Accepted paper:

From folklore to heritage: values, community building and constitutional law

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Paper short abstract:
The paper discusses transmission of folklore and selectivity in national setting, and ambivalent function of researchers in documenting culture in all its variations, and in creating cultural heritage; in contributing to the coherence of the society, and in fulfilling the constitutional law.

Paper long abstract:
Although cultural heritage is and has been in a way of another engaged in the national community building processes in most countries, it is only in Estonia where the constitutional law obliges the citizens to "preserve Estonian language and culture". At the same time, culture (as contemporary research defines it) consists of variety of knowledge, habits, creativity with its brighter and darker nuances, including also hostility, violence, and other expressions in contradiction with morality. What is the culture to be preserved? National memory institutions among others tacitly are in the state to fulfil constitutional duty, and make the selections what to collect, preserve and reproduce as "culture", thus transforming cultural documents and artefacts through valorisation into heritage. In the process of cultural transmission, value judgements play a crucial role: value-based selective processes define what parts of culture will be mediated, re-expressed and transmitted, and what will remain unknown. These selective processes also participate in the community building, inclusion and exclusion, centrality and marginalization. In order to be a full member of a community one cannot contradict in the basic values underlying the formation of community. The paper discusses transmission of folklore and selectivity in national setting, and ambivalent function of researchers and workers of memory institutions in documenting culture in all its variations, and in creating cultural heritage; in contributing to the coherence of the society, and in fulfilling the constitutional law.
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