

Dealing with Black Pete

Media, Mediators and the Dilemmas of Brokering Intangible Heritage

Since 2013, the NGO the Dutch Centre for Intangible Heritage (VIE) has had a key-role as facilitator, mediator and coordinator in the field for the implementation of the 2003 UNESCO Convention in the Netherlands. Among other things, VIE takes care of the Dutch National Inventory of Intangible Heritage. The Netherlands was relatively late in ratifying the Convention. Right from the start, in the beginning of the 21st century, there were debates about the UNESCO Convention, in particular about the original list of Masterpieces and later the representative lists. One of the remarkable features was that the feast of Saint Nicholas (or Sinterklaas) was used over and over as an example, in particular for pleading that phenomena not be frozen, even though this was and is not the method nor the goal of the Convention. While the discussions and negotiations that eventually led to the final text of the Convention in October 2003 were just starting in Paris in 2001, opinions about the opportunity to propose “Saint Nicholas” as a masterpiece¹ and counterarticles with the title “UNESCO threatens the Feast of Saint-Nicholas” were already being published in one of the leading newspapers in the Netherlands. In this last article the Dutch ethnologist P. J. Margry argued that in the new millennium even the question of Black Pete had been sufficiently discussed and negotiated not be a problem anymore.² During the last few months of 2013 the question of Black Pete was front page news and a headline story in the television and radio news for days. With the new role in relation to the UNESCO Convention, VIE was in the centre of the debate. The heated debate focused on the black assistant of Saint Nicholas.³ Saint Nicholas is the most popular family feast in the

- 1 K. Epskamp and P. Nas, “UNESCO moet Sinterklaas redden”, *NRC*, 04-12-2001, <http://vorige.nrc.nl/krant/article1579112.ece>. Epskamp and Nas argued that the Dutch Saint Nicholas feast should be nominated as an example of Dutch Intangible Heritage, at the same time unique as well as threatened.
- 2 <http://vorige.nrc.nl/krant/article1579306.ece> P. J. Margry, “UNESCO bedreigt sinterklaasfeest”, *NRC*, 06-12-2001. “Het behoeft eigenlijk geen betoog: onderzoek van de laatste jaren ook door het Meertens Instituut wijst uit dat van een werkelijke bedreiging van Sinterklaas in het geheel geen sprake is. De concurrentie met het kerstfeest heeft bijvoorbeeld de viering van Sints verjaardag zelfs sterker geïntegreerd. Ook de discussies, nadrukkelijk gevat in een kader van politieke correctheid, over de figuur van Zwarte Piet, lijken anno 2001 ritueel uitonderhandeld en achter de rug. Het sinterklaasfeest heeft zijn conjuncturele hobbels van de late 20^{ste} eeuw genomen en heeft zich duidelijker geprofileerd.” See also the reply <http://www.nrc.nl/handelsblad/van/2001/december/08/unesco-en-de-sint-7568372>
- 3 A. van der Zeijden & I. Strouken, *Sinterklaas in the Netherlands: a beleaguered tradition*. Bilthoven, 2014.

Netherlands and is celebrated every year on 5/6 December. From the 1980s onward, migrants from the former Dutch colonies Surinam and the Antilles have expressed a growing displeasure on the – in their opinion – stereotypical fashion in which Black Pete is cast in a servant role.⁴ In their view it reflects and even reinforces and encourages the impression of the inferior position of black people in this country. In 2013 activists took legal action in Amsterdam to ban the Black Petes from the official welcoming of Saint Nicholas in the capital. Members of the National Platform of Dutch Slavery Past wrote letters of complaint to the United Nations about the figure of Black Pete and an alleged link to slavery and racism. The attention UNESCO was generating for similar traditions all over the world, under the new flag of intangible cultural heritage, had been one of the reasons for raising complaints to the UN Working Group on Human Rights on People of African descent, to which “it [was] reported that in relation to the acceptance of the UNESCO Convention for the Safeguarding of Intangible Cultural Heritage in 2012 by the Netherlands, proposals have been made to declare the Dutch Cultural Historical Tradition ‘Santa Claus and Black Pete’ as Immaterial Cultural Heritage.”⁵ In their opinion this would be an official recognition of Black Pete.⁶

Even before the procedure itself had started, the chairman of the UN Working Group, Verene Shepherd, already presented her personal opinion on Dutch television that Black Pete “was definitely racist”, a remnant of the Dutch colonial past. The discussion exploded. Black Pete dominated the discussions in the Dutch media for over two months. On Facebook there was a petition in favour of Black Pete, which received two million likes in two days. The discussion, which started in October 2013, had never before been as heated. During the process, after the intervention of the UN and throughout the enormous debate, VIE got a lot of questions from the press and from people who asked VIE to take a stance in the issue, in favour or against Black Pete and/or in finding a solution for this difficult dilemma.

