottery tradition in the whole area of the Apulian Murge plateau is indeed induced by the nature of the soil, rich in clay. The abundance of this resource led to the development of economic activities such as the production of kitchen clayware and brick furnaces in the twentieth century. Beside these main activities, craftsmen and kiln workers would cook the small presepio figurines and whistles as a side job (Piangerelli & Sgro' 1995). Despite different terms designating them, these objects are therefore produced and sold in a larger area of the Murge plateau: known in the neighboring town of Matera as *cuccù,* they are to be found in Gravina under the name of *cola cola*. The regular standard whistles produced in the two towns are quite similar. Some 10 cm high, they have the shape of a standing bird or cock. Horizontal polychromous stripes cross the body of the bird-whistle, previously covered with white lime, and connect the head and the tail of the bird, where the whistle pipe is placed.

Following ethnologists' interpretation, these objects used to have a para-liturgical function: they were in fact sold until the 1960s at the fair held every May at the sanctuary of the Madonna di Picciano, halfway from Gravina and Matera. Until the renovation of the sanctuary in the late 60s and the resulting demolition of the stands that surrounded the church and where these objects were sold, the pilgrim would prove to have accomplished his pilgrimage by buying a whistle in Picciano (Sgro' 1995).

I am not attempting here to argue for the inscription on international lists of these clay whistles. I am rather interested in making explicit the local strategies for promoting this particular form of "traditional" art. Indigenous curation and non-western

Ill. 1: Cola cola at the entrance of Gravina. (Photo: Chiara Bortolotto)

ways of considering ancient buildings and sites has been compared to Unesco's global heritage paradigms highlighting the gap between heritage values and categories at the global and at the local level (Kreps 2005; Berliner forthcoming). Are local treatments of heritage and "traditional culture" in the western world closer to the Unesco ICH paradigm than elsewhere?

While the Picciano souvenir shop still sells some clay whistles among other objects more commonly found in pilgrimage or "religious tourism" sites, these bird whistles seem in fact to have taken up a different function or, as Barbara Kirshenblatt-Gimblett puts it, to experience "a second life as heritage" (Kirshenblatt-Gimblett 2004). In other words, we are not considering cultural expressions experienced as *habitus* but objects and practices already considered in their "metacultural dimension" as "heritage" by the local actors themselves.

In their second life, these whistles become bigger in size and, by means of the fixation on a pedestal, which was introduced in the 1970s, they are eventually transformed into decorative objects. Signed by the craftsmen as evidence of their authorship, they are collected by private collectors or exposed in national (Piangerelli 1995) and local exhibitions or sold as "artistic crafts" ("*artigianato artistico*") (Bortolotto 2008). Craftsmen are today globally considered as the repositories of a sense of tradition, and the discourse produced on craftsmanship plays an important role in identity and heritage construction (Herzfeld 2004). This case is not an exception. The actual heritage upgrading is nonetheless dependent on a more explicit institutional and collective treatment of these objects. Gravina's discourse on cola colas turns out to be quite an interesting example for considering how local actors apply heritage models and paradigms. Does the idea of "property", albeit just symbolic, have any role in this process?

The Mayor and Cola Cola

People arriving by car in Gravina from Bari are welcomed by a huge concrete cola cola placed on the side of the main road at the entrance of the town. This four meter tall concrete cola cola was installed in November 2005 as one of the first actions of the newly elected Mayor.

A conference organized by the municipality of Gravina in December 2005, Cola cola: one of the symbols of folk creativity ("La cola cola, uno dei simboli della creatività popolare"), further endorses this initiative. As the municipality's website puts it, academic, professional, institutional, national and local authorities are convened by the Mayor to celebrate "a small magic object as the cola cola" ("un piccolo oggetto magico come la cola cola") in order to "take back the deep roots of our land" ("riappropriarsi delle radici profonde della nostra terra"). The municipality's website presents moreover the colossal figure of a whistle-bird as a "major artistic operation" which would recall the pop art movement by means of the transposition of a small object into an out of scale production.[1] Considering the issue of claims to artistic recognition as a legitimating step toward obtaining heritage status is beyond our purpose here. Gravina's initiative is, however, interesting for considering local actors' heritage models and representations.

