

**The European Union and Cultural Policy – Chimera, Camel or Chrysalis?**

“*God help the Minister that meddles with art*” – Lord Melbourne (British Prime Minister 1835-41)

**(1) Background context**

- 1.1 Raymond Williams in his seminal text *Keywords: A Vocabulary of Culture and Society* (1976) pointed out that ‘culture’ is one of the most complicated words in the English language. The same may also be said of other European languages. People in the course of discussion bring - and take away - their own understandings of ‘culture’ but they may, in fact, be talking unwittingly about very different things. The often inappropriate elision of ‘arts’ and ‘culture’ is only the most obvious confusion in a context which may range from trade and social policy to national propaganda. With this in mind, we feel it is important at the outset to establish a clear distinction.
- 1.2 Europe has a long tradition of cultural reflection about itself. Who are we? What do we want to be? Frequently these questions have been posed in relation to others. How do these ‘others’ see us? From before Montesquieu to after Edward Said philosophers, historians, cultural anthropologists and, of course, artists (even if only because ‘we and the others’ and ‘the others and us’ have provided them with interesting material), have engaged in this discourse. Artists have particularly made use of exotic themes and techniques – Orientalism, music *alla turca*, chinoiserie etc. – often for mainly decorative purposes without any deep understanding.
- 1.3 After the end of the Second World War and subsequent decolonisation, this reflection, led by thinkers such as Denis de Rougemont, has become much more urgent. The current phase derives from the context of globalisation. Artists, writers and intellectuals generally take part vigorously in this debate. Nevertheless, we must be fully aware that this broad theme covers *much* more than the worlds of the arts and heritage. Philosophy, political science, history and sociology may be better qualified to engage than the cultural sector. If this really is a cultural discussion, then it refers to culture in the broadest sense of the term. Important current topics would include the questions ‘what unifies Europe?’, ‘can any such unity be understood in cultural terms?’, ‘is there anything approximating to a European culture?’, ‘what is the appropriate understanding of the dialectic between unity and diversity in Europe?’
- 1.4 In contrast we have culture in a much more specific sense; culture as the domain of the arts and the heritage, culture (both amateur and professional) as a particular sector in society and as an object of public policy. Within Europe there is also a parallel debate going on about this subject although of more recent origins (encompassing different national, regional and local traditions). Over the past thirty-five years it has been the Council of Europe that has developed and promoted a vocabulary of European (and broader) debate concerning cultural

policy in its social and economic context as well as the national, regional and local implications. The European Union (EU) arrived modestly and more recently into this dialogue following the Treaty of Maastricht.

- 1.5 This distinction needs to be borne in mind and observed – even if the second mode is often seen as an instrument for unity in terms of the first. The reason is compelling: for if we are speaking of a *cultural* dialogue, then it is cultural in the broader sense of the word. Whilst there is nothing wrong with this our concern is that it does few favours to the second, more specific domain of ‘culture’ as a sector. What we are advocating is a much more focused debate on this area – but this must not be narrow or defensive or in isolation. Small-scale funding projects are merely a distraction. What is needed is a full relationship and contact (as an equal partner) with other important policy areas such as education, foreign policy and trade. This concentration on culture as a vitally important sector and ‘soft power’ broker for Europe also implies that sufficient attention is paid to *how* it operates and the conditions which govern it at European level (see 8.5).

## **(2) European Union context and timing**

- 2.1 The European Union has struggled, often with good - but rather limited intentions to ‘do something’ *for* culture - as a sector - since the mid-1980s. Within the EU’s rather complex political and administrative scenario, it is helpful to make a clear distinction between the position and roles of the different actors and their habitual attitudes towards EU ‘cultural policy’. In no particular order of priority this would need to include the following:

