

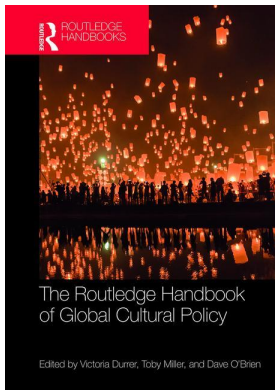
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Uniting the nations of Europe?

Exploring the European Union's cultural policy agenda

Kate Mattocks

Introduction

No one wants to see a technocratic Europe. European Union must be experienced by the citizen in his everyday life.

(Tindemans Report on European Union, 1975, p. 12)

Where does culture fit in the 'experience' of the European Union? This chapter explores the European Union's involvement in the field of cultural policy. A formal part of a European treaty since 1992, culture is seen as a rather limited but symbolically powerful policy area.¹ Over the past few decades, culture has become a more developed policy area in the EU. Despite this, questions surrounding its EU cultural policy governance often remain on the periphery of both cultural policy studies and EU studies. What kind of cultural programmes does the EU operate? What legal powers does it have, and who is responsible for making decisions about cultural policy? These questions are important ones, not only for the discussion of cultural policy in a supranational and global context, but also for deepening the understanding of the EU in cultural terms. As Kathleen McNamara states, "we have spent much less time examining the cultural underpinnings of the EU's governance" (2015, p. 22), in favour of primarily economic and political paradigms.

What exactly do we mean by 'EU cultural policy'? The 2007 Agenda for Culture, the EU's current framework for cultural action, does not explicitly define culture, but refers to its many possible meanings and says that "it plays a fundamental role in human development and in the complex fabric of the identities and habits of individuals and communities" (CEC, 2007, p. 3). Culture is a 'functional' policy area in the European Union, meaning that the EU has a narrow and specific remit (Versluis et al., 2011), which can be divided into three basic powers: (1) encouraging and facilitating cooperation between Member States; (2) promoting the incorporation of culture into other areas of EU jurisdiction; and (3) cooperating with Member States on cultural action. Much of EU cultural policy is based on voluntary cooperation, restricted by the principle of subsidiarity,² as "[l]egally speaking, it is not for the EU to take the lead or to control" in this sector (Sandell, 1996, p. 271).

Thinking about ‘culture’ and ‘the European Union’ brings to mind innumerable topics, from questions on European identity and citizenship to narrower questions concerning specific cultural programmes. It also challenges us to think beyond the nation–state, traditionally the most common ‘level of analysis’ associated with cultural policy (Sassatelli, 2006). This is in part due to cultural policy’s symbolic association with legitimacy, nation–building, stability, and boundary–marking (in both a literal and metaphorical sense), which can be traced to the relationship of culture, cultural identity, and political legitimacy. The cultural foundations of modern citizenship are civic responsibility and social trust (Kalberg, 1993, in Shore, 2001); both of these, in turn, “depend upon the sense people have of belonging to a political community” (Shore, 2001, p. 108). Cultural policy thus plays a role in nation–states’ identity formation and perpetuation. In fact, for these same reasons the EU introduced a cultural programme, in an attempt to emphasise a shared cultural heritage and sense of cultural identity in order to garner more popular support for European integration.

The existing literature on EU cultural policy encompasses a broad variety of themes. A holistic picture of cultural governance is difficult to find (though, see Psychogiopoulou’s (2015a) recent edited volume), although scholars have been interested in many different areas pertaining to culture and the EU: questions concerning the European Union’s basis for legitimacy (Delanty, 1995; Shore, 2000); issues of agenda setting, framing, and historical progression of the cultural competence (Forrest, 1994; Sandell, 1996; Littoz–Monnet, 2007, 2012, 2015); legal perspectives, including the role of the European Court of Justice in cultural matters and ‘cultural mainstreaming’ – the incorporation of culture into other EU policy areas (see Craufurd Smith, 2004a; Psychogiopoulou, 2006; Isar, 2015); specific cultural programmes and actions (see sources in the list below); and finally European cultural identity and heritage (see Shore, 2000, 2001, 2006; Sassatelli, 2002, 2006, 2009; Eder, 2009; Vidmar–Horvat, 2012; Calligaro, 2013a).³ Much of this work interprets ‘culture’ broadly, and thus it is often difficult to delineate where cultural policy begins and ends, a challenge facing cultural policy researchers in general (Ahearne, 2009).