The choice made by the Mayor was not arbitrary. For the local learned men, the cola cola is in fact a symbol of Gravina: a "primordial totem that has survived up to our days in the collective consciousness". Symbol of the origin of the earth, of spring, of the resurrection of the dead, linked to the worship of Hercules and Aesculapius, then of San Michele. The

bird-whistle would embody the "symbol of Gravina resurrected from barbaric destruction, in Christian faith, hope of resurrection and spiritual as well as material rebirth".[2]

Its contemporary, monumental second life nonetheless raises other issues. Two days after the installation of the giant cola cola, Gravinaonline, a forum of almost 5,000 members called "The voice of the citizen" ("La voce del cittadino"), carried out an opinion poll on the subject of the new cola cola. Almost 70% of the responses to the question "Giant cola cola: do you like it?" were negative.[3] A closer analysis of the references to the cola cola in messages posted on the forum since October 2006 shows that this initiative took on the role of a larger signifier in public opinion. Reference to the cola cola is constantly made when voicing criticism of the administration and the policy adopted by the Mayor; while it lacks funding for basic public services, the administration would spend public money to build a cola cola and to pay the rent for the private soil upon which it stands.

People's discourse within the online forum explicitly makes reference to the cola cola in order to attack the Mayor. Ironically referred to as "giant cola cola", "bird of ill omen", "cola cola king kong", the installation is often evoked with double entendre with reference to the size of the Mayor's sexual organ. This is a common association for the cola cola, and the Mayor himself, as we will see below, has to accept the jokes ("barzellette") that Gravina's citizens make about "his" cola cola. This recurrent joke highlights the fact that this installation, positioned at the entrance of the town as an iconic image of Gravina as a community, is actually rather considered to be the initiative of a single individual.

Despite the fact that it did not gain local support, the initiative of the Mayor undoubtedly had an impact on local identity and heritage representations. The Wikipedia entry for Gravina in Puglia, for example, features a section on cola cola: "The Cola cola whistle, among the distinctive symbols of the town" ("ll fischietto Cola cola, tra i simboli distintivi della città"). The entry makes reference to the "autochthon whistle" ("fischietto autoctono") both as a craft object to buy in the shops of the historic centre and as a monument ("monumento").[4]

In addition to its visual impact, the giant cola cola is striking because it applies the most classic tangible heritage model, the monument, to the most atypical and peculiar contemporary heritage domain, that of ICH. As the glosses of the 2003 Convention explain, ICH is actually not embodied in the objects themselves but in the invisible skills, representations and practices that allow the making of these tangible objects. The declared goal by the 2003 Convention is to assure the viability of those practices, rather than a static conservation of the products stemming from them. Difficult to measure, this intangible dimension puzzles heritage professionals, experienced in dealing with objects, monuments or sites. The success of the term is not contested; it has filtered into professional, academic, and journalistic terminology, and has a certain charm, opening many imaginative interpretations. Yet the actual non-materiality of ICH is difficult to deal with. The title of a round table organized in Alexandria in 2002, "Materialiser le patrimoine immateriel", suggests that in order to handle this idea, heritage professionals were especially concerned by the stabilization of volatile intangible practices into tangible references (*Matérialiser le patrimoine immatériel* s.d.).

Albeit probably not aware of this international debate, the Mayor of Gravina, interviewed by Gravinaonline, seems to share the same concern: "Make visible what was not visible and therefore create symbols which, whether they are appreciated or not, are important to regain visibility and this is important for tourism, not mass tourism but cultural tourism looking for magic and myths."[5]

As the Gravina Wikipedia entry makes clear, the materialization of the cola cola in Gravina chooses a particular genre: that of the monument. The cola cola was erected with a classic monumental purpose in that it addresses memory recalling past traditions in order to maintain and preserve the group identity (Choay 1992). Yet, the discourse of the Mayor clearly stresses how this monument is intended as a tool for territorial marketing. Recalling his visit to

schoolchildren, the future generations for whom any monument is made, he explains:

> The intervention has this meaning: I asked the children: "where is the Eiffel tower? Where is the Statue of Liberty?" […] And most of them replied that the Eiffel tower is in Paris and that the Statue of Liberty is in New York and so on. […] The concept is to create a point of reference in order to escape from the fog of invisibility. It is possible that our apotropaic object which has come down from ancient, remote times and belongs to a collective, deep-rooted symbology, may help to make our community more visible, should this not be so, I mean, even in the case someone may use it instead to tell jokes …, that's fine too.