VIE could not stay out of this discussion because it touches their core business: (facilitating and mediating) safeguarding intangible cultural heritage. VIE opted for a stance in line with its own professional expertise and

4 For a survey of the history of the discussion see J. Helsloot, “Het feest. De strijd om Zwarte Piet”, in: I. Hoving and others (ed.), *Veranderingen van het alledaagse 1950-2000*. Den Haag, 2005, p. 249-272.

5 Letter of the Chair-Rapporteur of the Working Group on people of African descent to the Dutch government, 17 January 2013. See: [https://spdb.ohchr.org/hrdb/23rd/public_-_AL_Netherlands_17.01.13_\(1.2013\).pdf](https://spdb.ohchr.org/hrdb/23rd/public_-_AL_Netherlands_17.01.13_(1.2013).pdf)

6 In reaction to the questions put forward by the UN Working Group the Dutch Ambassador and Permanent Representative to the United Nations Roderick van Schreven, who reacted on behalf of the Government of the Kingdom of the Netherlands, found it expedient to underline that “the allegations are incorrect. The Dutch Authorities have not submitted the Sinterklaasfestival as a nomination proposal to UNESCO.” To avoid all sensitivities it was added that “The Dutch Government is aware that Black Pete is considered by some to be offensive.” [https://spdb.ohchr.org/hrdb/24th/Netherlands_10.07.13_\(1.2013\).pdf](https://spdb.ohchr.org/hrdb/24th/Netherlands_10.07.13_(1.2013).pdf). As this reaction was kept low profile it played no role in the public debate. For the letter see: [https://spdb.ohchr.org/hrdb/24th/Netherlands_10.07.13_\(1.2013\).pdf](https://spdb.ohchr.org/hrdb/24th/Netherlands_10.07.13_(1.2013).pdf). It was only very much later that one of the Dutch newspapers found out that there was an official response of the Dutch government, even published on the internet.

tried to answer the question on the supposedly racist character of Black Pete in a well documented and empirically informed way. VIE has done a lot of research on the history of the Saint Nicholas feast in the Netherlands.⁷ Time and again VIE experts gave explanations of the historical background not only of the Saint Nicholas feast and iconography, but also of Black Pete, who appears to have been invented by the Dutch former schoolmaster Jan Schenkman (1806-1863) in the nineteenth century. Black Pete was never depicted as a slave but rather, in the beginning, as Saint Nicholas' little helper in the background. As it turned out, after the Second World War Black Pete developed to become the indispensable mainstay of Saint Nicholas, his manager without whom Saint Nicholas would be rather helpless. VIE tried to explain from the inside how this peculiar way of celebrating Saint Nicholas evolved during the last two centuries.⁸ In this sense VIE positioned itself as a documenter of and commentator on traditions, and also as a reliable source of knowledge about these intricate questions. From the perspective of intangible heritage safeguarding it is interesting that VIE treats Saint Nicholas as a living tradition, with an open end. This fits in with the UNESCO interpretation of traditions since 2003: always evolving, always changing.

The Meertens Institute, the Dutch academic institution which researches everyday culture in the Netherlands, acted comparably. On their website they created a page called "Dossier on Black Pete" on which the Meertens Institute presented a number of articles on the history of Black Pete, notably by Meertens scholar John Helsloot, who is the leading scholar in this field.⁹ In a special part of the "Dossier" the Meertens Institute presented and answered some "frequently asked questions", such as "How popular is the Saint Nicholas Feast in the Netherlands?" "Since when is Saint Nicholas accompanied by a little black servant and is there a connection with slavery" (a question that Meertens also answered in the negative: Black Pete was never a slave but merely the helper of Saint Nicholas.)¹⁰ At the same time the answer to the question "whether Black Pete must be considered racist", was that "an unequivocal answer is not possible" but it was also noted "that we cannot avoid the fact that Black Pete is considered racist not just by members of ethnic minorities but also by scholars

7 VIE has published several articles on the history of Saint Nicholas in their popular magazines *Traditie* and *Immaterieel Erfgoed*. In 2008 Albert van der Zeijden published the little booklet *Suikergoed & surprises. Over Sinterklaas*, vol. 2 of the series *het Alledaagse leven*. Zwolle, 2008.