The chapter investigates EU cultural policy from a governance perspective (Kohler–Koch and Rittberger, 2006), reflecting a more general view that the study of cultural policy can benefit from more institutionally rigorous analysis. A governance perspective asks questions about everyday processes, actors, and institutions in policy–making.⁴ Its focus is not the substantive content of policy but how it is made and how the EU functions on a day–to–day basis.⁵ In order to understand how changes in sovereignty due to Europeanization and integration have affected governance within the EU, the chapter draws on the concept of multi–level governance (MLG) (Marks, 1993). MLG refers to the changing nature of boundaries between different levels of government and the changes and challenges to sovereignty this brings about. It has three main premises (Hooghe and Marks, 2001). First, decision–making in the EU is more than bargaining amongst national governments – supranational institutions such as the European Commission and Parliament also exert their own influence. Second, this “involves a significant loss of control for individual national governments” (*Ibid.*, p. 4). The final premise is that actors operate in subnational, national, and supranational arenas and so are not nested but interconnected. MLG therefore provides a framework for researchers to address the complexities of diffused competences as well as the interactions between various levels of government (Littoz–Monnet, 2007).

The chapter is framed around three key themes that run throughout the discussion; these are the multi–level nature of EU cultural governance, the institutional fragmentation and complexity of EU cultural policy, and the role of culture in European integration. These themes also form the basis of the discussion later in the chapter. The EU is a multi–layered

organisation, with negotiations and decision-making taking place within Member States, between Member States and the EU, and between EU institutions. With cultural policy transcending all levels, this makes for an intricate set of actors and negotiations, all with their own ideas of what the EU's involvement in the field should be. This makes the field of EU cultural policy a complex and fragmented one, due to both the nature of EU policy-making in general and the specific challenges that culture presents as a 'limited' and controversial policy field. Some scholars even suggest that complexity is the defining feature of EU governance (Zahariadis, 2013). It is not that other political systems are not *also* complex, but rather that "the complexity of the EU renders policy-making difficult to understand" (*Ibid.*, p. 810).⁶ In addition, culture is a policy area in which:

diversities between member states are particularly obvious – not only are peoples' cultures, in an anthropological sense, very different, but institutional forms of managing this area are also specific to each country – and anchored in national cultural styles.

(Littoz-Monnet, 2007, p. 2)

This means that there are competing institutional positions on the nature of what the EU's involvement in culture should be. The chapter will show that while the EU does a great deal in the field of culture, particularly regarding funding in its current programme, Creative Europe, this does not translate into a coherent narrative on the bigger question of culture's role in EU integration.

The chapter proceeds as follows. I first turn to a brief historical overview of the European Union and its involvement in cultural policy. I then give an overview of the EU's current programmes and policies before discussing the main actors in EU cultural policy and their roles within the complex EU policy-making process. The chapter concludes with a discussion that brings the three main themes together.

The European Union and cultural policy: a historical overview⁷

What is now known as the European Union has its origins in the European Coal and Steel Community, created in 1951 with the signing of the Treaty of Paris by France, West Germany, Italy, Belgium, Luxembourg, and the Netherlands (see Rittberger, 2012). The ECSC brought these countries together to safeguard economic and geopolitical stability. Perhaps unsurprisingly, early Community treaties contained only "fleeting" references to culture (Sandell, 1996, p. 268), such as article 36 of the 1957 Treaty of Rome, which concerns the protection of national treasures with "artistic, historic or archaeological value." However, in the decades prior to Maastricht, the European Community had some involvement in the cultural sector. This was mostly accomplished through the European Commission's framing of culture in economic terms (Craufurd Smith, 2004b; Littoz-Monnet, 2007). This activity actually took place without legal grounding. The focus at this time was economic and industrial aspects of cultural production and consumption, such as training, working conditions, and the distribution of cultural goods. This framing of intervention on economic terms was a "successful agenda-setting exercise," which led to "extending the reach of its competence to the cultural sector when its formal powers were limited to the economic sphere" (Littoz-Monnet, 2007, pp. 43–44).

In the early 1980s, EU cultural ministers began meeting, first informally and then formally. Early cultural programmes, including the European Youth Orchestra and the European City (now Capital) of Culture were created, respectively, in 1976 and 1985. While these have been

deemed “cautious and largely symbolic” initiatives, they represent Community action before any formal competence (Craufurd Smith, 2004b, p. 22) and thus a coming-together of the Member States. At the same time, the European Court of Justice throughout the 1970s and 1980s made judgements on subjects such as copyright and book trade (Littoz-Monnet, 2007).

Sentiments expressed in a series of high-profile reports throughout the 1970s and 1980s encouraged a deepening of cultural action in the Community in order to boost popular support for European integration. Leo Tindemans, in his 1975 Report on European Union, outlined several ideas for implementing a ‘Citizen’s Europe,’ such as fundamental rights and consumer rights. Similarly, the Committee on a People’s Europe (Adonnino report) in 1985 recommended various developments concerning television, an Academy of Science, Technology, and Art, a Euro-lottery (“to make Europe come alive for the Europeans”), and access to museums and cultural events. The report argued that culture and communication can contribute to “support for the advancement of Europe,” which “can and must be sought” (p. 21) in order to “strengthen and promote [European Community] identity and its image both for its citizens and for the rest of the world” (p. 5).