- individual charismatic politicians with some personal vision and mission (e.g. Melina Mercouri);
- the EU Commissioner for Culture – symbolic figurehead for culture and ‘one Europe’ (a concept which tends to remain vague and poorly articulated). The Commissioner often seems to conflate the meanings and thereby adds to the confusion;
- the Commission’s responsible Department General – formerly DGX, now DG Education & Culture – comprising career civil servants with no particular experience in cultural administration or policy making;
- the Cultural Council – comprising the Ministers for Culture of the 27 member states under the chairmanship of the Minister from the country currently holding the Presidency;
- the European Parliament (EP), whose Committee on Culture has striven over the years to take a positive outlook on the arts/culture spanning the EU’s remit but whose efforts can be neutralised by the larger member states (also the Committee of the Regions, with only minor influence);
- the professional cultural sector and artists whose main objective is usually EU money they might be able to extract from the system for their own purposes;
- member states which exhibit a positive interest in some active European cultural policy, even if this often may have some GATS or anti-USA/global intent;
- other member states which tend to be more sceptical, not least because they are net contributors or suspect they will end up paying the bill (e.g. Germany, the UK, the Netherlands, Denmark);

- smaller and more specifically the former socialist member states which have an opportunistic approach to picking up any funding for culture and will work in alliances with others to try to achieve this;
- ‘star’ figures from the professional sector who occasionally intervene (e.g. Yehudi Menuhin and Bob Geldof) and are listened to by politicians who may wish to bask in the reflected glory.

2.2 The general approach to ‘the arts’ has however tended to seem passive (responding to demands ad hoc from the professional sector, often mediated through the Parliament which is susceptible to institutional lobbying by powerful voices and individuals). The odd ‘symbolic’ European cultural gesture has been directly driven by politicians from the individual member states. The attitude of several influential countries has, ever since the arrival of legal competence in Maastricht Article 128 in 1993, been restrictive to both policy aspirations and budgets, whilst Commissioners and their DGs understandably pursue their own ‘unjoined up’ agendas in the customary manner of all government systems.

2.3 Nevertheless, despite the rather limited and only partially successful schemes devised and implemented for the benefit of the arts and heritage to date, any review of the broader picture over a longer time span – something arts and heritage professionals are not normally disposed to do in their ongoing short-term quest for ‘top up’ sums of money – may cumulatively have a slightly more positive story to tell. The outcomes are however not always in line with what may be expected.

2.4 Why does this issue matter any more now than at other times during the recent past? Perhaps for at least six reasons, several of them inter-dependent:

- EU Enlargement and the general state of economic and civil society affairs in the ten ex-Socialist member states has highlighted the role of culture as a positive element in building trust, stability and ethical standards (not least in the post-Soros/Open Society Institute vacuum);
- Rejection of the draft ‘EU Constitution’ in the French and Dutch referenda (despite 18 other member states through due national process having approved the proposals) provided a wake-up call that politicians could no longer ignore Europe’s *citizens’* disenchantment with remote and seemingly impenetrable rules, processes and structures;
- President Barroso’s Budapest statement in November 2005 (amplified at Berlin in 2006) about the EU’s need to ‘mainstream culture’ in its major policies - an instance of the first typology described at 1.3 - risks running aground in the shallows of political inertia, individual member state intransigence and the Commission’s bureaucratically rigid, vertical departmental structure and culture (reinforced by individual Commissioners’ normal behaviour in protecting their own fiefdoms). The consequences for culture in its more specific sense still require clarification;
- DG Education & Culture’s very recent publication of its draft ‘Communication’ which aimed to take account of the open

consultation exercise in late 2006. The professional sector must in due course respond constructively for the good, rather than (as is customary) pursuing short- term and/or individual institutional advantage;

- The 2008 Year of Inter-Cultural Dialogue must not be a damp squib. As the budget is unrealistically small to meet some of the more grandiose rhetoric about its purpose and intentions, so it must be helped to focus on initiatives and campaigns which actually can make a difference in the longer term;
- With the major new EU policies and programmes now in operation, there needs to be far greater pressure from member states and citizens for the Commission to make imaginative and constructive use of Article 151.4 of the Treaty of Amsterdam, which has never been effectively deployed. President Barroso's cross-DG 'Task Force' announcement late in 2006 could be important in this – if anyone in the Commission is capable of providing committed drive and leadership.