One detects no echoes of Unesco's "post-monumentalist" heritage paradigm in Gravina's heritage policies. The Mayor's initiative seems, on the contrary, to monumentalize "intangible" practices and representations. This example not only embodies the classic tangible heritage paradigm but clearly builds ICH

into the tangible heritage archetype of the monument. The cement cola cola fits in fact the definition of "intentional monument" given by Riegl (1903). This paradox has not gone unnoticed by the Gravina population. Several digital manipulations posted on Gravina's web forums or in videos on Youtube refer to the Mayor's declaration and underline humoristically the monumental status of the cola cola.[7]

As far as we can see, it seems that the debate on ICH as it is held *à la maison de l'Unesco* did not make it as far as Gravina di Puglia. We could therefore just conclude that avant-garde heritage theories are not properly communicated by Unesco or other national heritage agencies in order to reach local stakeholders and decision makers. Yet this example of heritage treatment in Gravina may offer more interesting insights into the local function of heritage and shed some light on the question of "property".

The "Esprit de la Convention"

Before further considering the property implications of this local intervention we need to make a detour into Unesco's headquarters and consider

Ill. 2: Photo manipulation made by Piero and Nico and posted by Crazysinger61 under the title "Viva la modestia" on the blog Ma dove viviamo (June 4, 2007), then posted under the title "Gravina SkyLine" by Ampere73 on the blog Mucca Mediana (July 28, 2007) and then under the title "Cola cola" on the blog A ovest di Paperino.com (September 13, 2007) and used by spinner 1377 in the Youtube video Gravina dinamica.

closely whether, besides the more pragmatic "rai-son institutionelle", other issues are taken into ac-count in Unesco's attempt to update its approach to heritage. Is this an attempt to adjust to more recent understandings of "culture" put forward in anthro-pological theories?

The modernist anthropological paradigm was the dominant scientific perspective during the found-ing decades of Unesco and was therefore totally ab-sorbed into the organization, also by means of the important role played in Unesco by such an authori-tative anthropologist as was Claude Lévi-Strauss. Historically strongly influenced by Lévi-Strauss' perspectives on culture and diversity, Unesco at-tempted to move on from its founding modernist vision which associated culture and identity in a cul-tural continuum, deeply rooted in time and space. At least since the report *Our Creative Diversity* of the World Commission on Culture and Development (UNESCO 1996), culture is presented *also*, in less ro-mantic terms, as a contingent result of negotiations and constructions rather than as an essence. Within the institution, this vision nonetheless coexists with the former one, which strongly influenced the older generation of *fonctionnaires* and experts still active and influential within Unesco.

In 2001 Thomas Hylland Eriksen argued that

The WCCD [World Commission for Culture and Development] has laudably tried to incorporate both dimensions, but it remains a fact that the latter "post-structuralist" perspective so typical of contemporary anthropological theorizing be-comes a garnish, an afterthought, a refreshment to accompany the main course of cultures seen as bounded entities comprising "groups" that share basic values and customs. […] Although it is said explicitly that any culture's relationship with the outside world is "dynamic", UNESCO cultures remain islands or at least peninsulas (2001: 132).

Since the publication of the report considered by Eriksen, things have moved on and Unesco actions seem to take more and more into account theoreti-cal developments in anthropology, better suited for application in a globalized world where thinking in terms of bounded cultural entities seems increasing-ly detached from the dynamics of cultural complex-ity in social reality.

Unesco's attempt to evacuate the idea of "proper-ty" from the ICH normative definition is part of this de-essentializing ambition in response to recent an-thropological reflection on the idea of "(intellectual) property", which considers it a problematic concept stemming from an essentialised vision of culture as bounded, and resulting in its reification (Welsh 1997; Brown 1998; Kasten 2002).