While most of the intergovernmental cultural initiatives of the 1970s and 1980s were modest and symbolic, these initiatives paved the way for culture’s more formal introduction in the early 1990s. The EC’s legitimacy regarding cultural matters had increased, and ‘European identity’ and ‘European culture’ were becoming mainstream discourses within the EU’s institutions (Sassatelli, 2009). Policy framing thus began to go beyond the economic argument in an attempt to develop a sense of community identity – “a crucial necessity for integration, which hitherto had barely been touched upon” (Urwin, 1996, p. 9). In the 1987 Communication *A Fresh Boost for Culture in the European Community*, the Commission argued for a deepening in cultural cooperation in advance of the Maastricht Treaty, arguing that “...it is this sense of being part of a European culture which is one of the prerequisites for the solidarity which is vital if the advent of the large market ... is to secure the popular support it needs” (CEC, 1987, p. 5).

A cultural remit was thus first formally introduced in the Treaty on European Union (TEU, also known as the Maastricht Treaty), which was signed in 1992 and came into effect in 1993. Maastricht created the European Union – a “new social-political framework within an accelerated economic and monetary union” (Nectoux, 1996, p. 31). Article 128 of the TEU (now 167 in the Treaty on the Functioning of the European Union) stated that,

1. The Union shall contribute to the flowering of the cultures of the Member States, while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore.
2. Action by the Union shall be aimed at encouraging cooperation between Member States and, if necessary, supporting and supplementing their action in the following areas:
 - improvement of the knowledge and dissemination of the culture and history of the European peoples,
 - conservation and safeguarding of cultural heritage of European significance,
 - non-commercial cultural exchanges,
 - artistic and literary creation, including in the audiovisual sector.
3. The Union and the Member States shall foster cooperation with third countries and the competent international organisations in the sphere of culture, in particular the Council of Europe.
4. The Union shall take cultural aspects into account in its action under other provisions of the Treaties, in particular in order to respect and to promote the diversity of its cultures.⁸

The article both legitimised the EU's prior activities in the field and paved the way for new ones (Shore, 2001). It was a compromise, reflecting the contentious nature of supranational cultural policy:

While the broader and historically more significant principle of culture being a legitimate area of Community competence was secured by the countries which took a maximalist approach, the minimalist countries built into the drafting various restraining, defensive elements. ...

(Sandell, 1996, p. 270)

This inclusion, along with other competences in social policy, was a turning point, with the added social and cultural dimension representing an 'ever-closer union' – an attempt, argue many, by political elite to increase political support for deeper European integration (Delanty, 1995; Shore, 2006). The rise of the cultural agenda must be therefore seen as a part of the grander European integration project (Barnett, 2001), an attempt to reduce the 'cultural deficit' (Shore, 2006) and garner more popular support. It is from this point that we can begin to analyse the EU's current involvement as it has developed since culture's formal treaty introduction. I now turn to an overview of the policies and programmes that the EU currently operates.

Policies and programmes

As indicated above, Member States maintain full autonomy over their own cultural policies: the introduction of a cultural competence was "not to establish a 'common' cultural policy but to bring to the forefront Community efforts rooted in the protection and promotion of Member States' diverse cultural systems" (Psychogiopoulou, 2006, p. 583). The main document that sets out the EU's overarching cultural priorities is the 2007 *Agenda for Culture*. This document outlines the three main strategic objectives around which the EU bases its cultural activities:

1. Promotion of cultural diversity and intercultural dialogue;
2. Promotion of culture as a catalyst for creativity in the framework of the Lisbon Strategy for growth and jobs;⁹
3. Promotion of culture as a vital element in the Union's international relations (CEC, 2007).

The EU's activities in the cultural field encompass a wide variety of actions. Notably, the word 'policy' itself is rarely used to describe action in the field – rather, less binding-sounding terms such as 'programmes' and 'actions' are favoured. In the European Commission's own words,

[the] work done by the EU complements that and adds a different dimension. Information gathered from the EU as a whole can be used to support national policy decisions or provide examples of best practice that others can share. Programmes run across the EU can have a greater overall impact than those just run on national grounds, and policies put in place throughout the EU can help further national goals.

(CEC, 2013, p. 3)

The EU's current programmes are outlined below, separated into supporting, coordination and communicative, and supplementary measures. These programmes have all developed at varying times and have different historical trajectories; they thus should not necessarily be seen as a congruent set of initiatives but rather co-existing. Where possible, I have included further sources on these programmes. This list focuses on 'explicit' actions within the Directorate-General for Education and Culture (see below); cultural aspects of other programmes in different fields such as cohesion and education policy have largely been left out here.

Supporting measures

- *Creative Europe* – Creative Europe (CE) is the EU's current cultural funding programme. Between 2014 and 2020 it will award €1.46 billion within its two strands, MEDIA and Culture. This funding is used to support cooperation projects that involve three or more Member States. For more on CE, see Kandyla (2015).
- *EU prizes* – Administered by the Commission, the EU has several annual prizes in the fields of literature, music, heritage, and contemporary architecture.
- *European heritage including annual heritage days and the heritage label* – Heritage has been an increasingly important area for the European Union. The EU's role is "to assist and complement the actions of the Member States in preserving and promoting Europe's cultural heritage" (CEC, 2015). It has its own heritage label¹⁰ and promotes, along with the Council of Europe, annual heritage days.¹¹ For more on heritage see Calligaro (2013a) and Lähdesmäki (2014).

