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# Reviving Authenticity through Traditional Crafts and Folk Art in Hungary

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# ABSTRACT

Folk art and applied folk art have been constantly shaped by cultural and political actors, as well as social and economic processes and the local society affected by them. In the context of these changes, the definitions of *authentic*, *original*, and *genuine* were given a new interpretation, which can be examined in different contexts. The question of authenticity in material folk art arose shortly after the birth of the concept of folk art and the "discovery" of folk art, and has accompanied the history of the revival of material folk art. Nevertheless, although discourses on the subject have been ongoing for a long time in the fields of folklore, theoretical works dealing with material folk art have not paid much attention to the issue of authenticity. The study first describes the contexts through which the issue of authenticity was articulated in artifact production inspired by folk art. The changed social conditions during the 20th century have also generated, and are still generating, new legal dilemmas in the field of artifact production at both community and individual levels, such as the extent to which folk art is individual or community-owned (taking into account the narrower and wider community), and the copyright of an authentic folk artist or craftsman or a creator recognized as a folk artisan. The questions lead to the evolution of the definition of authenticity and point out, among other things, the role that the issue of authenticity plays in the process of the heritagization of folk art.

### **KEYWORDS**

material folk art, Hungarian applied folk art, authenticity, copyright, community right, heritagization, branding, cultural appropriation



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# INTRODUCTION

In the context of material folk art, contemporary debates on originality associated with the creative community and the individual lead to the question of authenticity, that is, the issue of fidelity to tradition that underlies identity. As in high art, so in folk art and applied folk art, both authenticity and originality appear as positive values. The exact definition of authenticity, however, is hard to grasp in the field of handicraft heritage and folk art heritagization. The related scepticism and scientific dilemmas were articulated by Herman Bausinger as follows: "Rediscovery and revitalization become intertwined and intermingled, making it increasingly difficult to distinguish between the untouched old and the revitalized. Perhaps no other discipline speaks more often of the 'authentic,' and in no other discipline is it so difficult, so impossible, in fact, to differentiate what is 'authentic' from what is not" (BAUSINGER 1989:27). One of the main reasons for this is that communities "always define traditions in the present" (BENDIX 1989:132; PUSZTAI 2007:232; see also Nyíri 1994:11). "Contemporary authenticity is the new authenticity (...) Contemporary authenticity refers to the dynamism of social life (...) Contemporary authenticity works from the premise that society generates new contexts in which human beings produce meaningful acts and objects without necessarily bringing the past 'faithfully' into the present. In this social constructivist view, current performances and consumptions of identity and place are as valid as those historically legitimated. Contemporary authenticity generates and enables new spaces and forms of human interaction and creativity" (SILVERMAN 2015:84-85).<sup>2</sup> In 2003, the Museum of Ethnography in Budapest organized an exhibition titled Original, Copy, Forgery (Original, Copy, Forgery 2003-2004:n.p.) addressing the meaning and problems of genuineness. The curators of the exhibition drew attention to the fact that "the 'traditional' form is itself the product of innumerable transformations and continual change," influenced by individual discrepancies that come with copying, as well as other external, social influences. The exhibition explored in detail the factors shaping Hungarian peasant material culture, including the emergence of education, new materials and technologies, "high culture," the activities of journeymen and itinerant vendors, as well as the exchange of products between different parts of the country. The knowledge published here also serves as proof that contemporary authenticity is a valid concept in all historical epochs, and when analyzing the idea of originality influenced by today's social processes, we cannot disregard a legitimate description of the historical layers of a given object or heritage.<sup>3</sup>

In a study on legal issues related to folklore (Verebélyi 1999), Kincső Verebélyi posed the question of how copyright and community law might be interpreted in material folk art and urged further research. The issue of the authenticity and forgery of local traditions and

<sup>&</sup>lt;sup>3</sup>Following the exhibition, a collection of studies was published in 2007, examining the concept of originality in an even broader perspective, based on international examples (WILHELM ed. 2007).



<sup>&</sup>lt;sup>1</sup>Roland Mortier dates the emergence of the positive connotation of originality to the 18th century (in Western Europe) and justifies such a change with social and political processes (Mortier 1982; quoted by RÁKAI 2007:34).

<sup>&</sup>lt;sup>2</sup>Helaine Silverman provides a summary of the findings of heritage studies – describing the guidelines of UNESCO and other heritage organizations in their historicity, examining similar research on built heritage, tangible and intangible cultural heritage, and tourism. Further studies deal with the meaning and social context of locality-related authenticity, particularly regarding tourism (i.e., MacCannell 1976; Greenwood 1982; Hobsbawm – Ranger 2012; Farrelly et al. 2019; Sonkoly 2009, 2014, 2016).

individual works raises a number of legal issues, not only in terms of copyright but also in terms of personal rights and industrial property rights. The question is: who is responsible for solving these and what responsibilities does it entail? "It is not advisable to intervene in the spontaneous processes of cultural development below a certain level (...) At the same time, the transformation of traditional culture is an unstoppable process that necessarily involves the deterioration of values. At this level, opportunities for traditional cultural expressions (...) should also be protected at the legal level" (Verebelyi 1999:6-7). If this is necessary, it is worth considering examining the phenomena from a historical perspective. Do we have to differentiate between creators that come from a multi-generational family and inherited knowledge in a truly authentic way and those who obtained such knowledge through courses? Do we have to differentiate between a creator with a flawless technique and a creator who can design unique objects of artistic quality? Which disciplines consider this a topical issue? What social practices lie behind the development of authentic folk art? In certain cases, what is that historical moment when a handicraft heritage becomes folk art? Should we distinguish between artisanal heritage and peasant object-making in the search for authentic folk art? There is ample literature on the concept of tradition to allow for individual assessment in each controversial case.

In the present study, I use contemporary authenticity as an axiom, the relevance of which I examine from the social, legal, and material aspects of material folk art and handicraft revival, whereby I demonstrate that the definition and significance of authenticity depends on context and objective.

# THE BIRTH OF "AUTHENTIC FOLK ART"

The discovery of peasant artifacts in Hungary dates to the second half of the 19th century. The unification of national consciousness left its mark on the material culture of the peasantry, and the rising middle classes also sought tangible ways of expressing a national identity. The emergence of the manufacturing industry and the inherent lifestyle changes endangered peasant culture. Folk art objects, in their later sense, were already featured in the trade shows of the 1840s as products of artisans (cifraszűr/frieze cloaks, embroidered fur coats, etc.), and then also at the world exhibitions of the 1850s and 60s. The famous industrial historian of the time, Mór Gellér, already attached an "ethnographic" value to the embroideries and textiles of "simple peasant women" that were on display at the national exhibition in Székesfehérvár in 1879. The exhibitions of the following decade all drew attention to the importance of peasant handicrafts (Kresz 1968:7). The 1870s saw the first efforts to organize the cottage industry, partly with the aim of alleviating the economic problems of certain regions, and partly to conserve and further develop the aesthetic and artistic values recognized in the production of cottage industry commodities. From the point of view of our topic, it is important to briefly outline the institutional system of cottage industry when discussing each era.

Between 1875 and 1889, the development of the cottage industry was intertwined with the task of vocational education. Social organizations and industrial workshops were established throughout the country, the operation of which was coordinated by the industrial supervisors of the National Committee for Cottage Industry and Vocational Education, which was established pursuant to an agreement between the Ministry of Agriculture, Industry, and Trade and the Ministry of Religion and Public Education (Bellák 1986; Fejős 1991; LACKNER 2012:74;



SZEKELY 2012). Peasant artisanal and handicrafts activities were promoted at industrial trade shows. In 1894, the Ministry of Trade established the *handicrafts bazaar* for the sale of handicrafts products, then in 1899 the task was entrusted to the cottage industry department of the Hungarian Trade Corporation. Furthermore, the Izabella Handicrafts Association, founded in Bratislava in 1894, was also engaged in the trade of cottage industry products (primarily women's needlework) (FLÓRIÁN 1990:216). Cottage industry flourished in some settlements and found a market not only in Hungary but also abroad. One of the driving forces of the cottage industry movement – in addition to preserving folk art – was economic gain (Bellák 2006), leading to the emergence of cottage industry companies and merchants. In 1894, the National Cottage Industry Committee was established; its decision-makers focused on organizing commerce and provided state benefits to traders involved in the distribution of handicrafts articles (LACKNER 2012:75). Already in the 1890s, some businesses achieved such success that the demand for their folk art products increased significantly. In 1908, the National Association of Hungarian Cottage Industry took over the commercial activity (FLÓRIÁN 1990:217; IVÁNYI 2010:n.p.).

At this time, the efforts to develop the cottage industry primarily sought to preserve and further develop local craft knowledge and materials, as something that could clearly be built upon. Locality had a decisive role in the appreciation of the value of handicrafts and folk art. The art collectors of the second half of the 19th century, who also founded the collection of the Museum of Ethnography, "preferred models made by locals, in order to ensure the authenticity of the copies" (Fejős 2006; Original, Copy, Forgery 2003–2004:n.p.).

In the last three decades of the 19th century, there was an intense debate about whether the original motifs of the decorated objects made by cottage industries should be preserved, used only as stylistic elements, or abandoned completely. Between 1905 and 1910, the Ministry of Religion and Public Education supported institutions of ethnic-style, artistic handicrafts, the Ministry of Agriculture was dealing with the development of the agricultural cottage industry (developments of a social nature, which facilitated the establishment of cooperatives), while the Ministry of Trade preferred the capitalist, manufacturing-related cottage industry (through vocational schools and state benefits). Experts continued to express their doubts about whether the development of cottage industry as an economic and social activity can be compared with the maintenance and "refinement" of folk art – warning against the dangers of the commercialization of folk art (LACKNER 2012:75–76, 78–79); nonetheless, this became the goal that guided the operation and policies of the various institutions of the cottage industry in the decades to come.