8 See for instance the following VIE comments in newspaper interviews: "De traditie: in dertig jaar zijn Sint en Piet al behoorlijk veranderd", *NRC*, 19-10-2013; "Hooft wie klopt daar eigenlijk", *De Volkskrant*, 21-10-2013. Albert van der Zeijden gave a quick overview of changing popular images of Black Pete during the last two centuries: "Zwarte Piet = levend monument. Waarom ook tegenstanders deze fantasiefiguur eigenlijk positief zouden moeten waarderen", published on the internet 18-10-2013. <http://www.albertvanderzeijden.nl/publicaties/Albert%20van%20der%20Zeijden%20zwarte%20piet%20=%20monument.pdf>

9 <http://www.meertens.knaw.nl/cms/nl/nieuws-agenda/nieuws-overzicht/202-nieuws-2013/144369-dossier-zwarte-piet>

10 "De zwarte knecht in het boekje van Jan Schenkman uit 1850 is derhalve niet op te vatten als een huisslaaf, maar als een knecht in betrekking." The Frequently Asked Questions can be found on: <http://www.meertens.knaw.nl/cms/nl/nieuws-agenda/nieuws-overzicht/202-nieuws-2013/144371-faq-zwarte-piet>



1. First appearance of a black helper in the childrens book of Jan Schenkman (1850)

and intellectuals.”¹¹ That at least one of the scholars of the Meertens Institute thinks the same, was demonstrated in an article of John Helsloot, which was also presented on the Meertens website, which deconstructed Black Pete as essentially racist, “Zwarte Piet and Cultural Aphasia in the Netherlands”.¹²

As the discussion dragged on, both groups dug themselves into entrenched positions. VIE tried to play and cultivate its facilitating, reflexive and mediating role, which, during the process, evolved into a call for dialogue, in which VIE suggested possible ways of compromise. It did so by presenting the proposals of others, for instance of the actor Erik van Muiswinkel, who proposed to make Black Pete less black, to make him more acceptable to the critics.¹³ This was also

11 “Op de vraag of Zwarte Piet racistisch is, kan geen eenduidig antwoord gegeven worden, maar men kan niet om het feit heen dat Zwarte Piet zowel door vertegenwoordigers van minderheidsgroepen als door wetenschappers en intellectuelen als racistisch ervaren wordt.” Dossier on Black Pete on the Meertens Website.

12 J.I.A. Helsloot, “Zwarte Piet and Cultural Aphasia in the Netherlands”, *Quotidian. Journal for the Study of Everyday Life* 3, 2012, p. 1-20.

13 See for instance: “Hou het hoofd koel in Pietendiscussie”, *Spits*, 23-10-2013; I. Strouken, “Een toekomst voor de Sint”, *Noord-Hollands Dagblad*, 29-10-2013. Van Muiswinkel plays on television the role of Chief Pete accompanying Saint Nicholas.

the stance of the mayor of Amsterdam, Eberhard van der Laan. His reaction was that he could understand the sensitivities on both sides and therefore advocated dialogue, looking for a model to which everyone could relate, but without violating the Saint-Nicholas tradition itself.¹⁴ Later on, this was also the suggestion of the UN experts, who proposed a respectful national debate in which the Dutch government should take the lead.¹⁵ It was suggested in some offstage deliberations, that the organisation of a national debate, could be a role for VIE. In issues like Black Pete, cultural brokers are naturally inclined to look at it from both sides and thus tend to promote a dialogue and opt for a compromise.

VIE's mutual understanding-oriented position was not always easy to maintain. This became clear during the Dutch television show *Een Vandaag*, broadcasted on 26 October 2013, when the Saint Nicholas Society made a big issue out of a supposed action by VIE, which was accused of having obstructed a possible inclusion of the Saint Nicholas feast in the National Inventory of Intangible Heritage.¹⁶ Already in the early part of 2013, so before the heated debate, the Saint Nicholas Society had presented a candidature file of the Saint Nicholas Feast for the procedure that can lead to inscription on the Dutch National Inventory. Following the procedures closely, the independent audit commission attached to the National Inventory advised VIE to ask the Society for a more elaborate treatment of the Black Pete issue, as a subject that should be addressed because it might endanger the future of this tradition. This suggestion to include the issue of Black Pete in the safeguarding or special heritage care plan, was now transformed into a supposedly political stance of VIE.¹⁷ To make things worse, words like "heritage care plan" are not

14 In the end it was decided that the official welcoming in Amsterdam could go through, but that Black Pete should alter somewhat his appearance: no curly hair but straight hairs, and no ring in his ear because it could be (hinein)interpreted as referring to the Dutch colonial past, to the chains of slavery.