Policy coordination and communication measures

- *Open Method of Coordination (OMC)* – The OMC is a voluntary policy coordination process that brings together Member States in a series of working groups in order to share best practices on themes that have been agreed upon in the Council of Ministers' triennial Work Plans for Culture. Used in other policy areas as well, the OMC seeks to "put the EU Member States on a path towards achieving common objectives, while respecting different underlying values and arrangements" (de la Porte, 2002, p. 39). On the culture OMC, see Psychogiopoulou (2015b) and Mattocks (2017).
- *Structured Dialogue* – Structured Dialogue exists to foster exchange between the cultural sector and the EU via a series of transnational platforms and a biennial Culture Forum. The platforms and Forum bring together stakeholders, cultural sector representatives, and policy-makers to debate and discuss key issues in the field (see Ecorys, 2013; Littoz-Monnet, 2015).
- *Expertise* – As part of its dialogue with the sector, the EU supports a transnational network of experts, the European Expert Network on Culture (EENC). According to its website, the group "contributes to the improvement of policy development in culture in Europe, through the provision of advice and support to the European Commission in the analysis of cultural policies and their implications at national, regional and European levels."
- *Information provision and cooperation* – the Commission has undertaken or commissioned a large number of studies about various issues relating to the cultural sector. It also cooperates with other European networks on information dissemination and networking.

Supplementary measures

- *European Capital of Culture programme* – Perhaps the most well known of all of the EU’s cultural programmes, the ECoC started in 1985 and has been held in 53 cities since. The programme aims to increase arts and cultural programmes within the city but also strengthen and project its ‘European dimension’ (see Palmer-Rae Associates, 2004; Sas-satelli, 2009; Garcia et al., 2013; Patel, 2013).
- *Audiovisual policy* – Television without Frontiers was established in 1989 and amended in 2007 to the ‘audiovisual media services directive’ (DIRECTIVE 2010/13/EU). This policy makes it easier to access audiovisual material from other European countries and sets out a number of minimum requirements with regards to digital access. It is a binding agreement with flexibility to the Member States as to how to implement it. Requirements include the accessibility for people with disabilities, measures for the promotion of European works, some requirements for commercial communications, and rules concerning sponsorship and product placement. On audiovisual and media policy, see Collins (1994), Wheeler (2004), Harcourt (2006), Sarikakis (2007a), and Erickson and Dewey (2011).
- *Mainstreaming culture* – The Commission works with other EU and external organisations to incorporate culture into other policy areas where possible, such as external relations and European Neighbourhood Policy.¹² For more on this see Craufurd Smith (2004b) and Psychogiopoulou (2006).

Key actors

One of the difficulties in studying EU policy-making is grappling with the sheer number of actors involved as well as their interconnectedness. As Dewey (2008, p. 100) comments, “few people know how to navigate the complicated maze of laws, institutions, policy actors, and affiliated organizations in this field.”¹³ This section unpacks the complexity of EU governance and offers a brief description of the main actors in EU cultural policy as well as their roles. It demonstrates the competing positions of various institutions, reflecting the necessity of consensus and inter-institutional bargaining in EU governance.

European Commission

The main EU institution involved in cultural policy is the European Commission, the EU’s executive institution. In ‘national’ terms, the Commission can be considered the equivalent of an executive branch of government, whereas legislative power is shared by the Council and Parliament. The Commission is the guardian of the treaties (and therefore takes subsidiarity seriously) and in general has power of policy initiation.

The Commission is composed of a core appointed College of Commissioners as well as an administrative bureaucracy of Directorate-Generals (DGs). Culture is part of the Directorate-General for Education and Culture, known informally as DG-EAC. The DG’s remit in terms of culture is encompassed in “culture and audiovisual.”¹⁴ The administration and management of most of the programmes listed above are shared by two units in DG-EAC, called ‘Cultural Diversity and Innovation’ and ‘Creative Europe programme,’ and the Commission’s Education, Audiovisual and Culture Executive Agency.¹⁵

Historically, the Commission has played a rather important role in the development of EU action in this field. The work of Annabelle Littoz-Monnet (2007, 2012), for example, shows

how the DG has taken an active stance in advancing further cultural cooperation by framing intervention in terms of culture's potential to foster economic growth and competitiveness, bringing it in line with competition and economic policy of the Lisbon Strategy (European Council, 2000). The DG also has a history of collaboration and networking with other DGs, such as DG Regional Policy and DG Internal Market, as well as external actors (Sassatelli, 2006; Littoz-Monnet, 2012). Littoz-Monnet (2012, p. 516) argues that "by extending the traditional realm of participants to the policy formulation process, DG Culture can more effectively promote the strategic role of culture as a potential solution to broader economic challenges." In line with this argument, Sassatelli (2006) maintains that networking and collaboration, primarily with NGOs and cultural networks, have given creed to the DG's policies. In other words, despite its limited remit, the Commission has done all it can to maximise cultural collaboration in the EU and has been a key driver of further cooperation in the field since 1992.