The ascent of commercial aspects has been (and is to this day) grounds for ongoing debate among those in favor of the original forms and motifs as well as their further artistic

<sup>&</sup>lt;sup>5</sup>The important personalities of the era of cottage industry organization were the art teachers who collected the motifs and then published them in collections, and they even excelled as designers (Tasnabl 2006).



<sup>&</sup>lt;sup>4</sup>The first major national industrial trade show was held in 1885 in Budapest under the title General Exhibition. Here, the folk art of several regions was presented via a total of 15 furnished "peasant rooms": among others, the Szeklers from Torockó and Bánffyhunyad, the people of Kalotaszeg, Békés, Borsod, and Gömör counties, the Csángós of Hétfalu in Braşov county and the Csángós of the Bukovina region on the Lower Danube, as well as the folk art of the Transylvanian Saxons and the people of Szepes (Spiš) County. Rooms of Hungarian minorities (Romanian, Bulgarian, Slovak, Serbian ethnic groups) were also included.

development. Producers of material goods were forced to adapt to the increased demand dictating a taste that diverged from traditional folk art, and as a result, criticism of authentic folk art motifs becoming simpler and the raw materials and quality of the products becoming poorer emerged. From 1885 to 1910, Zsigáné Gyarmathy championed folk art in Kalotaszeg (Transylvania). She collected old embroideries, encouraged local girls to relearn how to make them, and in the 25 years under her supervision, she successfully presented them at numerous domestic and international exhibitions, thereby securing orders for the people of Kalotaszeg (Bellák 2006:69-70; Szabó 2013:20-22; Balogh - Fülemile 2021:78-156). Although her merits in collecting motifs and objects, re-teaching the embroidery technique, and popularizing the folk art of Kalotaszeg were indisputable, due to the impact of her endeavor, her critics began to worry about authenticity, fearing that "the folk art will be diluted as a result of the great demand" (Kosa 1984:6; Lábadi 2006:115; Balogh - Fülemile 2021:104-105, 118-119, 199-200).6 The concept that "inauthentic" objects were being made was thus born. By the 1910s, folk art-based cottage industry was becoming more and more a source of livelihood for many (FLÓRIÁN 1990:217). More and more people voiced their concerns regarding the efforts and successes of cottage industry associations in several parts of the country. "Today's handicraft goes largely against the principles explicated herein, for in most places traditions are disregarded and handicraft production is driven by purely commercial considerations" (ACS 1913:368; BELLÁK 2006:115). A similar opinion emerges about the adaptation of the folk art of Mezőkövesd<sup>7</sup> to market needs (Lesznai 1913:371).

After World War I, cottage industry offered a partial solution to employment shortages. In 1920, Cottage Industry Inspectorates were established, whose function was taken over by the Center for Hungarian Cottage Industry in 1938: the country's nine regional inspectorates dealt with the procurement of raw materials, educational work, and the distribution of finished products. The National Association of Hungarian Women also played a significant role in boosting women's handicrafts (embroidery, weaving, lace-making). Thanks to their activities, "Hungarian-style" handicrafts intended to express national identity came into fashion again; the Association opened a Hungarian Store in Budapest in 1929 (Háziipari felügyelőségek... 1920; IVÁNYI 2010:n.p.). Of course, with the boom in production and thus commercial activity, there

<sup>6</sup>It is worthwhile to briefly address the legal issue related to the copyright of folklore texts collected and published in this epoch. In 2009, Mariann Domokos summarized the discourses, legal debates, and legislation that took place in the field of textual folklore with regard to authenticity. The examples and regulations of the 19th and 20th centuries she cites illustrate the attitude towards folk culture as a whole. A key question for both the editors of the publications of folklore texts and the persons collecting the texts was: who had the right to publish folk poetry? In all cases, the axiom that emerges is that folk culture is a public domain, its copyright cannot be linked to the source community nor the informant who may have transmitted the folklore texts. This was most clearly expressed in a collector's complaint. In the first volume of the Collection of Hungarian Folklore published in 1872, Pál Gyulai published texts that were collected by his former student, Gyula Warga, but he did not indicate the name of the collector. Taking exception to this, Warga argued that "works of folklore, in their natural, oral environment, are *nobody's property*, and as such are *unowned things*; consequently, the first collector can claim ownership of them" (Domokos 2009:254). In her writing, Domokos explains that collecting has not become protected by copyright, even though the need for this arose as early as 1971 (Domokos 2009:257–258).

<sup>7</sup>Mezőkövesd is a rural town in northeastern Hungary, famous for its costume, embroidery, and furniture painting, which flourished around the late 19th and early 20th century. Prominent creative personalities played a major role in its folk art. The women of the settlement embroidered not only for their own use but also as members of cooperatives. Its folk art tradition is an emblematic element of Hungarian national identity to this day (FOGEDI 2000).



was still the threat of the schematization of folk art. The history of stores trading in folk art or cottage industry items has not yet been explored. According to a contemporary source, a shop in Budapest opened as early as 1906, their shop window displaying "all sorts of multicolored knick-knacks" embroidered by rural peasant women. Then the National Association of Hungarian Women, which already intensively supported the cottage industry, as well as many others, opened more and more shops promoting decorated home-made products in Budapest and other big cities, typically around luxury hotels (Több mint husz uj bolt nyilt... 1936). Moreover, we know of several collectors who sold the "original" pieces they purchased in villages in their shops and at tourist destinations and then designed and commissioned embroidered goods based on these pieces. Products of sub-standard quality are criticized in a 1936 newspaper article: "Foreign visitors are also buying beautiful Hungarian embroidery and high-quality articles. They are always looking for specialties, typically Hungarian things. It is a pity that they do not have enough money and that most traders are forced to adapt to their meager wallets, because sadly the foreigners end up buying many goods that are technically 'gimrack'" (Levelezőlap-konjunktúra... 1936).

In 1924, lord-lieutenant Béla Soldos planned to extend legal protection to the embroidery of Mezőkövesd, "because during his trip to Mezőkövesd he found that the shoddy Matyó imitation embroidery completely destroyed our most famous folk art cottage industry" (A főispán 1924). However, the regular publication on industrial patents, the Szabadalmi Közlöny [Patent Bulletin], published no such information in the end. The need for the legal protection of folk art products (or, as they were called at the time, products of the artistic cottage industry) in the form of trademarks arose several times in the 1930s, and the representatives of bona fide industry and commerce regularly spoke out against forgeries of the traditions of several settlements. "A constant problem hinders the evolution of the artistic cottage industry, namely that in several regions the producers deviate from the ancient and authentic patterns and colors too easily" (Vándorkiállításokat... 1930).8 The thinkers of the age thus believed that the authenticity of folk art suffered if the bearers of the given folk art heritage themselves had simplified or changed it for tourism and commercial purposes. And it suffered even if artisans or non-authentic creators 'stole' from it. "Folk art is not public domain. That is, the copyright of folk art belongs to the people (...) At most, since folk art is the result of collective work, it is the creation or heritage of the people as a whole (...) The masterpieces of folk industry are often copied as if this action were indeed legitimate. Original folk art must be known, but it should not be copied (...) The art of intellectuals may take as much from folk art as it has given to it, that is – it may use it as inspiration" (Hanvay 1943:13). Despite all this, the legal provision for the protection of folk art products was still a long way off.

The history of embracing and perpetuating the folk art of the Sárköz region<sup>10</sup> provides an extremely vivid example of the nature of folk art authenticity and its changes.<sup>11</sup> The economic

<sup>&</sup>lt;sup>11</sup>For a detailed description of this in her extensive work published in 1990, we are indebted to Mária Flórián (FLÓRIÁN 1990).



<sup>&</sup>lt;sup>8</sup>Mária Flórián described the measures taken against the commercialization of folk art in Sárköz and the protection of the "oldest and most original designs" (including the design of a brand) (Florián 1990:221).

<sup>&</sup>lt;sup>9</sup>He quotes the thoughts of the contemporary Béla Paulini (the founder of the Gyöngyös Bokréta movement, see below).