15 <http://www.getmixed.fm/index.php/nieuws/652-black-pete-sinterklaas-un-experts-encourage-respectful-national-debate-on-dutch-tradition>

16 The alarming news heading read: "Black Pete was the stumbling block. Centre for popular culture prevented Saint Nicholas becoming world heritage". http://www.eenvandaag.nl/binnenland/47615/zwarte_piet_was_struikelblok. For the misconception that the UNESCO Convention on the intangible heritage is about "world heritage" see M. Jacobs, "UNESCO heeft beslist: Sinterklaas kan geen werelderfgoed worden" (23-10-2013), <http://www.faronet.be/blogs/marc-jacobs/unesco-heeft-beslist-sinterklaas-kan-geen-werelderfgoed-worden>

17 VIE tried to counter the allegation of the Saint Nicholas Society with an official press communication to the national news agency ANP, which was also placed on the Facebook page of VIE. VIE communicated that the proposal for the National Inventory had in fact been very much encouraged by VIE, but that in a heritage care plan about this feast, you cannot escape saying something about the discussion on Black Pete. "Centrum voor Volkscultuur wil Sinterklaasfeest op de immaterieel erfgoedlijst", official press communication to ANP, also on the Facebook page of VIE (26-10-2013), <http://perssupport.nl/apssite/persberichten/full/2013/10/26/Centrum+voor+Volkscultuur+wil+Sinterklaasfeest+op+de+immaterieel+erfgoedlijst> and https://www.facebook.com/pages/Nederlands-Centrum-voor-Volkscultuur-en-Immaterieel-Erfgoed/246301218713465?hc_location=timeline. See also an interview with VIE director Ineke Strouken in *De Telegraaf*: "Ineke Strouken: Ik kreeg de Zwarte Piet", *De Telegraaf*, 23-11-2013.

easy to communicate in a time of hot debate, when the public expects clear opinions and statements.¹⁸ In their proposal for the National Inventory the Saint Nicholas Society had proposed to keep the tradition “as it is”, that is to say: including Black Pete. Possibly they wanted to use the National Inventory to conclude the discussion on Black Pete once and for all. Although incorrect and not in the spirit of the 2003 UNESCO Convention, it is often assumed that if something is recognised as a tradition, it is heritage that may not be altered. The same thing happened in Spain, with the ongoing debate on the acceptability of bullfighting. The actions of animal activists against this tradition resulted in a petition in favour of the tradition, signed by more than 600,000 people. After a debate in parliament it was decided to adopt a national plan with the main objective to get bullfighting on the representative list of the intangible heritage.¹⁹

The Advisory Board of VIE proposed a restrained approach, with a focus on VIE’s expertise on traditions. This not only means giving information on the history of the tradition but also inform the public on the detail of the 2003 UNESCO Convention and about safeguarding intangible cultural heritage.

In 2014 VIE started a new project by interviewing important stakeholders on *their* opinions about a future proofed Saint Nicholas feast. The work was done by an independent researcher.²⁰ In his report an overview was made of the values that supporters and critics attach to the Sinterklaas celebration and which elements of Black Pete provoke discussion. It confirmed that many Sinterklaas supporters are of the opinion that Black Pete has nothing to do with racism and that the critics still have insurmountable problems with Black Pete. But the researcher also sensed a growing awareness of the need for a compromise. Most of the people interviewed expected that Amsterdam would start the experimenting. In fact the organizing committees (also in cities other than Amsterdam) had already started in early 2014 with the preparations for the Saint Nicholas festivities of December 2014. They asked themselves what they could do to organise something which can have the support of the larger part of the Dutch population, if possible avoiding or countering suggestions about racism. That there is a problem became clear on the third of July 2014, when an Amsterdam Court judged that in 2013 the Mayor of Amsterdam should have been more careful in giving permission for the official welcoming in Amsterdam of Saint Nicholas and his Black Petes and should have taken into consideration that Black Pete can be perceived as an encroachment in the private life of coloured people, because of its negative stereotyping of black