Although DG-EAC is the main DG for culture, other DGs' remits fall into the cultural realm as well, reinforcing both the fragmented nature of organisation and the often-controversial question of where 'culture' begins and ends. For example, DG Internal Market is responsible for copyright issues, and DG Regional Policy can, with substantial budgeting privileges, grant funding to regions for cultural projects via the structural funds (see Delgado-Moreira, 2000).

European Parliament

The European Parliament (EP), which shares legislative power with the Council of the European Union, is composed of 751 directly elected representatives from the 28 Member States. Members of the European Parliament represent their constituency and sit in one of seven political groups. Legislation is brought to the EP and is then sent to one of 22 parliamentary standing committees, where it is evaluated. The decision-making system in the EP operates entirely on negotiation and consensus-building because by design there is not a majority political party: to achieve anything, compromises must be made (Versluis, van Keulen, and Stephenson, 2011).

Culture is represented in the standing committee on Culture and Education, composed of 31 Members of the European Parliament (MEPs). The committee outlines its priorities as such:

the cultural aspects of the European Union, and in particular: (a) improving the knowledge and dissemination of culture, (b) the protection and promotion of cultural and linguistic diversity, (c) the conservation and safeguarding of cultural heritage, cultural exchanges and artistic creation.

(European Parliament, 2014, p. 144)

Unfortunately, there is little work dedicated to the role of the EP in cultural policy-making, although consensus is that the Culture and Education Committee has in general advocated for an increased role for the EU in this field (Forrest, 1994; European Parliament, 2001; Littoz-Monnet, 2007; Staiger, 2013), carving out a distinct role for itself in advocating for a firmer stance on culture's role in integration (aligning with the Committee of the Regions but opposed to the more restrained position of the Council – see below). Much of the Parliament's work on culture argues that EU cultural action must go beyond a symbolic role and gives credit to the "specificity of culture and the need for special laws" to govern it (Littoz-Monnet, 2007, p. 34). The EP has often focused on specific problems, such as labour

market issues for artists in Europe (Gordon and Adams, 2007). Barnett's (2001) findings also indicate that the EP has tried over the years to expand the cultural programme but has not met with much success. His findings are supported by Gordon and Adams (2007), who argue that more robust proposals from both the Parliament and Commission are often stymied by the Council of Ministers and in particular the larger Member States.

Council of the European Union (Council of Ministers)

The Council of the European Union, also known as the Council of Ministers (to avoid confusion with the European Council), is the body that represents the interests of Member States. It is composed of current ministers from Member States' national governments. The Council shares legislative power with the European Parliament. Broadly, its role is to evaluate legislation from the point of view of perceived benefits or losses to citizens in their Member State. The Council's Presidency also rotates every six months, allowing limited agenda-setting power for that particular Member State. The Council is split into ten groups, or formations. What this means is that '*the Council*' is actually several policy sector-specific 'Councils.'

Cultural policy is the responsibility of the Education, Youth, Culture, and Sport Council (EYCS). The EYCS Council is composed of national ministers of culture and meet several times a year to debate relevant issues. Most legislation in the field is non-binding and does not legally require national Parliaments to adopt it. According to the official Council website,

The policy areas covered by the EYCS Council are the responsibility of member states. The EU's role in areas of education, youth, culture and sport is therefore to provide *a framework for cooperation between member states*, for exchange of information and experience on areas of common interest.

(Council of the European Union, 2015; emphasis added)

Until November 2014, decisions on cultural policy matters were taken by unanimity. This changed with the introduction of Qualified Majority Voting (QMV) as a part of the 2009 Treaty of Lisbon. However, outside of the meetings of the culture ministers for the EU-28, an extensive system of work is done by permanent representatives in both ad hoc and permanent committees and workings parties. The Cultural Affairs Committee (CAC), composed of seconded representatives from the Member States, prepares the work of EU ministers for culture, and a high percentage of decisions are 'settled' at the level of permanent representatives, rather than by the EU-28 Culture Ministers themselves (Versluis et al., 2011). This reflects the multi-level nature of the Council's work and the fact that boundaries are no longer able to be neatly drawn between various levels of subnational, national, and supranational government as seconded representatives in the Council in Brussels are often working with two hats on.

Historically, the Council has played, perhaps a bit surprisingly, a role in the development of some of the first cultural activity at the intergovernmental level. In 1985, the European City of Culture programme was initiated in the Council by then Greek Minister for Culture Melina Mercouri. The founding principles were based on culture as a vehicle of cohesion, along with the special role of cities as locales of cultural exchange. However, in general, the Council's role to act in the interests of the Member States has meant that as an institution it is highly respectful of subsidiarity and therefore cannot be considered an agenda-setter in the field.