<sup>&</sup>lt;sup>10</sup>Sárköz is a micro-region in southern Transdanubia (Tolna County). In the second half of the 19th century, the former marshlands were reclaimed, thanks to which the peasant population saw rapid enrichment and embourgeoisement. Folk art blossomed in the era, and its rich embroidery and weaving culture was revived and preserved by 20th-century cottage industry endeavors (FILEP – KÓSA 1981; see also KATONA 1962; ANDRÁSFALVY 1965).

crisis of the late 1920s also affected the once-affluent population of the region. In 1928, the Association for the Protection of the Folk Art of Sárköz was established, in addition to the cottage industry workshop established by Lipót Ács in Őcsény in 1903 (which operated until 1938). However, there was also a need for an organization that could undertake the organization of work, the procurement of raw materials, and the distribution of finished products, which is why a cottage industry cooperative was founded in Decs in 1929, one of the main goals of which was sales. But in addition to economic gains, they considered it extremely important to prevent "ambitious young artists from over-stylizing the ancient folk masterpieces and destroying the beautiful embroidery motifs of Sárköz, as some have already destroyed the embroidery of Kalotaszeg, or even more so the Matyó embroidery of Mezőkövesd"<sup>12</sup> (Flórián 1990:212, 217-218). By the 1930s, the works of the embroiderers trained in the courses saw success at several exhibitions and fairs. Elemér Pilisy was the first to raise the issue of the protection of creators and their products, saying that "the legal protection of the people's copyright and the authenticity of their art must be urgently regulated', and he saw that the people of Sárköz are not only selling the revived embroidery motifs but are beginning to 'slip them back onto their consumer products" (Flórián 1990:221). In 1936, the Cottage Industry Cooperative of Sárköz was dissolved, and the sale of folk art products was taken over by the national trade network of the Hangya (Ant) Consumer and Sales Cooperative, which ordered products in large batches, thus encouraging serial production by templating the products. The Sárköz-Tolna County Folk Art Association (successor of the Association for the Protection of the Folk Art of Sárköz) continued to emphasize authenticity: it entrusted the elaboration of the details within the stenciled outlines to the embroiderers. In their opinion, this preserved the randomness and uniqueness of the embroidery, which ensured authenticity. The Association strived to keep embroidery from becoming a mechanical activity and the idea of "branding" the products produced by the Association was raised. 14 We have no information about state approval, but the Association also commissioned the trade mark (FLÓRIÁN 1990:221). It was not only cottage industry cooperatives that gradually came under state control. In 1941, the operation of the Association fighting for the authenticity of the folk art of Sárköz was transferred to the Public Welfare Cooperative of Tolna County under the authority of the Ministry of Public Welfare, with which the Center for Hungarian Cottage Industry, founded in 1938, also collaborated. Social and economic aspects came to the fore again: the new organization replicated the Sárköz templates so that the successful Sárköz embroideries could be made in other settlements as well. "It put the embroiderers and weavers who did authentic and artistically demanding work in the same category as craftsmen who made brooms, baskets, and mats. According to József Csalog, 'commerce was seeking less labor-intensive and less valuable goods from Sárköz, so the population switched to making less valuable embroideries, etc.;' in other words, efforts to preserve folk art have failed again" [FLÓRIÁN 1990:222-223].



<sup>&</sup>lt;sup>12</sup>In FLÓRIÁN 1990:218. Original source: Tolna megyei Újság 1930. 54. July 12.

<sup>&</sup>lt;sup>13</sup>Original source: Tolna megyei Újság 1934. 51. July 4.

<sup>14</sup>To this end, museum director József Csalog systematized the folk art motifs of Sárköz so that this could become the basis for branding (FLÓRIÁN 1990:221).

<sup>&</sup>lt;sup>15</sup>Original source: Tolna megyei Újság 1942. 17. March 4.

The Gyöngyösbokréta movement of national importance also provides a picture of the period's relationship to folk art and folk costume. The Gyöngyösbokréta movement (1933-1944) - revealed and led by journalist Béla Paulini - provided a framework for stage performances presenting the folklore of different settlements of the country, organized first in Budapest and then all over the country (PAULINI ed. 1937). "Perhaps one of the merits of the movement was that it made the young participants, and through them their village communities, aware of the values of their own culture, thereby giving them self-awareness and self-esteem (...) The Gyöngyösbokréta, (...) made them aware of and passed down to them traditional material that would become the basis for the preservation of traditions decades later" (FÜLEMILE 2020:160; see also Andor 2020). The standard of the performances of the Bokréta groups deteriorated due to the lack of knowledge of the enthusiastic amateur performers.<sup>16</sup> Therefore, the Ministry of Religion and Public Education, which embraced the movement, placed the performances of the Gyöngyösbokréta under the control of ethnographers (PALFI 1970:125). The Hungarian Ethnographic Society developed an ethnographic oversight and authentication system in order to ensure that only the authentic local tradition would be presented on stage. From 1937, members of the Ethnographic Society would review the program of the group they sought out, locally researching costume and dance traditions, and drawing their conclusions (F£L 1937; F£L – Kovács 1937; Györffy 1937; Gönyey – Szendrey 1937; Kovács – Fél 1937; Gönyey 1938a, 1938b, 1938c). Despite their work not being very effective because stakeholders were not forced to take the experts' advice (PALFI 1970:125-126), by the time this first instance of surveying staged tradition took place, ethnography took on the task of emphasizing and ensuring authenticity.

During the Second World War, handicraftsmen congregated in local agricultural cooperatives, and after the war, County Cottage Industry Inspectorates were established, then in 1946, the National Council of Cottage Industry. Cottage industry and small industry were consolidated into cooperatives, and the umbrella organization for the latter was the National Association of Small Industry (Iványi 2010:n.p.).

# THE INSTITUTIONALIZATION OF AUTHENTICATION - APPLIED FOLK ARTS

In 1951, a so-called Branding Decree was issued, which required a six-member committee to be formed beside the Folk Arts Department of the National Folk Art and Handicrafts Company (whose task was to organize the sale of products). The committee of experts determined what was to be properly marketed as a branded folk art item. "This was the first centralized jury."

In 1952, at the meeting of the Folk Art Institute in Győr on the future of folk art, the concept of *applied folk art* was first articulated (Kresz 1952; Lengyel 1991:59; Szabó 2013:29; Ament-Kovács 2020:193); it has been repeatedly contested by ethnography in the subsequent decades, yet it remains an accepted term used to this day.

<sup>&</sup>lt;sup>17</sup>1951. jan. 31. 1011-5-38/1951 (I. 30.) Népművelési Minisztériumi rendelet [Decree of the Ministry of Culture] (see BENEDEK 2013:38).



<sup>&</sup>lt;sup>16</sup>The main weakness of the Gyöngyösbokréta movement was that it presented an idealized "Sunday folklore," a schematized tradition instead of the reality of rural life, thus reinforcing "the distorted image that urban people had already developed of the countryside." (Diöszegi 2008:4).

In 1953, the National Alliance of Cottage Industry Cooperatives (HISZÖV) was established within the framework of the National Small Industry Cooperatives for the coordination of the activities of cottage industry and folk arts cooperatives. Their work was supported by the Folk Arts Council (NIT), which was responsible for training, artistic management, consultancy, and qualifications (AMENT-KOVÁCS 2020:192–193). Qualifications were divided into two functions: to assess the authenticity and artistic value of the works, and to improve their marketability domestically as well as abroad. The jurying of works of folk art continues to this day, but the criteria for qualifications have changed a lot. From the 1960s, the Folk Arts Council organized theoretical and practical courses throughout the country, teaching the folk art heritage of all known regional units and localities, regardless of the location of the education. They also published countless educational aids and informative publications. This way, they disseminated local folk art traditions widely. The Folk Art and Handicrafts Company operated a network of stores domestically and partially facilitated export activities. <sup>18</sup>

The protection of applied folk art products at that time meant industrial rights protection (which is still the case today), which protects the goods themselves, and thus the unauthorized use of the trademark is prohibited. This type of protection assures the buyer that the goods are qualified by experts.

This system brought a kind of regulation regarding the methodology and purpose of copying an object and reviving the folk art. The concept of a *perfect copy* emerged. In 1957, the majolica factory in Hódmezővásárhely used the forms and decorations of the local traditional pottery. "The various decorative articles produced by large-scale methods based on the samples [found in the local museum] are *perfect copies* of the original artworks" (Furfangos kancsó és társai... 1957). The applied folk art certification system had legalized copying, as artists who made perfect copies of museum objects (while indicating the original source!) – thereby proving their expertise – have been granted recognition for decades. This leads to a popularity that is useful in reviving the tradition, but at the same time also to the distortion of authenticity and the heritage.

Ethnographic research noticed the importance of the *creative individual* already in the 1940s, and in the 1950s outstanding first-generation creators have been given state recognition (AMENT-KOVACS 2020:194). The recognition of creators trained in an authentic, traditional environment as artists entailed the issue of copyright protection, which has arisen in the cooperatives as well. In 1970, an article clarifying the relevant laws was published in the journal of folk arts and cottage industry cooperatives (for the reason of two contemporary debates – not further detailed here – one of which was a court case), according to which designers and object makers working in a cooperative transfer the copyright to the cooperative due to their employment status. Problems may arise around the copyright of outsiders: "if the cooperative replicates the copyrighted work of someone else or produces articles that can be mistaken for it." The author of the article clearly confers copyright that applied artists are entitled to upon the makers drawing inspiration from folk art and calls the objects they create *works of applied folk art* (Dr. Lengyel 1970). The author of an article published in 1979 also cites a case (unfortunately without exact data or source) in which the Copyright Board acknowledged the copyright of an applied folk artist in a lawsuit against an unauthorized user (Keresztes 1979).

<sup>&</sup>lt;sup>18</sup>There were also several export companies operating until the 1980s. Folk art commerce and its institutions are the subject of further research.



In the 1970s and 1980s, the issue of *authentic folk art* gained a new perspective due the arising movement called *nomadic generation* (Bodor 1981; Cseh 2020). <sup>19</sup> Genuineness came to mean authenticity derived from a pure source, an authentic skill, and production not for large-scale sale for purely aesthetic purposes but crafting functional objects to satisfy one's own demand. Acquiring traditional skills induced a desire for an authentic experience of the "peasant approach" through a close-to-nature lifestyle. Although some unrealistic ideas of the nomadic generation had been abandoned (for example, the authentic way of life in a remote village), the pure source of skill is still highly valued today, albeit more and more difficult to find.