18 One of the comments on the VIE Facebook page read: “Look at the words they use: “points of concern” (knelpunten), “controversial heritage” (weerbarstig erfgoed), “National Inventory”, “the Saint Nicholas Society”, “the director of VIE”. It suggested to this commentator that a bureaucratic institution was taking over. “SIGH: If people and organisations find themselves more important than the children who are the real issue, we are on the wrong track...” [“ZUCHT: Als mensen en organisaties zichzelf belangrijker vinden dan de kinderen waar het om gaat dan zijn we heel erg op de verkeerde weg bezig...”].

19 <http://www.globalpost.com/dispatch/news/afp/130212/spanish-parliament-moves-protect-bullfights>

20 G. Kozijn, *Zwarte Piet een verkennend onderzoek naar een toekomstbestendig Sinterklaasfeest*. Utrecht, 2014.



2. Welcoming Sinterklaas and the Petes in Amsterdam 2012

people. This was based on the interpretation of emails from the Netherlands Institute for Human Rights, a research report of the statistics bureau of the City of Amsterdam itself and on statements by the plaintiffs.²¹

An engaged practice

What lessons can be learned from this bumpy experience of a facilitating NGO? Lately a lot has been said about the role of NGOs within the UNESCO Convention on the Safeguarding of the Intangible Heritage. In the IOS report, which was discussed in Baku in December 2013 during the Intergovernmental Committee meeting, NGOs are mentioned in relation to the implementation of safeguarding measures and in strengthening the communities. But the IOS report also highlights another role of the NGOs, that of “mediating and building bridges between various actors.”²² The role of NGOs seems to be especially useful when tackling issues which are controversial and dealing with divides within society that need to be bridged.²³ The case of Black Pete is a good starting point to discuss this aspect of cultural brokerage, which

21 <http://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:RBAMS:2014:3888>.

22 <http://www.unesco.org/culture/ich/doc/src/ITH-13-8.COM-5.c-EN.doc>

23 On “controversial” or “contested” heritage there is a large body of literature. See for instance H. Silverman (ed.), *Contested cultural heritage. Religion, nationalism, erasure and exclusion in a global world*. New York, 2011. See also L. Smith & N. Akagawa, “Introduction”, in: idem (eds.), *Intangible Heritage*. London, 2009, p. 5.

might be one of the great challenges of cultural brokerage at the start of the 21st century. Looking back on the discussion about Black Pete we can distinguish a number of reasons why this form of brokerage is so challenging. Some of them have to do with the changing political circumstances, others with a new opinion landscape, with a prominent role for the media.

First of all the issue of Black Pete teaches us that intangible heritage can be inextricably tied up with politics.²⁴ Black Pete is reframed by new ethnic groups reinterpreting and questioning the formerly sacrosanct Dutch heritage where others want to defend it because they see and celebrate it as “their” heritage. As Laurajane Smith rightfully observes, in an influential collection of essays on intangible heritage, experiencing intangible heritage has become part and parcel of the dilemmas of modern multicultural society.²⁵ Black Pete has different meanings for different segments of society. It means the discussion is not always easy. Where opponents talk about racial stereotypes, the advocates of Black Pete see it as just an innocent family pastime with deep historical roots and for which they harbour precious memories from their own youth. To attain their objectives the aspiring new groups used all possible means. It started with a media offensive in which Black Pete was challenged, while poking into the open wound of the Dutch slavery past. In 2013 it also became a judicial battle, when the Amsterdam Court was asked to ban the official welcoming of Saint Nicholas and his Black Petes. On the other side of the spectrum the supporters of Black Pete tried to use UNESCO as a defence mechanism, as also seen in the example of the Spanish bullfighting. In between there is the public at large which reacts to all of these stimuli by means of Twitter and Facebook. There were even demonstrations organized, for instance in The Hague, 26 October 2013 on the Malieveld.