### **(3) Policy environment**

3.1 Claims for the effects of the arts within mainstream European thought (as far back as Plato and Aristotle), social behaviour and politically determined action can, according to a recently published historical analysis, be grouped into eight broad categories.<sup>1</sup> Nevertheless the 'definition' problems (enshrined in the heavily compromised Article 151) which are present in almost all attempts to formulate cultural policy, persist.

3.2 Given that culture, so far as EU competence is concerned, is designated as a 'non-legislative' policy area, perfectly legitimate efforts to intervene at particular points can seem confused. As one seasoned observer has very recently put it "the EU remains a reluctant player in cultural policy making, especially in the current stasis caused by the failure of the Constitution."<sup>2</sup>

3.3 Our interviews with high-level representatives and operators, past and present, who have had or still have important connections with the EU, have confirmed just how deeply rooted the aforementioned misunderstandings can be. They frequently arise because there is no unifying agreement about values amongst the 27 individual states. Contrary to what is implicit in much of the loose rhetoric, there is no such thing as a single or recognisable 'European' culture.

3.4 The internal market and international trade are clearly understood in political discourse and action but, it was suggested to us by more than one interlocutor, the sole reason for culture being an EU 'issue' at all is the force of French protectionism. France has a sufficiently developed 'cultural' consciousness to enable it to formulate

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<sup>1</sup> Rethinking the Social Impact of the Arts: a critical-historical review, by Eleonora Belfiore and Oliver Bennett, University of Warwick 2006.

<sup>2</sup> Dragan Klaić – in a recent informal note to the CIRCLE Board (22.03.07).

and drive a concept which is perhaps neither particularly shared nor comprehended by most other European states.<sup>3</sup>

3.5 It would seem on the other hand that a substantial number of EU member states believe that the clear assignment of cultural policy to national subsidiarity in Article 151.5 is correct and entirely appropriate. They often do not recognise a concept of *espace culturel* as providing validity. There is no convincing overarching ‘European’ cultural identity in the broad (1.2, 1.3) sense, nor do most member states see any point in aspiring to such a formulation. They neither believe that a policy in terms of the specific (1.4) sense could confer any ‘added value’ nor that any such thing could be defined usefully or meaningfully delivered. By contrast, however, smaller EU member states are unlikely to be opposed to any small-scale funding initiatives which may be created and which could provide some direct financial benefit to cultural organisations and artists in their particular country.

#### **(4) EU Processes and instruments - the story so far**

4.1 It is instructive to review selectively a few significant examples of past actions to illustrate trends and good intentions in practice, without laying claim to any historical completeness or ‘scientific’ analysis. In parallel, our anecdotal commentary has been informed and enriched by the candid ‘insider’ views obtained through selective interviews with key knowledgeable and experienced individuals granted anonymity (see further at Note 2). This process has enabled us to formulate a number of key questions and issues on the main dilemmas for ‘culture’ within the EU context.

4.2 The central issue identified is the EU’s inability under the limited legal competence of Article 151 to deal with ‘culture’ in any meaningfully holistic way (‘competence’ in English has both a technical legal and a professional capability sense, both of which are germane to this reflection). Partly as a consequence of the political subtexts to the agreements secured from the individual member states to the original Maastricht ‘Culture’ Article 128, (varying from the enthusiastic to the somewhat grudging – see Note 1) culture can be treated almost in isolation and in rather contradictory ways. However, this may sometimes be in close relationship with other policy fields.