Other actors

COMMITTEE OF THE REGIONS (COR)

The Committee of the Regions is an advisory body composed of 350 members who are regionally and locally elected in Member States. Its role is to represent regional interests at the European level and to provide a local viewpoint on relevant legislation that affects regions, to bring regional and local perspectives into EU policy-making. For a competence like cultural policy, this is important, as culture is a subnational competence in some EU Member States. The CoR is consulted on all cultural policy proposals.

The CoR is divided into six 'Commissions,' one of which is Education, Youth, Culture, and Research (EDUC). The body has, since its inception in 1992, argued for an enhanced role for local and regional actors in the design of cultural policy (Barnett, 2001). Barnett maintains that the CoR has had some influence in helping strengthen networking systems within the cultural field through increased dialogue. The body has questioned the meaning of subsidiarity and argued that cultural action is not necessarily the responsibility of the Member States (since this incorrectly assumes homogenous national cultures within them) and that culture is best handled at the subnational level. Despite this, as the CoR is an advisory body and not a decision-making one, its overall influence has been relatively limited (Gordon, 2010; Versluis et al., 2011).

LOBBY GROUPS AND CIVIL SOCIETY PLATFORMS

Brussels is the second most lobbied city in the world after Washington (Versluis et al., 2011) and lobbying has been the subject of a large amount of research on the role it plays in agenda setting and policy-making, particularly within the European Parliament. The role and influence of lobbying is better understood in other sectors because it has been the subject of more scrutiny. However, it is often difficult to determine the precise role that lobby groups play, particularly as politicians may be reluctant to admit how much they are influenced by them. There is even less known about the relatively smaller lobbying presence of cultural groups and organisations and the amount that they may or may not influence decision-making, though the Commission is committed to dialogue with the sector. Historically, professional cultural networks in Europe have been critical of the sector's slow development and fragmented funding schemes within the EU (Barnett, 2001). This gave rise to the mobilisation of arts and cultural advocacy organisations, particularly after the inclusion of the competence in the Treaty of Maastricht, who have generally advocated for a greater role for culture in European integration.¹⁶ However, while they have participated in a great deal of dialogue and cooperation concerning cultural matters, more work needs to be done to trace the precise impact this has had in EU decision-making.

Discussion

So far in this chapter we have discussed the historical trajectory of EU cultural policy, the main programmes and policies that it operates, and the main political actors involved in creating and managing these. It is now time to bring these areas together and address the overarching themes that run throughout the discussion.

The first theme running throughout the chapter concerns the *multi-level nature* of EU cultural governance. Thinking back to Hooghe and Marks' three premises of multi-level

governance, culture conforms, to varying degrees, to all three of them. First, supranational institutions such as the European Commission exert their own influence when it comes to EU cultural policy. Consensus is that Commission has been the institution responsible for advancing further cooperation in the field, at least since Maastricht, and plays a crucial role in setting the supranational cultural policy agenda; Commission officers try to do what they can within the legal limitations of the competence (Mattocks, 2017). This results in a loss of control for individual Member State governments in that they must compromise to achieve agreement. Bargaining, particularly in the Parliament and the Council of Ministers, is important. The EU's institutional procedures are designed to allow consensus to be achieved, which sometimes presents difficulties in a controversial competence such as culture where certain Member States and EU institutions would like to see a more robust programme and others would not.

Multi-level governance also means that a plethora of actors operate in interconnected relationships involving local, regional, national, and supranational levels of government, not to mention the complicated influences of public-private partnerships, lobby groups, civil society platforms, and non-government organisations in cultural matters. These relationships are present in the EU institutions themselves – the Commission, Parliament, and Council of Ministers – as well as the Committee of the Regions and formal and informal cultural networks. Individuals within these institutions operate within a complex system of interconnectedness: complex domestic relationships also extend to the supranational level, meaning that there are always questions regarding the exact nature of cultural policy, its jurisdiction (particularly in those Member States where culture is a regional competence), and the extent to which the EU should be involved in it.

The second theme is the *complex and fragmented nature of EU cultural policy and governance*. Community involvement in the cultural field pre-Maastricht, argues Craufurd Smith (2004b, p. 49) was “at best fragmented, at worst inconsistent or distorted.” What can we say about it now, more than 20 years later? There are two linked points to develop here, the first the nature of the policies themselves and second the fragmentation of EU governance more generally. First of all, the EU's involvement in the cultural field has grown since Maastricht, with more programmes, actions, and initiatives now than ever before. However, while made somewhat clearer in documents such as the *Agenda for Culture*, EU cultural policy is still highly fragmented: there is no one place to turn to for an overall picture of what the EU does in this field, nor the impacts it has. Nor is there an overarching narrative about culture's overall ‘role’ within the European Union. From the literature on public policy, we know that governments rarely make single decisions for any given policy issue; rather, sets of cumulative decisions add up to outcomes (Howlett et al., 2009). In addition, policy is rarely systemic or easily traceable. This indeed what we see within EU cultural policy. Programmes are piecemeal and fragmented, having been developed at different times throughout history, reflecting bargaining and consensus-seeking, various justifications for EU interventions, and different goals.