The umbrella organization of cottage industry and folk arts cooperatives, HISZÖV, was dissolved in 1982, although some cooperatives continued to operate for some time. The Folk Arts Council continued its qualifications, but its economic importance significantly decreased after the regime change (1989). As the successor of NIT, the Applied Folk Arts Department of the Hungarian Heritage House handles the jurying, while the tasks of the Museum of Hungarian Applied Folk Art are the preservation of the NIT art collection, as well as presenting and documenting contemporary applied folk art. Individual artists working in folk art are also supported by the Association of Hungarian Folk Artists, but neither institution is in the position to provide a safe and permanent livelihood as an employer, like the former cottage industry co-operatives did (for more details, see Ament-Kovács 2020:204).

# Trademarks of applied folk art

In the cooperative system reorganized in the 1950s, the production of souvenirs and ornaments inspired by folk art intensified. The lifestyle change caused the material culture of peasants to become permanently irrelevant in everyday life (for the abandonment of traditional dress, see, e.g., Fülemile 2020). Nevertheless, criticism over the authenticity of folk art continued to hold, and the phenomenon is still relevant today. Inauthentic objects merely imitate the motifs and objects of folk art. Even a single element of "folk" art (pattern or material, for example) provides a product with quasi-authenticity, making it easier for that product to express national identity or convey affinity with Hungarian traditions. Uninformed people cannot distinguish between "folkish" art and "folk art," and most often they are not even aware of this difference. In order for the lay public to be able to distinguish between authentic folk art and counterfeits, several trademarks were born. The most significant of these is the Peacock Trademark established in 1986 and renewed in 2015 by the Hungarian Heritage House and the Association of Hungarian Folk Artists. The Peacock Trademark can be claimed for juried products, which guarantees that one is purchasing a "genuine product of Hungarian folk art or applied folk art." In this

<sup>&</sup>lt;sup>22</sup>This fact can be checked on the official webpage of the Peacock Trademark: http://www.pavavedjegy.hu/ (accessed June 25, 2021) Pursuant to Section 85 (1)n of the 2007 CXXVII Act on Value Added Tax in force since February 1, 2009, the sale of folk art and folk craft products produced by a person qualified as a folk artisan is exempt from the tax. https://net.jogtar.hu/jogszabaly?docid=A0700127.TV) (accessed May 19, 2021).



<sup>&</sup>lt;sup>19</sup>The nomadic generation movement also brought new objectives, new methods, and new types of communities in the fields of folk dance, folk music, and handicrafts (BALOGH – FÜLEMILE 2008). In the 1980s, one of the most known copyright disputes arose on the folk music scene when the famous folk band Muzsikás and its singer Márta Sebestyén did not receive royalties for their published records. For more, see: Mezei – Békés 2022.

<sup>&</sup>lt;sup>20</sup>The last cooperatives were closed at the end of the 1990s. The only cooperative that still makes folk art products is the Folk Art and Cottage Industry Cooperative of Heves.

<sup>&</sup>lt;sup>21</sup>https://www.pavavedjegy.hu/ (accessed February 16, 2021).

sense, genuineness refers to the fact that experts of folk art qualified the product. However, it still does not guarantee any copyright, but rather the quality application of the material and patterns on a high level of skill and aesthetics in an authentic way. The function of a product doesn't have to be traditional; new functions meeting the demands of consumers are welcome.

The competition called Masterpiece of Hungarian Craft has been organized every year since 2002. Folk artists, artisans, and craftspeople can enter for qualification, which provides the artists with high prestige. Among the requirements of the competition, the originality of the products, authenticity in terms of national culture, and genuineness are of high importance, with unique design and excellent quality of the artwork also being among the acclaimed values.<sup>23</sup>

# Conceptual dilemmas of authentic folk art

In order to understand the contemporary perspective of the institutional system of applied folk art, it is important to distinguish between the frameworks of interpretation of material folk art, the different perspectives of ethnography, and the applied folk art system. The differences concern material, ornamentation, technique, and function as well. Ethnography tends to deal with material folk art traditions based on their social and economic roots, aiming to reveal peasant culture, including the artifacts both made and used by peasant society.<sup>24</sup> However, the research of ornamental folk art also played an important role. The practices and tools of smallscale and cottage industries were investigated in the context of the crafts' history. The applied folk art system - as a consequence of the historical processes outlined above - regards aesthetic as an emphatic aspect when rating the authentic elements of an artifact, which leads to the interpretation of the heritage of one-time cottage industries and small-scale industries as genuine folk art, regardless of their history or former social and economic environment. The applied folk art system is a relatively adequate framework to help these industries survive or be revived as the branches of a new art style. From ethnography's point of view, the question arises: how far can such aesthetic demands be extended without losing or deforming some elements of authenticity? A typical example is the production of bark vessels, which was considered housework. It was regarded as a makeshift solution and an alternative raw material, hence the aesthetic possibilities of items made of bark were not considered for a long time (except the decorated salt cellars known as far back as the 19th century). Bark as a workable material was

<sup>&</sup>lt;sup>24</sup>The roots of today's applied folk arts go back to various activities: domestic work, the work of specialists, and tasks performed by craftsmen, artisans, and tradesmen. "Domestic work is the activity performed within the peasant family and the farmstead: the making, repairing, and replacement of utilitarian items, articles of farming, housing, furniture, and clothing for one's own use. Specialists – persons capable of performing and managing complex tasks, without professional qualifications, and this ability is recognized and needed by the community. They come from among those with special talents and skills in various domestic jobs – woodcarving, weaving, sewing/embroidery, soap-making, etc. Craftsmen – persons manufacturing products by hand in the home, by themselves or with the help of family members, without the use of external labor, for their own use as well as for others, usually from raw materials they themselves collected or purchased. Their activity is subject to an official license, but not dependent on professional qualifications. Artisans – practitioners of a trade that is subject to professional qualifications, carrying out production activities for consumers using manual tools and machinery powered by elemental forces. The processed material can be their own or the customer's, and compensation is in cash or in kind. Tradesmen – producing goods using manual tools and simpler machinery powered by artificial energy, mostly in their own privately owned workshop. Their activities are subject to qualifications, and they buy raw materials for money and sell their products for money as well." (Domonkos 1991:12).



<sup>&</sup>lt;sup>23</sup>https://mkik.hu/magyar-kezmuves-remek-2018 (accessed February 16, 2021).

'rediscovered' by folk woodcarvers a few years ago, and they have been trying to promote the technique through conferences and competitions. The history of bark vessels rooted in traditional peasant material culture was not enough for their appreciation as folk art. Neither was the skill, which is quite simple. But aesthetics and today's highly skilled creators actually transformed it into folk art (Fig. 1).

Although modernization efforts have always characterized the representatives of folk art, and the above-mentioned 1952 meeting also strongly indicated this direction (Kresz 1952), in the jury system, objects with spectacular innovations (either functionally, technically, or aesthetically) had difficulties finding their place, if at all. The reconstruction of traditional items has always been accepted, acknowledged as part of a learning process for the craftspeople and artisans, but new functions or techniques have often led and still lead to debate in certain cases. Although juries have accepted objects with an innovative approach in the past, their decision is helped by the fact that in 2013 the category of modern artifacts was introduced within the system. This led to the acceptance of more forms of modernization if the items retained authenticity in their material and/or aesthetic value. A typical piece of peasant wear is the szűr



Fig. 1. Bark vessels, work of Csaba Bereczky. Zalaegerszeg, Hungary, 2020 (Photo by Fruzsina Cseh)



[frieze coat], the roots of which can be traced back to the 18th century. By the first half of the 19th century, in western Hungary the szűr was being very richly embroidered and thus called cifraszűr [fancy frieze coat]. The garment became widespread throughout the country, and not only became a characteristic wear of peasants but also found its place in gentlemen's fashion from the 1860s onwards (Granasztói – Lackner 2010). At the end of the 19th century, in order to meet the increased demand, the szűr appliqué technique was developed: frieze coat tailors in Bihar (Eastern Hungary) replaced the laborious embroidery with baize and later felt motifs applied with a sewing machine. The technique became widespread in several regions; nonetheless, as a result of industrialization, in the first half of the 20th century, the frieze coats popular with shepherds, along with frieze coat tailoring and shepherding, gradually faded into oblivion. From the 1950s onwards, the szűr appliqué technique was therefore promoted on other items (pencil cases, book covers, toiletry bags) by artists working within the framework of applied folk arts, which could also be sold as souvenirs, in line with the objectives of the cooperatives. Nowadays, the *szűr* appliqué technique also appears on women's clothing and accessories, and the demand for appliquéd szűr coats in their original function has increased once again among the keepers of pastoral traditions. Although the function of decoration and artifact transformed through the decades, in fact, the decorative elements of an emblematic garment of herdsmen are now being applied to womens' clothes, and the products are considered authentic due to the technique and motifs (Figs 2-3).

Certain branches of art were never in service of the peasantry. Enameling, for example, is an applied art or fine art technique rather than traditional folk art, even though the motifs of Hungarian folk art are well adaptable for this technique. It is difficult to determine the exact date of its emergence in folk art; in any case, since the early 2000s, it has enjoyed ever-increasing popularity among connoisseurs of the genre and its creators. Due to its aesthetic values, it is an appreciated branch of today's applied folk art (Fig. 4).

In the qualification process, there is great emphasis on technological solutions as well, but aesthetics often overwrites technological and historical aspects. This fact is a direct consequence of the interpretation of traditional crafts and object-making as art, which harkens back to the end of the 19th century.