4.3 This is possible since the Article incorporates, in a rather undifferentiated manner, a wide range of understandings of what is meant by ‘culture’ as a sector, but which are never adequately defined. At one extreme it allows it to be treated as economically unviable (as ‘public merit goods’ in market failure and therefore a legitimate candidate for subsidy), or, by contrast, as an increasingly vital object of commercial trade (publishing, audio-visual, recording etc.).<sup>4</sup> In between, cultural aspects may appear as an instrumental means of helping achieve ‘higher’ social and developmental EU objectives (in Structural Fund SPDs, National Action Plans on

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<sup>3</sup> It is interesting to note that the methodology for the Council of Europe’s evaluation of national cultural policies, adapted from OECD education policy evaluation models, was largely devised by Culture Ministry officials from France and Sweden. Those were the first two countries to undergo evaluation – and the only two (out of the 24 reviews so far completed) to have fulfilled anything like the hoped-for level of aspiration in terms of technical methodology.

<sup>4</sup> cf. independent study report *The Economy of Culture* commissioned by DGE&C which describes culture as ‘Europe’s new secret economic weapon’ (published December 2006).

Social Inclusion etc.). The failure to bring these related agendas together onto a single and realistic continuum within the EU perspective means that there is a general undervaluing of its importance in relation to the everyday world of production and consumption and the texture and quality of life of the much cited but allegedly alienated 'citizen'.

4.4 How can we provide for sufficient clarity and consensus on possible ways of building the necessary alliances to broaden the existing rather limited sectoral and isolated approaches, taking account of the *Realpolitik* of the EU and its twenty-seven member states'? How can culture escape from its special interest and internally-focused *cul-de-sac* and join the significant traffic pounding the *Autobahn*? The contrasting parallel of the success achieved across the board by, for example, the environmental lobby, or social and public health policy is instructive.

4.5 Despite the existence of Article 151 and the DG for Education and Culture, the EU possesses neither any philosophy encompassing culture, nor the instruments with which to deal with it in a narrower sense (i.e. culture for its own sake). The consequence of these failings is that there is no intelligent or productive way of connecting culture to the internal market other than in an accidental, instrumental or entirely secondary way. Surprisingly high levels of expenditure on generalised cultural development have been achieved through the Cohesion and Structural Funds (e.g. on infrastructure and on training or retraining personnel etc.) over a period of at least twenty years. For much of this time, however, the DG responsible for 'culture' seems to have been unaware and uninvolved.

## **(5) The pattern of EU culture and a/v programmes and 'policies' over the years**

5.1 Various strands of policy – both overt and subliminal - involving culture were evident in EU actions from long before the negotiation of Article 151. These came about quite legitimately either through 'normal' trade-related processes (e.g. the Media Programme) or else through special intergovernmental agreement (e.g. to instigate the Year of Culture programme). Some of the key issues and instruments – in no particular date or priority order – are worth listing illustratively:

- MEDIA Programme
- European Capitals/Cities of Culture
- Examples of assistance through ERDF, ESF and EAGGF etc.
- Structural Fund sub-category programmes (e.g. LEADER, Interreg etc.)
- Effective Single Programme Documents (e.g. Ireland, UK Merseyside, Italy Mezzogiorno)
- Platform Europe small grants programme
- Kaleidoscope, Ariane and Raphael small grants programmes
- Culture 2000 programme
- Culture 2007 (general programme objective 'European added-value')
- European Parliament (and Committee of the Regions) Reports
- Research commissioned by DG Employment & Social Policy on culture and poverty/social inclusion.

5.2 As specific examples, eleven noteworthy ‘political’ milestones (not all of them as well known as they deserve to be) affecting culture along the route are mentioned:

- **Melina Mercouri** used her role as Minister for Culture of the Hellenic Republic (1981-89) during a Greek Presidency to try and raise the profile of culture at European level. One initiative was a consultative report ‘Culture for the European Citizen of 2000’ (based on the work of several specialist ‘expert’ working groups drawn from the professional cultural sector, and coordinated by the Commission’s DGX).<sup>5</sup>
- **The European Capital of Culture** series – authorised through specific inter-governmental agreement – started with Athens in 1985. A number of these have been successful, and the programme clearly has ‘visibility’. (The Europa website claims the programme “has become ever more popular with the citizens of Europe” although two independent evaluations tell a somewhat more mixed and complex story).<sup>6</sup>
- **Treaty of Maastricht Article 128** (agreed February 1992). Legitimising some EU roles in relation to culture, the Article essentially provides a back-up structure for cooperation and ‘added value’, ruling out any capacity to coerce or reform. Characterised as the EU’s ‘Maginot Line’ in culture – used both offensively and defensively. The Article contains the important, but dormant, general exhortation for the EU “to take cultural aspects into account in its actions under other provisions of this Treaty.”<sup>7</sup> This is important for our main conclusions.
- **Bates & Wacker Report (*Community Support for Culture*)**: independent study tracking – on standard definitions – EU expenditure on ‘culture’ over one complete budget cycle 1989 - 1993. Commissioned by DGX under instruction from Culture Ministers, published June 1993. (The study revealed that only 7% EU investment

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<sup>5</sup> The working groups covered different art forms, film, TV and broadcasting, and training and participation. Professor Fatouros’ final summary report, published 1989, emphasised the importance of opera as a ‘uniquely European art form creation’.

<sup>6</sup> Independent evaluations by John Myerscough Associates (covering cities from 1985 to 1994) and by Palmer-Rae Associates (covering 1995 to 2004).

<sup>7</sup> Consolidated as Treaty of Amsterdam (Rome) Article 151 – key points to note:

1. Stresses regional diversity *and* common European cultural heritage;
- 2 Legitimises inter-state cooperation (knowledge dissemination, conservation, non-commercial exchange, artistic, literary and a/v creation);
3. Encourages cooperation with ‘third’ countries and Council of Europe;
4. Covers cultural aspects generally under the Treaty;
5. Committee of the Regions input and consultation – adopt ‘incentive’ measures;
6. Specifically excludes possibility of *any* harmonisation of laws/regulations of the Member States relating to cultural policy;
7. Agreement on policy and budgets requires unanimity.

in ‘culture’ came from identifiable ‘culture’ budgets; 83% came from the Structural Funds. The remaining 10% related to research and exemplary ‘instrumental’ pilot projects).

- **Report of the European Parliament *The Situation and Role of Artists in the EU*** (published 1999). An attempt led by Helena Vaz da Silva MEP (a founding President of EFAH) to draw attention to the problems for artists arising out of the EU labour market and legal/social protection environment (also note her Report *Regional Policy and Culture*).
- **Report of the European Parliament *The Unity of Diversities: Cultural Cooperation in the European Union*** (published 2001), known as the “Ruffolo Report” after its active Chairman, recommended the basis for a rational expansion of cultural cooperation. Among the specific recommendations was the establishment of a European Observatory to monitor cultural co-operation, with the aim of promoting the exchange of information and co-ordination between the cultural policies of the Member States and European Union.<sup>8</sup> It raised questions regarding the implementation of Article 151, the coordination of the Culture 2000 programme and the low level of EU funding for cultural cooperation.
- **Rejection of the ‘Constitutional Treaty’ in France and the Netherlands** (2005) put on hold the institutional reform process that showed some signs of being the vehicle for renegotiating the Article 151 agreement on ‘voting by unanimity’ (Article III 181 & 217 etc). One direct result of this is a tendency to reduce fields of work and competences/remits of the EU while concentrating on broad topics.
- **EU President Barroso’s November 2005 Budapest speech** in which he made reference to the time having arrived to “mainstream culture in the EU’s major programmes”. Barroso – about one year later – announced that he would be setting up a cross-DG Task Force within the Commission to tackle this task but so far there seems to be little to show for it in terms of any real progress or initiative.
- **Adoption of the UNESCO Convention on Protecting and Promoting Diversity of Cultural Expression** (2005). In force since 18 March 2007, the Convention was successfully dealt with by the EU acting as unifying agent alongside the member states. The Council of Ministers for Culture adopted the Commission’s recommendations which ensured the Convention’s provisions were consistent with the *acquis communautaire* and EU policies and objectives. The agreement under the Presidency led on to ratification in December 2006 representing *de facto* a new step towards coherence between the 27 member states;

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<sup>8</sup> The crucial opportunity which was seized by the ECF in order to create the partnerships which have led to the LAB for Culture development.