Another reason for this fragmentation has to do with the political sensitivity of culture. As Patel (2013) outlines, EU cultural action is marked by a paradox: it is desired in order to further European integration and unity, but its development is constrained by subsidiarity and Member States' wishes to keep culture a national competence. In their book on analysing the EU policy process, Versluis et al. (2011) designate culture as a policy area in which ‘the EU’ (perhaps left vague for a reason) would like to have more involvement but is met by resistance from Member States, who still see culture as best handled at the national or subnational level. Similarly, Littoz-Monnet (2007, p. 2), argues that culture has been an area that Member States have been “particularly disinclined” to transfer competence to the EU. Simply put,

Because it is of minor importance and yet ideologically highly charged at the same time, culture is considered a controversial issue – especially when it comes to discussing the division of competencies between the EU and its member states.

(Kaufmann and Raunig, 2002, n.p.)

Part of the issue of this fragmentation is to do with the complexity of EU governance and not only the number of actors involved in decision-making but their competing positions. This complexity makes studying the European Union challenging because of the high number of actors, the diversity of their interactions, and the multitude of different ways or ‘modes’ that policy is made.¹⁷ In addition, culture is a competence that “entered the arena of EU jurisdiction under complex and contradictory conditions” (Saridakis, 2007b, p. 14). Quite simply, there are debates between those actors who wish to extend the competence and those who do not (Barnett, 2001). As the EU does not have the competences to override, but only supplement, Member States on cultural policy, action in the field requires constant justification. This means that it is difficult to create and operate robust cultural programmes and policies at the European level. This has led McNamara (2015) to argue that the European cultural space is so focused on not eroding ‘the national’ that cultural governance is additive and piecemeal.¹⁸

This leads onto the third overarching theme, which is the *role of culture in European integration*. Cultural policies in the EU “cannot be understood outside of the wider context of the political project for European integration” (Shore, 2001, p. 107). After all, the continued integration of a supranational European polity, from European Community to Union, has been a project of economics rather than a cultural or social one, these traditionally being policy areas that Member States prefer to keep in the domestic domain. Where does culture fit in in the ‘ever-closer’ union? Ultimately, the EU lacks an overall narrative about what culture is and what the nature of its intervention in the field should be. Clive Barnett (2001, p. 412) has argued that culture has become “a multi-dimensional sector” that can be co-opted for a number of policy pursuits, be they employment, social cohesion, or urban regeneration. It is more difficult, if nigh on impossible, to operate a fuller cultural programme for *cultural* purposes due to a lack of political will: the EU does not have the legal power to harmonise cultural policy, and Member States agreeing to a supranational legally binding cultural policy is not viable: a “consensual approach to European culture...is simply unreachable” (Calligaro, 2013b, p. 29). This is in part emblematic of the particular difficulties of culture as a contested policy field, as well as the restricted legal conditions under which it operates.

Because of the ‘soft’ and supplementary nature of EU governance, the EU’s cultural programmes have had rather modest and uneven impacts in the Member States (Gray, 2000). The Creative Europe programme is somewhat unique among the EU’s actions, as it represents direct funding to Member States. The EU’s efforts at cooperation, networking, and promotion initiatives such as Heritage Days and the European Capital for Culture can also be said to have many positive benefits, particularly in raising the profiles of artists and helping cross-border mobility and visibility (Bell and Oakley, 2015). Policy coordination via the OMC has also shown to produce limited policy transfer and convergence, though it represents an opportunity for intergovernmental exchange and learning (Mattocks, 2017). However, in general, most of the policies and programmes do not have a significant impact within national policies or programmes, nor have they been shown to substantively further deepen a sense of shared European identity (Shore, 2000; Palmer-Rae Associates, 2004; Sassatelli, 2008; Garcia et al., 2013).

Conclusion

This chapter has demonstrated the complex relationship between the European Union and cultural policy. The development of EU cultural policies has been a process of legitimation since the 1970s, with the 1992 Maastricht Treaty representing a turning point in terms of a legal grounding and a move towards the deepening of the European project. However, the chapter has shown that despite a place in the treaty, cultural action is subject to restraints and contradictions, making a robust programme at the European level difficult to achieve. Development in this policy field is constrained by the principle of subsidiarity as well as some Member States (such as the United Kingdom, Germany, and Nordic countries) who do not desire further cooperation in the field. Member States retain control of their own cultural policies. Turning back to earlier in this chapter, a close reading of article 167 shows just how restricted the legal base of the cultural competence is: paragraph 2 lays out the areas that the Community may become involved in, “if necessary,” and paragraph 5 restricts the Union from any policy harmonisation. EU cultural governance is thus mostly accomplished through voluntary cooperation, resulting in a series of programmes that typically have uneven impacts at the national and subnational levels.