# HERITIGIZATION, I.E., THE RELEVANCE OF COMMUNITIES AND LOCALITY

The political regime change in 1989 put a demand on more and more settlements and regions to find or create their own identity. With the introduction of the UNESCO Intangible Cultural Heritage System and the Collection of Hungarikums – Collection of Hungarian Values,<sup>25</sup> these two systems now facilitate the legitimization of local heritage and local identity. UNESCO first explored the possibility of extending copyright to folklore in 1977. As a result, a proposal for the legal protection of folklore was formulated in 1989. The UNESCO Convention on Intangible Cultural Heritage considers the manifestations of folklore as cultural heritage and community property (Verebely 1999; Csonka-Takacs ed. 2010). "Intangible cultural heritage' denotes the practices, representations, expressions, knowledge, skills – as well as instruments, objects, artefacts, and cultural spaces associated therewith – that communities, groups and, in some cases,



<sup>&</sup>lt;sup>25</sup>http://www.hungarikum.hu/en (accessed March 21, 2021).



Fig. 2. Presbyters returning from church, wearing Bihar style cifraszűr [frieze cloak] with szűr [wool serge] appliqué, early 20th century. Kalotaszentkirály/ Sancraiu, Kalotaszeg region, Transylvania, Romania, 2001 (Photo by Ágnes Fülemile)

individuals recognize as part of their cultural heritage."<sup>26</sup> Contentious issues may arise nowadays because, as a result of the processes detailed above, the nationwide community may consider a knowledge that was once linked strictly to a specific, narrower community as an identity-defining cultural heritage, and claims a right to it.

The practice presented here is a peculiar case in Hungary, but it reveals some very important elements of local identity and aspects of the question of authenticity in folk art.<sup>27</sup> In the 19th century, whitework embroidery was widespread in the Rábaköz region (Western Hungary), especially in Hövej. The needle lace technique, the so-called *Hövej lace*, was introduced in the 1910s and gained enormous reputation in 1930 following its success at the world expo in Antwerp. The technique and motifs reflect bourgeois demands and tastes. It was introduced in Kapuvár, a neighboring town, by two daughters of a craftsman. The National Association of Hungarian Women encouraged the revival of the technique and eventually found some women in Hövej who were happy to learn it. Local versions of the history diverge from the one presented above – described by an ethnographer (CSISZÁR 2004, 2019) – for two reasons. The data

<sup>&</sup>lt;sup>27</sup>For more on the topic, see Cseh 2019.



<sup>&</sup>lt;sup>26</sup>https://ich.unesco.org/en/convention (accessed March 21, 2021).



Fig. 3. Women's outfits decorated with felt appliqué, outfit: Klára Szombati, appliqué: Ildikó Torba. Hand-Craft-Art Exhibition, Budapest, Hungary, 2018 (Photo by Fruzsina Cseh)

collected by ethnographers were controversial and unclear for a long time. Furthermore, the 1930 success in Antwerp generated enormous interest in the technique in the village. The villagers were proud of their success and new-found reputation and started a heritage production process. Two stories survived through the years about the birth of the tradition. According to one version, a young woman called Borbála Horváth brought the technique home to Hövej from Barbacs (a nearby village) in the 1860s. According to the other version, Borbála Horváth was a goose herder in Pusztasomorja in 1849, where she saw the technique and brought it home to Hövej. Creative individuals improved on the technique and motifs throughout the decades of the 20th century, and based on the traditional learning methods of handicrafts, the technique was passed on from generation to generation. Hövej lace, which has become famous throughout the country, plays an extremely important role in the identity of the community, and the origin





Fig. 4. Palmette rosary, Eszter Kerti. Örökség és újítás – Kortárs magyar kézműves remekek/Heritage and Innovation – Contemporary Hungarian Handicraft Masterpieces. exhibit, curator: Ágnes Fülemile, Budapest, Hungary, 2015 (Photo by Károly Zsolt Nagy)

story of the traditional folk art, which has been enriched with nostalgic elements,<sup>28</sup> described above, is considered the authentic version and the source of their folk art (Fig. 5).

Lace has been on display in a small exhibition at the Hövej Cultural Center since the early 1980s, and then the independent Lace Museum opened in 2003, which also plays an important role in boosting Hövej tourism (Fig. 6). Local magistrates sought to employ legal means to make the locality of the practice of the heritage exclusive, thereby making it a measure of the degree of authenticity. In 2010, Hövej lace received a protection certificate of Geographical Indication, which had to be requested from the Hungarian Intellectual Property Office. The protected designation is registered as "Authentic Lace from Hövej." The protected objects are not the

<sup>&</sup>lt;sup>29</sup>For the definition of protection of geographical indication, see: https://www.sztnh.gov.hu/hu/mit-elent/mi-celt-szolgal-a-foldrajzi-arujelzo (accessed June 5, 2019).



<sup>&</sup>lt;sup>28</sup>See the concept of exo- and endo-nostalgy (Berliner 2012:781).

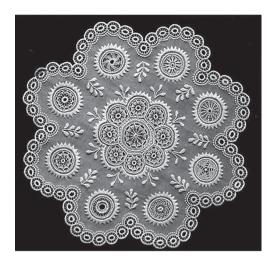


Fig. 5. Hövej lace, contemporary work, Hövej, Hungary (Vargáné Molnár 2011:92). Photo by: Péter Németh (2010)



Fig. 6. Exhibition detail in the Lace Museum in Hövej, Hungary, 2019 (Photo by Fruzsina Cseh)



motifs themselves but the products on which the needle lace technique, which is thought to come from Hövej, is applied.<sup>30</sup> Under this protection, the people of Hövej may contest any product not made in Hövej but marketed as being from Hövej. The Municipality of Hövej initiated a trademark protection procedure with the Hungarian Intellectual Property Office in 2010,<sup>31</sup> in hopes that the applicant may provide its products with a figurative mark in color. This step generated a big debate in the community of embroiderers and applied folk artists in the country. Although the request for the trademark was eventually rejected due to a complaint, the acquired designation of geographical origin means that no one other than embroiderers from Hövej is authorized to use the name "Hövej lace" on their products. This rule is difficult to enforce, but the village has the right to initiate a lawsuit any time it discovers non-compliance. These actions of the community leaders contradict the principle of applied folk arts, namely that folk art traditions are the common heritage of the Hungarian nation as a whole.

Hövej lace was added to the local and then county collection of values in 2013, and since 2014 it has been representing an Outstanding National Asset in the Collection of Hungarian Values. The craft was added to the National Inventory of Intangible Cultural Heritage in 2017. In their wording, both this document and the trademark application filed in 2011, along with the resulting discussion papers, follow the heritage-making practice based on ethnographic data available at the time and a solid local identity built upon it in considering Hövej as the birthplace of the needle lace technique and refer to its Pusztasomorja and Barbacs origins presented above.<sup>32</sup> This opinion is also reflected in the creed of the Höveji Csipke Egyesület [Hövej Lace Association], which was founded in Kapuvár and teaches courses in several cities, and the Höveji Csipkevarrók Köre [Hövej Lacemakers' Club], which was founded in Hövej and considers itself an authentic community of "needle lacemaking." According to the lacemakers' club, the members of the Hövej Lace Association are "transplants" (its backbone being members born in Hövej who have moved away from the village and now teach the technique in other cities) who have no ties to Hövej. 33 Both organizations have their own website, 34 and the slogan of the Lacemakers' Club is: "The authentic Hövej lace from Hövej." Although the history of needle lace in Hövej, written by Attila Csiszár based on legitimate sources, was published by the Municipality of Hövej in 2019, the origin story that survived the 20th century persists in the consciousness of the community. There are many other events and promotional activities intended to build or maintain heritage that are related to the revival of Hövej lace.

The dispute over the need for a trademark raised two issues. Can a creative activity that emerged relatively late, in the 1910s, and served bourgeois needs rather than the internal needs of the community, really be considered folk art? And most of all, relevant to our present study, who can claim the right to making Hövej lace?

<sup>34</sup>http://www.hovejicsipke.hu/ and https://www.hovejicsipke.com/hu/.



<sup>&</sup>lt;sup>30</sup>https://www.sztnh.gov.hu/sites/default/files/kiadv/szkv/201103b-pdf/L\_02\_Foldrajz\_lajstrom\_6\_1103.pdf (accessed June 5, 2019).

<sup>&</sup>lt;sup>31</sup>For trademark protection: https://www.sztnh.gov.hu/hu/vedjegy (accessed July 5, 2019) For the relevant law: Act XI of 1997 on the protection of trademarks and geographical indications https://net.jogtar.hu/jogszabaly?docid=99700011. TV (accessed July 5, 2019).

<sup>&</sup>lt;sup>32</sup>According to UNESCO policy requirements, applicant communities must describe their heritage themselves. The aim of this regulation is to get the most authentic definition of a live heritage element.

<sup>&</sup>lt;sup>33</sup>Miklósné Horváth (b. 1963), oral communication. Hövej. July 31, 2019.