Together with the formal abolition of the idea of "property", the ICH model puts officially forward other theoretical innovations toward a less essential-ist understanding of culture. The nominal abolition of the criterion of "authenticity" (UNESCO 2004) as a value for selecting elements of ICH is the most evident answer given by Unesco to claims of con-temporary anthropology and cultural theories that question the idea of authenticity (Bendix 1997) and generally understand culture as a process of con-nections and negotiations where pure origins and authentic identities are rendered meaningless. The ambivalence of this major shift has already been pointed out: while the idea of authenticity is officially banned, Unesco's perception of "folklorization" as a threat falls into the classic dichotomy separating the authentic from the spurious (Hafstein 2004). Fur-thermore, authenticity is actually still considered as a founding identity value by local stakeholders, as the development of the system of geographical indi-cators for "traditional" and "local" products seems to attest (Moran 1993; Bérard & Marchenay 2004; Ravenscroft & van Westering 2002; Warnier & Ros-selin 1996; Chevallier 2004).

Not yet considered, another change goes into a non-essentialistic perspective: the proposed disjunc-tion of the founding connection between heritage and territory that the 2003 ICH Convention implies by associating heritage with communities (which are taken as not necessarily bounded territorial com-munities). Considering culture independently of its geographical location and territorial roots, this "open" relationship between heritage, communities

and land conveys a non-essentialist vision of culture in the sense that it implies the fact that community membership is not "naturally" defined by a clearly bounded autochthonous descent rooted in continuity and in a geographical space which is politically defined. Recognized through bounded political space and conceived as rewritten by fluid networks of social actors, ICH may encourage us to think of culture in terms of movement and links highlighting flows, communication and cross fertilization. This conception seems in fact to integrate the understanding of culture as a system of processes based on translocal dynamics as it is put forward by anthropological reflection (see e.g., Appadurai 1996; Clifford 1997; Amselle 2001).

No official text says explicitly that a practice corresponding to the definition of ICH, associated with a bounded, fixed or "original" place is *not* a condition for considering an element as suitable for inscription on one of the two lists established by the convention. The idea that an element does not need to demonstrate a link with a pretended "original birthplace" is rather expressed unofficially.

During a meeting held in Unesco headquarters in June 2008, entitled "Capacity-Building Workshop on the Implementation of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage", issues referring to the geographical situation of the element considered for inscription were continuously referred to by African delegates for whom the meeting was organized. The secretariat of the 2003 Convention explains that the association of territorial and historical roots is not evidence required for the submission of candidatures files. On the contrary, they argue, these may produce dangerous culturalist consequences: "We do not ask to prove antiquity. If the element exists in several areas, the issue of antiquity may produce problems: communities may quarrel to prove that they are the bearers of the most ancient form, therefore the most original, therefore the most authentic."[8]

In other words, the convention does not establish an exclusive association between the element considered and a restricted geographical area and the "esprit de la convention" encourages not considering

ICH in romantic terms as rooted in space and time. Just like Unesco's official intention to remove "property" and "authenticity" from the legal vocabulary of the convention, the new relationship established between heritage-territory-community implied by the ICH paradigm reveals therefore a non-essentialist ambition and what could be a new dynamic approach to heritage. While on a more explicit and immediate level, ICH policies are presented by Unesco as a means to transcend the western "fine arts" and "monumental" heritage paradigm; on a more implicit and substantial level this shift reveals to some extent also an attempt to adjust and update Unesco's understanding of culture and therefore its heritage paradigm.

Yet, as it has been proven for the issue of authenticity, the discourse within the institution turns out to be ambivalent. As a governmental institution, Unesco is strongly shaped and concerned by territorial political boundaries: despite the fact that ICH is not defined in terms of territory it is in fact intended to be managed on a territorial basis by the "state party concerned". As is stated in article 11, each state party takes care of the ICH *present in its territory*. The reference to a territorial location, just like the idea of authenticity, seems hard to evict from Unesco's actual treatment of heritage.

Many of the considerations invoked by Eriksen (2001) and Wright (1998) with reference to the use made by Unesco of the idea of "culture" in the 1990s are therefore still valid. Contemporary Unesco discourse is still ambivalent: in practice, deconstructivist trends still coexist with a highly essentialized position which operatively conceives cultures as natural, plural, bounded monads with their own sets of values. We are now interested in considering whether the actual local practice of heritage itself is detachable from an essentialized vision of culture and this in particular with regard to the question of the territorial dimension.

Where Does the Cola Cola Belong?