The political implications of intangible heritage mean that cultural brokers should always be reflexive ... and should take into account “social relationships in all their messiness, taking account of action, process, power and change”, as Emma Waterton and Laurajane Smith put it in a critical review for the *International Journal of Heritage Studies*.²⁶ It also means that they have to reflect on their own role in the process. As Richard Kurin has rightly remarked, cultural brokers should situate themselves in a contemporary world “of multiple, if not contending, cultural narratives” and give up the illusion of a singular, monological reality.²⁷ But where she (or he) should position herself is not always clear. What most of the Saint Nicholas fans would expect from the broker is help for them to defend the tradition, including Black Pete, against

24 About the political instrumentalization of Saint Nicholas and Black Pete in connection with intangible heritage already see L. Meijer-Van Mensch & P. van Mensch, “Proud to be Dutch’. Intangible Heritage and National Identity in the Netherlands”, in: M. L. Stefano and others (eds.), *Safeguarding Intangible Cultural Heritage*. Woodbridge, 2012, p. 125-136.

25 Smith & Akagawa, *Introduction*, p. 5.

26 E. Waterton & L. Smith, “The recognition and misrecognition of community heritage”, *International Journal of Heritage Studies* 16, 2010, p. 4-15, see especially p. 5: “What we want to suggest instead is a politically engaged and critical conception; one that engages with social relationships in all their messiness, taking account of action, process, power and change.”

27 R. Kurin, *Reflections of a Culture Broker. A view from the Smithsonian*. Washington & London, 1997, p. 281.

all criticism. On the other hand they should also take into account possible minority views on the subject. As David Mosse and David Lewis have shown, “bottom-up approaches” with special attention to minority groups, which are not always well represented in the dominant heritage discourse, have always been important in cultural brokerage.²⁸ The concept of cultural brokerage was proposed for the agenda of European ethnology during a conference on public folklore in Bad Homburg, 1998.²⁹ During this symposium most of the German Volkskundler were against public action and interventions and saw for themselves a role as critical observer only. On the other hand a network of American scholars defined public folklore as an engaged practice with, as Barbara Kirshenblatt-Gimblett pointed out, parallels with public history and also with the new museology in which a top-down approach is more or less replaced by a bottom-up one, in which the museums position themselves within the communities.³⁰ Already then it was recognized that cultural brokerage always involves political engagement. As Jessica M. Payne put it in a 1998 article in the *Journal of Folklore Research*: “Advocacy and social activism have long been aspects of folklore work and folklorists have adhered to a wide spectrum of implicit and explicit agendas for social change; some of which are politically fairly progressive.”³¹ Payne explicitly mentioned subjects as “Racial tension” and “Derogatory stereotypes”.

A changing media landscape

Already in 1997 Richard Kurin addressed the issue of a new role for the media, in particular new (computer-supported) media. According to Kurin, nowadays the traditional cultural broker is “outgunned and eclipsed [among others] by politicians, journalists, filmmakers” etc.³² This means that his former position as the one and only expert on traditions is challenged. In the case of Black Pete we have talked about journalists always on the lookout for the latest sound-bites which might please or tease their readers and audiences. The press

28 D. Mosse & D. Lewis, “Theoretical approaches to brokerage and translation in development”, in: D. Mosse & D. Lewis (ed.), *Development Brokers and Translators. The Ethnography of Aid and Agencies*. Bloomfield, 2006, p. 1-26.

29 The results of this symposium were published in the *Journal of Folklore Research* 36:2-3, 1999. The concept of public folklore was introduced in the Netherlands by H. Roodenburg, “Tussen distantie en betrokkenheid. ‘Public folklore’ en de volkskunde in Nederland en Vlaanderen”, *Mores. Tijdschrift voor volkscultuur in Vlaanderen* 2:1, 2001, p. 5-8. Full text: <http://depot.knaw.nl/9793>.

30 B. Kirshenblatt-Gimblett, “Folklorists in Public. Reflections on Cultural Brokerage in the United States and Germany”, *Journal of Folklore Research* 17, 2000, p. 1-21, esp. 12. For a discussion on this new role for museums in connection to the UNESCO Convention of the Intangible Heritage see A. van der Zeijden, “Van materieel naar immaterieel erfgoed: een pleidooi voor een ‘actief’ community begrip”, *Quotidian* 3, 2012 [theme file about community museums], full text: <http://www.quotidian.nl/cgi/t/text/text-idx?c=quotidian;sid=6495a2d942abbed9a85878c5460fd8c6;view=text;idno=m0301a07;rgn=main>. More in general about the involvement of communities in the museum see V. Golding & W. Modest (eds.), *Museums and communities; curators, collections and collaboration*. London, 2013.

31 J. Payne, “The Politicization of Culture in Applied Folklore”, *Journal of Folklore Research* 35, 1998, p. 251-277, p. 251.