Two types of heritage-building practices have emerged in relation to Hövei lace. The Hövei Lace Association believes that widely teaching the technique will ensure the promotion and survival of the heritage. The members of the Lacemakers' Club are local, perhaps in-migrated young people, but they are definitely learning lacemaking in Hövej, since their goal is to keep the heritage "local." "Since it [the technique] lives here in Hövej, we don't feel the need to teach it throughout the country." "A native Hövej resident sees Hövej lace differently than a stranger. Feels differently about it."35 Although the outside world considers the activities of both the Association and the Lacemakers' Club to be authentic and recognizes them both, the tension between them illustrates the identity-defining nature of the heritage. According to the Lacemakers' Club, in the past, the women of Hövej did not teach needle lacemaking anywhere else, so the fact that the Association is teaching it in several other cities dicredits the heritage represented by the association. The classes held in Hövej, i.e., the local transfer of knowledge, are free of charge, while students pay for the courses organized by the members of the Association and other teachers. However, this has been a well-established and nationally accepted practice in the institutional system of applied folk arts for about 70 years. Introducing local heritage to the general public - in the opinion of the Lacemakers' Club - can be achieved not by teaching the embroidery but by showcasing it. And this becomes legitimate only if it is 'authentic' Hövej work that is being showcased. "Others can make Hövej lace, too, but they shouldn't be presenting it at fairs."36 In contrast, the Hövej Lace Association sees the possibility of promoting needle lace nationwide in the widespread teaching of the technique. Up until recently, historical data have raised several questions, but the indisputable legacy of Hövej lace lies in the motifs created during the 20th century and the local community activity strengthened thanks to lacemaking, which passed from mother to daughter on the model of the peasant way of life and traditions still alive in memory. This way of passing on object-making activities and knowledge has elevated the needle lace technique to the status of folk art in the local identity. The creators elevate Hövej lace to the status of authentic folk art by making church adornments and creating the Hungarian dress considered local folk costume during the 20th century (Figs 7-8),<sup>37</sup> and by incorporating motifs and techniques into contemporary fashions.<sup>38</sup> Local memory has highlighted or obscured memories from the past as needed to avoid losing an activity that was of paramount importance economically and prestige-wise but in a tenuous position by the late 20th century, and instead use it as an identity-building element to maintain the community, increase its reputation, and find a place for it in a more global community. The narrative technique of this is the emphasis on original, authentic, ancient. Despite the popularized image of the

<sup>38</sup>Lacemakers from Hövej also attend many domestic events: "Irány a Rábaköz" (Let's Go to the Rábaköz), "Magyarok világtalálkozója" (World Congress of Hungarians), "Nyitott templomok napja" (Day of Open Churches), Ars Sacra festival, "Kulturális Örökség napja" (Cultural Heritage Days), etc. One of the goals of the people of Hövej is to display their lace on today's clothing as well. To this end, the mayor, Istvánné Horváth, sought a cooperation with fashion designer Tünde Hrivnák. The lace on the garments the designer envisioned was made by women from Hövej, and the collection was presented on June 15, 2019 in Hövej. https://www.hovejicsipke.com/hu/esemenyek/by-me-relation-divatbemutato-hovejen (accessed March 16, 2021).



<sup>&</sup>lt;sup>35</sup>Miklósné Horváth (b. 1963), oral communication, Hövej, July 31, 2019.

<sup>&</sup>lt;sup>36</sup>Miklósné Horváth (b. 1963), oral communication. Hövej. July 31, 2019.

<sup>&</sup>lt;sup>37</sup>In the 1930s, the so-called *bokréta* dress or *bokor* dress emerged, which was a local version of the "Hungarian dress" (pieces of clothing, popular all over the country, that were intended to express national identity and utilized elements of folk costume), taking on a local character thanks to Hövej embroidery and lace (CSISZÁR 2019:32).



Fig. 7. Hövej girls in festive attire, a Bokor dress, around 1940 (CSISZÁR 2019: Fig. 55)

heritage, what makes Hövej lace folk art is not really the embroidered objects themselves or the needle lace technique. Rather, it is the narratives that 'fetishize' its history and the social processes and norms behind an activity that has been passed down, which are truly traditional elements of peasant object-making activities and the attitudes associated with it. The definition of authenticity and originality can serve different purposes and can be interpreted and shaped in the light of a given purpose. In the words of Pierre Nora, heritage is the reflected past (Nora 1999; see also the above-cited Silverman 2015:84–85; heritage time from Skounti 2008:90; furthermore: Fejős 2005:45; Husz 2006:64; Vajda 2015:34–35). Although, as stated above, the needle lace technique of Hövej may be considered authentic folk art due to its social framework, <sup>39</sup> it cannot be definitely

<sup>&</sup>lt;sup>39</sup>Mari Pukk described a more than 100-year-old tradition of wearing printed-pattern headscarves by the women living on Kihnu Island (Estonia). The case is an excellent example of the fact that even in the absence of skill, social practice can legalize an object as an element of folk culture. Headscarves are imported articles; the most valuable ones are those produced in Russia. The symbology and the rules of wearing the headscarves together with other pieces of the garment were inherited through generations and ingrained in the local culture. "For ethnologists, the headscarf and apron are imported articles, and that is why they think that they are not genuine; but for a Kihnu woman, the way her headscarf and apron look has for more than 100 years been the most important thing" (PUKK 2019:94).





Fig. 8. An appliqué of Hövej needle lace on a contemporary garment, work of Ágnes Kovácsné Pócza, FolkTrend, Hungary, 2020 (Antal et al. eds. 2020:18)

concluded that only handicrafts made in Hövej can be considered authentic Hövej needle lace products if the only difference is locality while the patterns and transfer of techniques are authentic. Like for many folk art traditions, the institutional system of applied folk arts played a key role in the preservation of Hövej lace, and as the cooperatives and the tradition became 'globalized' and part of the national cultural heritage, a wider creative community can now claim a right to it. <sup>40</sup> After all, practicing local handicrafts that are considered national tradition and heritage provides them with a sense of identity and continuity.

In most cases, the local identity-forming power of handicrafts does not preclude others in the country from making folk art products that are considered national treasures.<sup>41</sup> And although

<sup>&</sup>lt;sup>41</sup>Such as, e.g., the slippers of Szeged (a city on the Southern Great Plain), the embroidery and weaving of Sárköz (a region in Transdanubia), Kalocsa embroidery, Matyó embroidery, etc.



<sup>&</sup>lt;sup>40</sup>Similar heritage-building processes take place in relation to local festivals. In connection with the creation of the *halászlé* (fisherman's soup) of Baja as a brand, Bertalan Pusztai describes the process that rhymes with the above: the relationship between "identification, possession, and appropriation." In Baja, a settlement on the Hungarian Great Plain, the first fish soup festival was held in 1996. Following its success, the event has grown into a nationally renowned festival held annually, and the masterminds behind it have trademarked the term *Halászléföző Népünnepély* [Fish Soup Cooking Folk Festival] as a brand name. They could not do the same for the term *Baja fish soup*, because it was already registered as a brand name by Knorr, a manufacturer of instant soups (Pusztai 2007:235–236). In his study, the author illustrates the process with several similar examples.

the example of Hövej is exceptional because of the controversy it stirred up, it is not a unique phenomenon in Hungary that the interests and rights of the local community and the wider, nationwide community of craftsmen are in conflict. Stakeholders see the possibility of enforcing these rights in the legitimization of the authenticity of a given heritage.

Although the intention to protect the industrial property rights of the Hövej needle lace technique caused a great deal of controversy, in this case the aim was to protect the technique, the practice as a whole. Albeit, for decades it has been possible for associations or cooperatives to claim industrial property rights for specific folk art products or motifs as industrial goods. In 1970, the Folk Artists' Cottage Industry Cooperative in Budapest registered the patterns of a serge appliquéd vest, cushion, and tablecloth (as industrial patterns) with the Hungarian Intellectual Property Office. The term of protection was 3 years. 42

# Locality as trademark

For local communities, there is also an important economic interest in making locality a trademark of authenticity—it plays an extremely important role in the case of tourist souvenirs. Local folk art can be a significant economic factor if its popularity is capitalized in producing utilitarian and decorative items. In the words of Dean MacCannell, "the staging of local culture to create an impression of authenticity for a tourist audience." But Greenwood adds that "all viable cultures are in the process of 'making themselves up' all the time (...) We must understand when the staging of authenticity is a destructive force and when it is not" (MACCANNELL 1976, cited by Greenwood 1982:27). The line between authentic folk art and tourist art is very thin; as the early 20th century sources cited at the beginning of this study clearly show, this was the area where the question of authenticity first arose in connection with folk art. Tourist art has existed alongside folk art throughout the 20th century, and from the 1950s onwards, economic policies that prioritized economic productivity - even in folk art - officially opened the way for mass-produced goods. This line of business generated significant profits thanks to cottage industry and folk art cooperatives (AMENT-KOVÁCS 2020). Although its economic weight has declined since the 1980s, the use of folk art elements on souvenirs can still be seen today, and there is far more cheap kitsch in the gift shops of larger cities and airports than authentic folk art. The only validating factor of these items is that they can be purchased in Hungary, and the inscription "Made in Hungary" claims they were made here, so tourists consider them to be authentic. A survey conducted in 2001 ranked the factors that foreign tourists consider when buying souvenirs in Hungary. The most significant aspect was to buy "classic Hungarian goods (Hungarikums)." In second place was favorable price, followed by an internationally known brand name or trademark. Only in fourth place was the aspect that it should be produced in Hungary. The two aspects considered least important were high quality and the fact that the purchased product be a luxury item (MICHALKÓ 2002: table 4; quoted in GRÁFIK 2007:250). Although these aspects may have changed significantly over the 20 years since the survey, the research points out that locality as a value category does not necessarily apply to locally made products, for such a need can be satisfied with items of a "local character," "classic Hungarian goods" that evoke local traditions through ornamentation or distinctive features. The phenomenon is not unique, as there are many foreign examples of it (e.g., Backer – Zaveri 2019).