It has been argued that while the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage defines heritage in spatial terms

and therefore ascribes a capital role to territory, the 2003 Convention associates heritage with groups, defining heritage in ethnographic terms (Hafstein 2007). Does this new conceptual perspective apply to local heritage representations and practices? Our case may shed some light on this point as well as on the ways in which "community" is imagined by local stakeholders. Does the association with a territory play any role in the actual making of a community?

The transterritorial and transversal dimension of the pilgrimage to Madonna di Picciano, gathering of pilgrims as well as of whistle craftsmen from Gravina, Matera and the whole region, proves that practices and representations associated with clay whistles used to exist as a dynamic cultural phenomenon. Once the cultural dimension underlying these objects is made explicit by cultural interventions, what used to exist as part of an "empirical network of interactions" is then fixed in a "community of the social imaginary". What is the role of territory, if any, in the shift from the first to the second way of conceiving a group as defined by Dorothy Noyes (1995)? Do claims to "ownership" and the idea of "property" play any role in this shift?

Despite the fact that clay whistles are still produced in the whole region, several initiatives both in Matera and, as we saw, in Gravina are taken in order to underline and claim a special relationship between each of these towns and these objects. In May 2008, the first season of an international biennale of clay whistles (*Biennale internazionale del fichietto di terracotta*) was organized in Matera following the exhibition of a private collection, held a few months earlier, under the title of Religious and Christmas whistles (*Fichietti religiosi e natalizi*). Furthermore, sold in Matera as "local traditional crafts" both on ordinary stands for tourists and in more sophisticated boutiques, cuccù is sometimes labeled with the mark "Matera DOC, artigianato artistico". Borrowed from the wine world and standing for Controlled Denomination of Origin ("Denominazione di Origine Controllata"), DOC is a label granted by the European Union, establishing a link between the product and a distinct and bordered territorial origin. This association with territory would legitimate

the product, and in fact in everyday Italian language "DOC" commonly stands for "authentic". Although the "Matera DOC" label does not have the regulatory value of its European model, this hallmark nonetheless establishes the authenticity of these objects by means of certifying their Materan origin (i.e. through their link with the territory).

The giant cola cola example is perhaps the most telling. It embodies local heritage paradigms, still dependent on the monumental model, but also tells us something about the role of territory in local heritage representations.

In commenting on the American roadside colossi, Karal Ann Marling associates their iconography with "the liminal aesthetic of the frontier". She takes the American colossus as an "advertisement that points to commodities for sale-resorts or roadside curiosities" (Marling 1984: 67), and compares them to archetypical colossi, like the Colossus at Rhode or the Sphinx drawing attention to their territorial function: "The colossus is a stele that points not to itself alone but to a place of passage. It is a landmark demanding hiatus and awe, at a sacral point of transition" (Marling 1984: 31). Like their ancient models, the "herms" for the Greeks or the "terms" for the Romans, roadside colossi would refer to boundaries and demarcate the edges of towns. This function would be continuous through the centuries:

in the Middle Ages, the sense of place and ownership inherent in the herm, along with a hint of magical power, became firmly associated with large scale statuary. Medieval folklore and festivals depicted founder-champions of towns as giants, in a convention that signified mighty deeds through immense physical stature (Marling 1984: 32).

In other words, the sense of *ownership* would be dependent on a sense of a place assured by the visual presence of a giant *genius loci*.

Now, our giant cola cola seems to be comparable both to American colossi from the 1920s and 30s and to more ancient models referred to by Marling. The municipality website underlines the fact that

the cola cola is positioned at the "entrance of the town". Since Arnold van Gennep (1909), the role of the threshold has been considered in anthropological literature as a marker in space. The monumental metamorphosis of the cola cola implies first and foremost its territorial positioning and the discourse that accompanies its installation demonstrates that the choice of its location is meaningful.

As is usually the case in the uses of folklore, the main purpose of Gravina's cola cola is to assert the identity of a group, or, to paraphrase Gravina's Mayor, an attempt to "escape from the fog of invisibility", just like American giants of the road are "fabricated to convey a sense of a town's unique claim to recognition" (Marling 1984: 54). As the series of local initiatives that we have considered seem to suggest, identity claims to recognition are also claims to the "symbolic property" of the cola cola for the community ("collettività") of Gravina. The choice to put the giant cola cola at the entrance of the town stands as one among the many possible ways for defining collectivities. The one chosen in this case seems to be especially concerned with territorial boundaries which are a classic instrument to imagine a community (Anderson 1991). Establishing boundaries is in fact instrumental for establishing and defining membership in a group that claims the ownership of a resource and has therefore the ultimate aim to define "property".