32 Kurin, *Reflections of a Culture Broker*, p. 266.

dictates, if not the agenda, then the buzz of day, with every hour bringing a new misconception to which the cultural broker is asked to react: the legal action in Amsterdam to ban the Black Petes in 2013, the intervention of Verene Shepherd, the reaction by the mayor of Amsterdam, the petition on Facebook, the demonstrations in The Hague and elsewhere, the threats on Twitter, and so on. The new social media enables community groups and other stakeholders to participate in the discussion and decision making process. We have seen that the Facebook petition in favour of Black Pete, which attracted more than an unlikely two million likes in two days, succeeded in creating a new political momentum. To name another example: after the Court decision in July 2014, which caused the Amsterdam City Council to reconsider its decision about the welcoming in 2013, some Black Petes decided to form a Guild of Petes (Pietengilde) in order to make an appeal. They also set up a website in which they presented their opinions. From the perspective of the community based UNESCO Convention this is an interesting development. Still another interesting aspect of the Guild of Petes is that they combine a form of advocacy with a historical discourse on the origins of Black Pete. In their opinion Black Pete is not racist at all but dates back to the pagan times of the old Germanic Gods like Wotan, the Yule or (in Dutch) the Joel as it is familiarly called in folklore studies since the nineteenth century.³³ Since the 1960s the German Volkskundler inspired their Dutch colleagues to deconstruct the Germanic myths which so long have characterized folklore studies since the nineteenth century. Only to be confronted with these in their opinion outdated theories once again but now in a context of aspiring new groups within society which before were not heard. Scholars and cultural brokers have lost their monopoly as experts on (the history of) traditions.

The new media-opinion landscape and the importance of “framing” cannot be better illustrated than with the example of the presentation of VIE’s exploratory research report in June 2014.³⁴ The media were very curious about the outcome of the research and the possible compromise in the discussion which it might offer. After some deliberations, VIE decided to present the report in the daily Late News Show of Knevel and Van den Brink, only to be subjected to the new media laws. The television journalists opted for a news item in which other stakeholders would also be heard, so that they could give their views on the report. VIE had a preference for some organizers of the

33 “Long before slavery, in the 12th century, the Saint Nicholas was already there as a midwinter celebration. Already then he was Black.” [“Ver voor de slavernij, in de twaalfde eeuw, was het sinterklaasfeest er al als een midwinterfeest. Een zwarte knecht heeft er altijd op de een of andere wijze deel van uitgemaakt. Hij was ook toen al zwart: pikzwart met roet. Hij was degene die, achter de rug van de heilige om, gekke gezichten liep te trekken en een lange neus maakte in de richting van de kerk en het gezag.”] Interview *Nieuws NL* with Marc Gieling, chairman of the Guild of Petes. <http://www.nieuws.nl/algemeen/20140703/Discussie-Zwarte-Piet-berust-op-slechte-achtergrondkennis-Nieuwsnl-spreekt-met-het-Nederlandse-Pietengilde>. For the official website of the Guild see <http://www.pietengilde.nl/>. But of course, slavery existed already in antiquity and the proofs for a black servant are not convincing; nevertheless injecting more ambiguity and complexity when discussing a, let us not forget, fictive figure and product of “imagination” can be productive.

34 See Van der Zeijden & Strouken, *Sinterklaas in the Netherlands*, p. 52-53.

local Saint Nicholas festivities, who in daily practice have to come up with a solution in December 2014 which can be acceptable to all. Unfortunately, all of these local committees turned down the invitation because they did not find it expedient to show their cards in this early stage. They considered the burn risk too great. For this reason the news show had to fall back on the old frame of inviting the two extremes in the spectrum, the Saint Nicholas Society on the one hand and a fierce opponent of the old traditional Black Pete on the other. Furthermore, in keeping with the format of a television show, the television makers opted for a visualization of three possibilities, in which the Saint Nicholas Society decided for a traditional Black Pete and the opponent for a purple coloured one. There was also a so-called compromise Pete, which was presented as the compromise Pete of VIE. From the perspective of the report this was an unfortunate decision. In fact the exploratory research didn't come up with a clear compromise, acceptable to all. It had only charted the feelings of the different stakeholders and the conclusion was that opinion was still very strongly divided, and that there was no consensus on possible changes. Because it showed in the report that it was not likely that the advocates of Black Pete would give up Pete's dark colour, the "compromise" which the media all hankered for turned out to be brownish instead of black or some kind of fantasy colour. It didn't work. During the television show both opponents immediately fell back on their own preferences. The next day the reaction in the newspapers was also very negative. "Forced New Pete is doomed to fail", was the heading in one of the leading newspapers.³⁵ Interestingly enough – when it comes to the UNESCO Convention – it was a citation of one of the most polarizing scholars in the field, Peter Jan Margry, who is a fierce campaigner against the 2003 UNESCO Convention whose purpose it is, he wrongly believed in his earlier articles, to *freeze* traditions like Sinterklaas but now accused UNESCO of wanting to change these traditions, also a complete misunderstanding of the Convention.³⁶