<sup>&</sup>lt;sup>42</sup>Szabadalmi Közlöny 1970. 75:374.



In this case, the only goal is economic benefit. We find a similar approach at local tourist festivals: "visitors are not at all interested in whether the item or holiday is deemed authentic by experts, inspectors, or service providers. It is much more important to them to have an authentic experience" (Pusztai 2007:231). In fact, souvenirs are much more about "taking home" and recalling the experiences encountered in some of the characteristic regions of Hungary than about the preservation of authentic sources.

However, there are also businesses that are founded on local craftsmanship, thereby ensuring its authenticity. By commissioning local women to embroider Matyó patterns on contemporary garments, the Matyó Design Company in Tard (a village in Northeastern Hungary) strives for the authentic transmission of Matyó folk art. The National Parks, a major tourist destination, have created their own brand name for the goods received from and sold for local artisans and producers under the name *Nemzeti Park Termék* [National Park Product], thereby authenticating their quality and local origin.

# COPYRIGHT AS INDIVIDUAL PROPERTY

In Hungary, Para. 1, Section 7 of the current Copyright Act – Act LXXVI of 1999 – states that "expressions of folklore are not protected by copyright. This provision does not apply to the copyright protection of the author of a unique, original work inspired by folk art." "Copyright protection applies to a work by virtue of its unique, original character derived from the intellectual activity of its author. Protection does not depend on quantitative, qualitative, or aesthetic characteristics, or a value judgment on the quality of the work." This law reflects an early 20thcentury concept of folk art that considers bearers of folk art to be members of peasant culture who have acquired their knowledge in the traditional way. This law was born out of lessons of lawsuits related to the field of folklore (Domokos 2009). One of them is worth recalling because of its lesson and conclusion. For more than 12 years, Sándor Bálint, a professor in Szeged, has collected and recorded folk tales from János Tombácz, a villager with exceptional storytelling skills. As the contemporary press reported: "At the initiative of the professor, the folk storyteller was awarded the title of "Master of Folk Art" in 1964, and his talent was also recognized by the general public. The professor urged the publication of the tales, to which János Tombácz consented and made no financial claims regarding the publication of the book. The elderly storyteller did not live to see the faithful publication of the tales, but his family made financial claims, as the royalties paid by the publisher went in full to the professor who collected and recorded the tales. The lawsuit ended with a judgment of the Supreme Court, which also heard the opinion of prominent experts in Hungarian ethnography. According to the ruling, "the concepts of 'originality' and 'authorship' are subject to a different assessment in folk poetry than in poetry. (...) Folktales are highly variable, in fact, they live in their variants. However, the

<sup>46</sup>https://net.jogtar.hu/jogszabaly?docid=99900076.tv (accessed October 10, 2020). Neither Act III of 1969 nor its amendment (Act VII of 1994) has separate provisions for works of folk art.



<sup>&</sup>lt;sup>43</sup>https://matyodesign.hu/?lang=en (accessed June 10, 2021).

<sup>44</sup>https://nemzetiparkitermek.hu/termekek/kezmuves-termekek/.

<sup>&</sup>lt;sup>45</sup>For additional possibilities in the relationship between locality and craftsmanship, see Brown 2014.

variation and improvisation of storytellers is *more of an instinctive than a conscious creative process*" (Deak 1979; for more details, see Domokos 2009:260). <sup>47</sup> One of the key elements of the ruling is the distinction between *originality* vs. *authorship* and an *instinctive* vs. *conscious creative process*. However, this is far from being so unambiguously definable—certainly not in material folk art.

Over the past almost 150 years, the road from the 'discovery' of folk art to applied folk art has been long, and it has left its mark on the consciousness of the makers of artifacts, the quality of their designs, and the development of their creative identity. When it came to the ornamented peasant artifacts of each region, ethnography, which has been consciously studying them since the late 19th century, has emphasized instinctive artistic sense in its evaluation. Though vocational education in the cottage industry - which started in the 1870s-1880s - and the established cottage industry associations - which set out to bring the artistic cottage industry into the national self-consciousness (Bellák 1986:21; Székely 2012:39, 41) – were not completely successful, what they did achieve was that folk art motifs had been explored and the rules of composition had been described. All this was necessary not only in terms of education, because applied arts were often inspired by the ornamental treasures of folk art. The courses gained new momentum under the auspices of the institutional system of applied folk arts organized from the 1950s onwards, and especially after the 1960s, and have trained many artists to this day. Before the "discovery" of folk art, members of peasant society made their objects for their own use or that of their immediate environment, so an object could be considered authentic by virtue of where and under what conditions it was used. Under external influences, the principle of authenticity has also become important to the makers of objects; it facilitated the conscious transmission of skills, knowledge, or tastes inherited from the predecessors" (Original, Copy, Forgery 2003-2004:n.p.; GRAFIK 2007:242, 2009:118, 2017:713-714). Outstanding creative personalities have often played a role in the development of local traditions, and their motif composition and style became part of the community's tradition (see AMENT-KOVÁCS 2021). Meanwhile, as mentioned above, significant artists were spotlighted and rewarded by their narrower environment and expert audiences. Certain local communities have recognized the identity-defining and community-preserving role of their folk art heritage and have sought to pass it on with the help of prominent local artists and by organizing local courses to promote their heritage. In some fortunate cases, creative dynasties have also survived and passed down their knowledge within the family. Authentic technical skills and motif composition are the primary considerations in artifact-making. Nevertheless, during the interviews I conducted, 48 I encountered creators who juxtaposed the knowledge they learned from their ancestors with what they learned in a course or school and considered the knowledge they "inherited" to be the authentic one. 49 The teaching

<sup>&</sup>lt;sup>49</sup>For ethical reasons, I do not provide details of the interview. The interview was conducted in 2016.



<sup>&</sup>lt;sup>47</sup>Emphasis in original.

<sup>&</sup>lt;sup>48</sup>Since 2010, as a staff member of the Institute of Ethnology of the Hungarian Academy of Sciences, I have conducted numerous interviews with craftsmen and applied folk artists working today, for research and educational purposes. Directors of festivals also tried to draw attention to artisans. In 2013, the Smithsonian Folklife Festival in Washington, and then in 2015 and 2016, the large-scale folk art fair, the Festival of Folk Arts, held in Budapest every August, featured public interviews with renowned masters, in which I also participated. Additionally, I conducted interviews for research purposes, including for the NRDI PD 128845 project, Handicraft Heritage and Modernization, which took place between 2018 and 2021.

of folk art within an organized framework and the transfer of knowledge in authentic, local communities and creative dynasties have coexisted and interacted throughout the 20th century, albeit in different proportions. Therefore, the creative community of applied folk arts is extremely heterogeneous in terms of the extent to which they learn design, beyond technological skills, and where they get their inspiration from. The degree to which one's work is instinctual or conscious may vary from individual to individual.<sup>50</sup>

Therefore, the biggest shortcoming of copyright law is that it does not define folk art, it does not reflect on its historical development, the processes of individualization and changed social contexts. It makes no distinction between folk art and applied folk art or handicrafts. It may be that these distinctions would have to be made on a case-by-case basis in each legally disputed case. So far, we have few such examples in the field of folk crafts that have reached an official level.

Among the cases of the Hungarian Intellectual Property Office, we find two illustrative cases where the Board of Copyright Experts had to make a decision on the copyright protection of an object of a "folk art" nature. The subject of a 2001 lawsuit was whether the employee of the paint shop at the Alföldi Porcelángyár (Alföld Porcelain Factory), who decorated the dishes with Kalocsa motifs, was entitled to copyright. The panel of experts, which also sought the opinion of the Lectorate of Fine and Applied Arts, refused the copyright protection in the above case, citing the Copyright Act. In their opinion, the motifs were not used in their original context (as an embroidery motif or wall painting) and therefore did not qualify as folk art, so the question was whether they were "authentic" works. The decorator was required to use folk motifs from Kalocsa, she could not deviate from this, and their color scheme was determined by the folk tradition. The motifs are therefore not subject to copyright protection. Nor is the tracing of folk art motifs onto decorative objects an intellectual activity that would justify the copyright protection of such decorative objects. "The motifs were made by the decorators based on the shape and size of the decorative objects. For example, a pattern running along the edge of a plate - fittingly and traditionally - is not an original solution that would make the decorative object displaying this pattern an original work of art."51 Although we do not dispute the decision, it should be noted that in folk art, the use of motifs on materials and object types diverging from the original is not unprecedented and in fact quite common. In this case, however, the porcelain painter, as an employee of a factory, did indeed not create the object out of her own creative intention, even if it did require her design and artistic qualities.

Even more remarkable is a 2008 case, where custom-made canteens were also denied copyright. In the opinion of the Panel of Experts, "the shape of the canteens follows a completely traditional, centuries-old system of form and proportions known from folk art, despite the fact that in order to use the bottles as intended, the secondary claimant was forced to reduce its form, which resulted in a slight distortion of the known system of proportions at the neck of the canteen.

<sup>&</sup>lt;sup>51</sup>Folk motifs, in this case originally borrowed from embroidery and wall painting, were often used, and are still used, on the products of porcelain factories.