Conclusion

Despite the time lag, given its actual topicality in the academic world, the "esprit de la convention" takes officially into account contemporary anthropological theories. Unesco attempts therefore to embrace new theoretical frames, understanding culture as evolving dynamic processes of historically conditioned negotiations and points to the dangers of "strategic essentialism" underpinning highly localized, bounded and holistic representations of culture.

While the turning of "traditional" practices into institutionally recognized ICH (by means of their inscription on national or international lists) does not imply their protection by IP regimes, their fixation in a new heritage status (whether internationally or locally legitimized) at the same time presupposes and fosters a form of appropriation by a group. It presupposes it because in the reflexive perspective introduced by the 2003 Convention, the acquisition of the heritage status for a cultural element implies the fact that a "community" recognizes this element as a source of identity (Kurin 2007), and it fosters it because a group is clustered into a "community" through the claim of sharing this heritage (Hafstein 2007).

Even if the legal idea of property is theoretically problematic and indeed difficult to apply to folk culture, social actors find ways to apply it, even if just symbolically by means of non-legally binding labels of authenticity or territorial monumental metamorphoses of intangible translocal practices. Economic benefits directly descending from IP protection are in the case of "symbolic ownership" indirect and mediated by other incomes, mainly acquired from tourism. While legal property is based on precise rules, principles for symbolic property are loose and open to negotiation. In the case of Gravina, territory is used as a legitimizing reference in these claims.

In spite of the "esprit de la convention", (cultural) property and (territorial) borders are two faces of the same coin and romantic attachment to the soil dies hard in the practice of heritage and in common heritage representations. It is not by chance that "cultural property" is the term adopted in the more classic perspective of the 1970 Unesco Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. This treaty finds in fact its raison d'être in the existence of hard national boundaries distinguishing the domestic from the international. These boundaries are a means to define to whom a cultural object belongs even when such an object was made before the existence of such nations, as is the case of Etruscan archaeological objects claimed by Italy or pre-colonial African objects claimed by African countries (Appiah 2006). In the same way, territorial boundaries are used to define legitimacy in claims to membership in a group which is at the same time the result and the cause of heritage recognition.

In other words, considering a "heritage community" as a fluctuating "empirical network of interactions" turns out not to be effective in the practice of heritage. Cutting-edge implications of the ICH paradigm, and ultimately "intangibility" itself are difficult to take into consideration in the practice of heritage. Heritage upgrading practically entails claims to property; in order to claim ownership of an intangible heritage local actors have to base it on a territory, but in order to base it on a territory they have to make it tangible and visible. In the local heritage practice that we have considered, collectivities are therefore still imagined as place-based and as territorially bounded projects combining a sense of community with a sense of place.

The claim to be the original birthplace of an intangible cultural expression is therefore a tool for stating a "symbolic property". Earlier anthropological perspectives tended to establish a close link between heritage and territory especially in the case of folk, traditional, rural culture, and this standpoint still has strong influence on heritage professionals. Even if nowadays other theoretical tools are available, the reception of these ideas seems discontinuous. As has been pointed out, "out of all the many ways in which anthropology has talked about culture, popular discourse has appropriated the most simplified" (Lambek & Boddy 1997). Local heritage professionals still conceive heritage in rather classic approaches as cultural armor of the territory (*armatura culturale del territorio*), identity matrix and means of development (Carta 1999). Rights to culture turn out to be conceived in territorial terms, attributed on an ethnic basis to people indigenous to a land and considered as *naturally* belonging and bound to a given territory (Clifford 1988).