The example makes clear that the new media arena not only likes to launch sound-bites and sharp images but that it also tends to reinforce the opposing outer extremes in the debate.

35 "Geforceerde nieuwe Piet gedoemd te mislukken", *Volkskrant*, 11-06-2014, on the internet: <http://www.volkskrant.nl/vk/nl/2686/Binnenland/article/detail/3670294/2014/06/11/Geforceerde-nieuwe-Piet-gedoemd-te-mislukken.dhtml>

36 "Waarschijnlijk heeft de timing van het nieuwe ontwerp alles met tijdsdruk te maken: het Sinterklaasjournaal wordt deze zomer al opgenomen en er moet een dossier voor de UNESCO komen. Maar het is naïef om te denken dat we op deze manier nu alvast van de hele kwestie af zijn. De kans is levensgroot dat we deze discussie de komende jaren blijven voeren, en daar kan het VIE niks aan veranderen." The chance that a Sinterklaas file will be presented to UNESCO is nihil. The Dutch Minister of Culture, in her request for advice to the Council of Culture on possible themes for international nominations, called it improbable that the Netherlands at this stage would nominate the Saint Nicholas Feast. Because of its controversiality "it would not stand a chance with UNESCO". Adviesaanvraag 26 september 2013, <http://www.cultuur.nl/upload/documents/adviezen/advies-immaterieel-erfgoed.pdf>

Centripetal forces

The growing proliferation of public arenas and ways of communication, and the diversified opinion climate with many kinds of community associations and pressure groups, all ask for a new and more engaging role for the cultural broker who can interpret all of these contending opinions. In their search for easy and understandable sound bites, which might trigger further media-attention, the media often tend to over represent the outer extremes in the debate. But there is also a great need for explanation and interpretation. Is Black Pete really connected with racism and slavery, or – because that is in principle really at stake – vice versa? Why are emotions running so high? And, most importantly perhaps, where shall this discussion end? Sometimes the newspapers take the lead themselves. *NRC* had for instance a complete page which put the history of Black Pete in an international context. In other countries Saint Nicholas is accompanied by a helper also – Ruprecht in Germany, Krampus in Austria and Hungary, Père Fouettard in France, mythological figures which look a lot more frightening than the Dutch Black Pete.³⁷ For this specialist knowledge, newspapers often seek the help of experts. These experts sometimes take the initiative themselves, as is shown in the FAQ webpage of the Meertens Institute. There is a great need for experts, who can separate the chaff from the wheat on the one hand and add complexity on the other ...

Mediation and building a new consensus is quite another thing. We have seen that reaching or finding a consensus is a deep felt wish of the government authorities, who want to manage issues connected with ethnic diversity which might trigger social tensions. The mayor of Amsterdam was even compelled by the Amsterdam Court to come up with a solution. Finding a new consensus seems to be indispensable if you want to create a new future for traditions like Sinterklaas. In all this we should keep in mind that consensus is not the same as compromise, a crucial insight for dealing with and in the spirit of the 2003 UNESCO Convention. A cultural broker looking for a compromise might easily alienate himself from the stakeholders whose different viewpoints he would like to bring together and propose alternatives and other ways of thinking and talking about it. Dealing with controversial heritage is a delicate operation.

37 “Zo zit het dus met Zwarte Piet”, *NRC*, 24-10-2013, on the internet <http://www.nrc.nl/next/van/2013/oktober/24/zo-zit-het-dus-met-zwarte-piet-1306024>. See also “Zwarte Piet was geen Piet, maar knecht Ruprecht, of Krampus, met hoorns”, *NRC*, 23-10-2013, on the internet: <http://www.nrc.nl/handelsblad/van/2013/oktober/23/zwarte-piet-was-geen-piet-maar-knecht-ruprecht-of-1306501>