<sup>&</sup>lt;sup>50</sup>Not only among artifact-makers but also among folk singers and folk musicians, the number of those who have acquired their knowledge in an authentic way, from a narrower community or family, is dwindling. Artifact-making and storytelling can also be learned in courses, and thanks to music schools, folk music and folk singing is being taught from primary school to university level. The Academy of Music has been teaching folk music and folk singing since 2007.

This reduction of form, even if the shape of the objects thus obtained is much smaller than that of the known folk objects, cannot be regarded as an intellectual activity which would justify the copyright protection of the canteens as works of art. The images of the canteens show that they do not have an individual, original character which distinguishes them from other such products, and which would justify copyright protection." We do not intend to question the decision in this case either, just want to call attention to the arising issues. The expert opinion does not cite an ethnographic expert, nor does it refer to the ethnographic literature. It should also be noted that even applied folk arts qualifications need an expert jury to clearly determine as to what constitutes innovation, a deviation from tradition (and here the question is which region, which era, or which work of a prominent creator – who may have lived a 100–150 years ago – is considered traditional). What innovation may be acceptable within a tradition? Unfortunately, no imagery is available for the two examples presented here. However, based on the descriptions, it is likely that these objects are far less disputable than other works of applied folk art where individual creativity is given much more leeway, so much so that they can build their own brand around it.

The emergence of prominent artists inherently brought about the emergence of imitations – as these artists' patterns were incorporated into community art as models – as well as the emergence of forgeries (see also Original, Copy, Forgery 2003–2004:n.p.).

It is important to distinguish between types of copies, since a certified copy, i.e., a reconstruction, identifies its source and aims to reproduce the characteristic features of the original object (Original, Copy, Forgery 2003–2004:n.p.). The reconstruction of museum objects is accepted in applied folk arts, and thereby in qualifying events as well, as it is a way of revitalizing traditional motifs and techniques. However, it is also possible that a creator re-imagines an original object and alters the system of motifs, perhaps the color of the object, based on his or her own unique vision. In this case, too, it is important to consider whether the object retained the authenticity of the tradition and preserved its originality and assessing whether the re-imagining of the original object is acceptable requires an individual approach. Whether it be a certified copy or a re-imagination, the source must always be identified and a photograph of it submitted to the qualifying jury.

In the case of forgeries, "intentionality emerges at every stage of production," wherein the forgerer makes a copy of an original object and intends to claim the copy as an original (Original, Copy, Forgery 2003–2004:n.p.). In some of my interviews, <sup>53</sup> people have stressed that their products have been forged, accurately reproduced. In these cases, the issue is not the copying of a specific tradition but of the typical objects and style of a particular artist without the creators admitting the source of their inspiration. If such complaints are to be considered legitimate, the question also arises as to what right the authors of the original, copied object may exercise in respect of their own work.

Our task here is not to decide the facts of copying or forgery but to point out that the copyright claim of artisans emphasizes their artistic identity, which is one of the main paradoxes of the handicraft and folk art heritage.

<sup>&</sup>lt;sup>53</sup>I do not provide interview details for ethical reasons. The dates of the interviews were 2014, 2016, 2018.



<sup>&</sup>lt;sup>52</sup>https://www.sztnh.gov.hu/sites/default/files/SZJSZT\_szakvelemenyek\_pdf/szjszt\_szakv\_2008\_021.pdf (accessed October 10, 2021).



Fig. 9. The Kovács family of blue-dyers has been practicing the craft since 1878. Budapest, 2018 (Photo by Fruzsina Cseh)

# Trademarks of individual creators

Creative personalities often indicate the uniqueness of their products by *signature*, *individual trademark*, *and branding*. This is especially important in terms of marketability and presentation at fairs. Mastering effective handicraft marketing is a major challenge for creators.<sup>54</sup> Emphasizing fidelity to tradition and authenticity through visual means and a short textual introduction is definitely an important marketing tool in the field of applied folk arts. Family tradition is at the forefront of the values that emphasize authenticity, and emphasizing this is an effective means of raising awareness at fairs and festivals (Figs 9–10). In addition to a date indicating the longevity of the handicraft dynasty, the use of natural, organic raw materials is also an attribute of authentic handicraft traditions, which correlates well with today's increasingly popular environmentally conscious approach. Zoltán Bartha, a combmaker, successfully combines these values in his branding and product designs (Fig. 11).



<sup>&</sup>lt;sup>54</sup>They can learn about marketing through lectures and online courses.



Fig. 10. The objects of Levente Lehel Sütő, a furniture painter from Vargyas (Transylvania), with his family tree in the background. The activity of the furniture painting dynasty can be traced back to the 16th century. Smithsonian Folklife Festival, Washington, 2013 (Photo by Fruzsina Cseh)

# CONCLUSION

By tradition bearers, we usually mean a narrower, local, or professional community.<sup>55</sup> Throughout the decades of discovering the folk art of one's own country, traditional object-making was explored in relation to localities and regions of folk culture. Local communities strengthened their identity through their traditions, and the more popular that tradition was countrywide, the higher the community's pride. However, the tradition has, to some extent, moved out of its original location. The cottage industry associations and cooperatives formed at the end of the 19th century and functioning among different frames until the 1940s aimed to boost local folk art and handicrafts, seeking out existing traditional object-making activities as well as creating new ones, but always using locality as a kind of brand. The cottage industry and craft cooperatives that started transforming in the 1950s partly followed this trend, but they also created an opportunity to schematize folk art in order to promote it. Object-making folk art courses, launched nationally in the 1960s, have made the local traditions of certain regions and settlements public and accessible to everyone, in hopes of keeping folk art alive. This approach is still characteristic of the applied folk art system. An embroidered cloth can be called "Kalocsai" (i.e., coming from Kalocsa) if the technique, colors, and motifs are authentic to wherever it was made.

<sup>&</sup>lt;sup>55</sup>For example, blue-dyers, horsehair workers, smiths.





Fig. 11. Bartha comb anno 1923. Budapest, 2018 (Photo by Fruzsina Cseh)

The right to folk art, that is, to the intellectual product of a given community, was not an issue for the nomadic generation either, since making the knowledge available to anyone was in the common interest.

In the midst of the globalization and industrialization of 20th-century material culture, folk art and applied folk art – on the one hand – reflect a desire to maintain local traditions, and, on the other hand, they are linked to a particular aesthetic and a desire to express a national identity. Elements of local folk art have been incorporated into a set of tangible heritages and object-making traditions considered to be national property, thus gaining the chance of survival and recognition. However, becoming "public domain" also opened up the possibility of the ambitions to strengthen national identity leading to the appropriation of certain elements of local folk art. Thus, within a given nation, the right to intellectual property closely linked to a locality may be violated. We can no longer talk about traditional communities, as object-making and artifacts no longer serve the traditional functions of peasant society: motifs, costumes, pottery, decorated furniture are no longer part of the daily lives of all members of the community, but the common heritage is still a part of the local identity. Examining the phenomenon of cultural appropriation in different contexts, both between nations and within a nation, necessarily nuances its interpretation.<sup>56</sup> There are numerous international examples of



<sup>&</sup>lt;sup>56</sup>See also the paper of Ewa Klekot 2022 in this issue. https://doi.org/10.1556/022.2021.00026.

provisions referring to the protection of folklore, partly in the wake of cultural exploitations and abuses in former colonial countries and partly in the context of the globalization of tourism (e.g., Kuruk 1999; WIPO n. d.; Narciso 2007:35; Backer – Zaveri 2019). Here, however, I aimed to emphasize the local nature of the Hungarian case studies.

Objects that use authentic folk art as a recognizable source are seen by expert audiences as a revitalization of tradition, even if they are individual in nature. The heritage which these objects are sourced from is indeed public property, but they display a degree of artistic quality and unique style that is recognizable by experts as well as the connoisseur public. The copying of the motifs, composition, and forms (i.e., uniqueness) of custom-designed artifacts by other artifact-makers is subject to negative judgment. Copyright issues for unique works of artistic value inspired by folk art will therefore be the subject of further debate.

The study of legal issues also explores the history of mentality related to folk art and folklore, with case studies illuminating deeper layers of the concepts of tradition, folk art, and heritage. Authenticity can be captured in the individual's and the community's behavior toward the object based on where and under what circumstances the term has been used. The interpretations and examples I presented here shed light on processes in which the issue of originality and authenticity played such an important role that it had the power to influence the practice and identity of individuals. Through the key points, reservations, and questions explored, we can have a deeper insight into the identity and mentality of craftsmen, artisans, and local communities.

The impact of legal protection on the development of traditional culture is subject to additional debate; referring to Verebélyi's words: at what level is it possible or necessary to intervene in the development of culture (Verebélyi 1999:6)?

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<sup>&</sup>lt;sup>58</sup>See, e.g., Magdalena Bogusławska's work examining how naive art contributes to shaping local identity, and the expressions of ethnic and cultural specificities at the micro and macro levels (regional and state levels, and in relation to national culture) (Bogusławska 2019).



<sup>&</sup>lt;sup>57</sup>Contemporary examples of cultural appropriation: https://edition.cnn.com/style/article/mexico-zara-anthropologie-cultural-appropriation/index.html?utm\_source=feedburner&utm\_medium=feed&utm\_campaign=Feed%3A+rss% 2Fcnn\_topstories+%28RSS%3A+CNN+·+Top+Stories%29 (accessed May 27, 2021) https://metro.co.uk/2018/07/05/dior-copied-traditional-romanian-clothing-romanians-getting-back-7686135/ (accessed May 27, 2021).

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