Policy-making in the European Union is a fragmented process best characterised as a multiplicity of ‘processes’ rather than a single, linear progression. As the chapter has shown, there are multilevel interactions among subnational, national, and supranational actors in all of the key EU institutions in cultural policy – the European Commission, Parliament, Council of Ministers, and Committee of the Regions. This multitude of actors participates in an ongoing dialogue with respect to the appropriate scale and measures that the EU should be involved in. The most important institution is the European Commission, which has been shown to be an agenda-setter in the field acting where possible within its remit to foster cooperation between Member States.¹⁹ However, the domain of cultural policy still rests with the nation-state, a scenario that is unlikely to change.

To end, it is worthwhile thinking back to the beginning – the history of European cultural involvement, which developed in an effort to forge popular support for European integration and foster a sense of common European identity. Culture is still emphasised as an important part of this.²⁰ However, there is a disconnect between what is presented in policy documents and what happens in practice. Indeed, despite these efforts, “there has been no corresponding shift in popular sentiment or political loyalty” (Shore, 2000, p. 18). The narrative of culture’s ‘place’ in the European Union has been a subject of controversy from the beginning and, while the EU has made important strides in its funding, networking, and cooperation projects in particular, the reality of European cultural policy is still rather at odds with the view that Europe needs a robust, imaginative cultural programme in order to tackle the current and future challenges facing the continent.

Notes

- 1 As a supranational body, the European Union has ‘competences’ in specific fields. These competences are set out in the various European treaties, which are signed by all Member State governments. In general, there are four categories of competence: exclusive, shared, supporting, and special. Culture belongs to the ‘supporting’ category.
- 2 Subsidiarity, outlined in article 5(3) of Maastricht (TEU) is a principle of EU law. It says that the EU will only become involved in a policy area if it is deemed the best ‘level’ of government to do so, i.e. Member States acting on their own is insufficient.
- 3 This list is not exhaustive but rather aims to show the key areas of the literature to date.

- 4 By 'everyday' I mean not the 'high politics' of the Heads of State and EU leaders, but the policy officers and managers, legislators, and civil servants responsible for creating and implementing programmes.
- 5 For more on the content of EU cultural policy, see the references to individual programmes below, as well as Littoz-Monnet (2015).
- 6 Versluis, van Keulen, and Stephenson's (2011) volume is a good introduction for those wanting to know more about EU governance more generally.
- 7 Due to space restraints, this is a shortened and condensed version. For more detail, see, for example, CEC (1992), Shore (2000), Craufurd Smith (2004a), and Sassatelli (2009). In addition, the Council of Europe – an entirely separate supranational institution – had been involved in the cultural field since just after the Second World War. The development of EU cultural policy should be seen in conjunction with the CoE's development (see Sassatelli, 2009).
- 8 Article 167 also contains a fifth paragraph referring to legal and policy-making procedures, which explicitly excludes any policy harmonisation between Member States in the field of culture.
- 9 The Lisbon Strategy (2000–2010) has been replaced by Europe 2020 (2010–2020), focusing on "smart, sustainable, and inclusive growth."
- 10 http://ec.europa.eu/programmes/creative-europe/actions/heritage-label/discover_en.htm.
- 11 www.europeanheritagedays.com/.
- 12 <http://cultureinexternalrelations.eu/>.
- 13 For an example of how EU cultural policy is made step-by-step, see Dewey (2008) on the 2007 Agenda for Culture.
- 14 Obuljen (2004) notes that in most EU countries, culture and audiovisual would not be separated out as such, but be both considered a part of cultural policy and be subsumed within the Ministry of Culture (or equivalent). Audiovisual policy has a different history within the EU, as it has been more easily framed around economic and free trade objectives.
- 15 The European executive agencies perform largely management and administrative roles.
- 16 According to the website of one of the main lobby groups in the arts and cultural sectors, Culture Action Europe, created in 1992, their aim is to "be the leading platform for representing the diverse interests of the sector with a coherent and clear message."
- 17 Wallace and Wallace (2007) identify five different modes of policy-making in the EU, each with its own processes and treaty bases.
- 18 For McNamara, culture is "a process of meaning making, shared among some particular group of people" (p. 27), so much more in line with broader customs and habits than a narrower definition of artistic practices.
- 19 A fruitful topic for future research is investigating in more detail the role of non-institutional bodies such as the Committee of the Regions and professional cultural networks and lobby groups located in Brussels.
- 20 To take one example, at the opening of the Culture Forum in November 2013, Past President of the European Commission Jose Manuel Barroso said that "Culture is, and always has been, the cement that binds Europe together. It is an essential part of the very foundations of our European project and must remain firmly entrenched in our ideals if we are to succeed in achieving a more united, a stronger and open Europe."

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