Institutions in charge of the implementation of the ICH convention are still first and foremost concerned with objectifying it through listing and inventorying. In order to be applied to the practice of heritage, theoretical analysis underscoring the intrinsic complexity of the ideas of culture and heritage are not operational and, to put it as Michael Lambek and Janice Boddy, "culture is still generally understood in a nominal or substantive comfortable empiricist sense as contents and containers as bounded things in the world that can be listed and enumerated" (Lambek & Boddy 1997). In commenting on the impact of the Unesco proclamation of the Patum of Berga, Dorothy Noyes (2006) warned that ICH Unesco policies risk to "resurrect as policy what we [folklorists/anthropologists] have already buried as theory". Her perspective is founded on the observation of the local implementation of a global program and is undoubtedly valid for the Gravina case as well. My aim was rather to show the complexity of the multidimensionality of Unesco programs and the gap dividing international intangible heritage discourse, which aims to integrate current anthropological perspectives, from the concrete social existence of heritage at the local level. The actual applied outcome of this policy model does not necessarily reflect the "esprit" of the convention, nor its intellectual and political perspective. Despite the binding nature of this kind of international treaty, Unesco conventions are quite easily adapted to (and twisted by) different national and local contexts. These adjustments often depart from the original funding principles. Even if this ambivalence bewilders the external observer, it is indeed part of the logic of international organizations. The multiple possibilities of interpretation of a convention, which is always a compromise negotiated on the diplomatic level, contribute in making of it a successful international treaty which allows the highest number of states to ratify it. It goes without saying that in order to be accepted, such international treaties must allow political priorities, intellectual histories and heritage logics of sovereign states to define domestic ways of considering global issues.[10]

Notes
1 "And actually, this simple object, which is welcoming, since few days, in giant size, the people driving the way from Bari to Gravina, is truly an evident sign of feast, of rebirth, of good auspices and wealth. Yet, it is also a major artistic undertaking. In fact the transposition of a small object into an artifact out of scale (the giant cola cola placed just at the entrance of the town), recalls the pop-art strand", http://comune.gravina.ba.it/content/view/36/17/.

2 "Totem Primordiale sopravvissuto fino ai nostri gior-ni nella coscienza collettiva (…) simbolo di Gravina risorta dalla distruzione barbarica, nella fede cristiana, speranza di resurrezione e rinascita spirituale, oltre che materiale." "La cola cola", www.gravinaoggi.it/pg088. html.

3 www.gravinaonline.it/community/sondaggi/default. asp.

4 "Gravina in Puglia", http://it.wikipedia.org/wiki/ Gravina_in_Puglia.

5 "Rendere visibile ciò che non era visibile e quindi di (sic) creare dei simboli che piacciano o no ma che sono importanti per riprendere una visibilità. Questo è un elemento importante per il turismo che non sia di mas-sa ma culturale, legato alla magia ai miti." (Intervista al sindaco [Interview with the Mayor] Rino Vendola: 08.03.2007, www.gravinainpuglia.it/media/webtv/ tv.asp?movie=153.)

6 "Ma l'operazione ha questo significato: dicevo ai raga-zzi: dove si trova la Tour-Eiffel? Dove si trova la Statua della Libertà? […] E gran parte dei ragazzi mi hanno saputo dir che la Tour Eiffel si trova a Parigi, la Statua della Libertà si trova a New York etc […]. E' il con-cetto: creare un altro punto perché si esca dalle nebbie dell'invisibilità. Se questo nostro oggetto apotropaico usato sin da tempi antichi, remoti, può aiutare, col-locato lì, nella simbologia collettiva – profondamente radicato – può aiutare a rendere più visibile la nostra collettività, ben venga. Se poi, voglio dir', uno ci rac-conta le barzellette sopra va bene pure." (Intervista al sindaco [Interview with the Mayor] Rino Vendola: 08.03.2007, www.gravinainpuglia.it/media/webtv/ tv.asp?movie=153.)

7 "Le meraviglie del mondo + una new entry", www. youtube.com/watch?v=sIwbr0nyrZo, and "Gravina di-namica", www.youtube.com/watch?v=sZJHqHThF24 &feature=related.

8 "On ne demande pas de prouver l'ancienneté de l'élément. Si celui-ci se trouve dans plusieurs zones, la question de l'ancienneté peut créer des problèmes : les communautés peuvent entrer en conflit pour dé-montrer qu'elles sont détentrices de la forme la plus ancienne, donc de la forme originaire, la plus authen-tique."

9 The idea of "heritage community" is introduced on the normative level by the Faro Convention on the Value of Cultural Heritage for Society (Council of Europe 2005).

10 All translations from Italian and French were made by the author.

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