- **Culture 2007 Programme Budget** agreed in 2006 with minor increase. However, following Romania and Bulgaria becoming full EU members from January 2007, the EU per capita expenditure on culture directly has decreased from the level it had briefly reached (to approximately 11 cents per capita per annum).
- **DGE&C open consultation Web site** made available in latter part of 2006 in order to gauge opinion in the professional sector and amongst the public about its roles in the future. Some major issues were revealed through the process, and results and detailed comments have been openly published. About 500 responses were made, although Eastern and Mediterranean Europe seemed to be very under-represented.

5.3 What do these random but significant ‘milestones’ tell us? On the positive side they demonstrate that both the **Commission** and the **Parliament** have fairly consistently been trying to achieve some progress, with the **Parliament’s Committee on Culture, Education and the Media** in particular showing itself well seized of the links between creators and producers and the major EU employment and legislative agendas. These attempts from a relatively weak position have however all too often become dissipated or lost in the complex bureaucratic procedures, often with the Commission itself under political pressure from those key sceptics – the member states which think they will end up paying the bills. Furthermore, they have been generally driven by committed and interested individual MEPs who are often quite well networked with the professional cultural sector. It is also perhaps worth noting that when there is a charismatic and determined Minister for Culture, initiatives may be driven through the institutional inertia and red tape.

5.4 On the downside, what is crucially missing that we might expect to find registering in any such listing? So far as the institution is concerned, the main absentees are the **Presidencies** and **Ministers of Culture**. The Commissioners for Culture from a relatively weak structural position have often tried hard and played a defensive role – but in a battle where the ‘opponents’ are not always too clear what the conflict is about. Partly as a result of this there seems to be great hesitancy on their part in leading any bold initiatives. The Commission’s **DG for Education and Culture** does what it can to keep the small-scale projects and schemes ticking over (shackled to onerous procedures and timescales which are a source of conflict with the professional sector) while the Parliament does sometimes see ‘the big picture’, but feels impotent to confront it in any meaningful way. The rest is conveniently hidden from view within ‘subsidiarity’.

5.5 For the arts and heritage interests, this can constitute a trap. In order to try and satisfy some of the demands from the sector, the DG involves itself in the formulation and running of small-scale project funds, justified under ‘value-added’ rhetoric. These schemes are encouraged by the Culture Contact Points the DG has helped initiate and establish in all the member states, often leading to over-demand and inevitable

disappointment. Beyond the interests of the sector itself they have little visibility. Any schemes set up to create such long odds on being a successful applicant are inevitably going to be contentious and unloved.

5.6 Those working as professionals within the cultural sector and creative industries are fully aware of the links and constant movement and exchange between the subsidised and the commercial worlds of creation and production. Politicians and bureaucracies often appear to assume a very old-fashioned (industrial economy) and inappropriate distinction between what is 'for profit' and 'not for profit'. EFAH, founded in 1992, claims to represent at least 5,000 cultural organisations throughout Europe. The European Music Office, founded 1995 (with an Observatory instituted in 1998) claims to represent the interests of at least 600,000 professionals and 500,000 amateurs.

## **(6) Assessment of what the record and history so far tell us**

6.1 If it is accepted that the above contextual description and overall picture is approximately right, it should be possible to make some valid deductions to help formulate the key issues which constitute consistent features seen as 'problems' for the sector. Whilst they are clearly not all of equal weight, a general listing of the ongoing issues may clarify thinking and help define targets for future progress:

- Departmental 'silo' culture dominating the Commission prevents lateral connections being made (Article 151.4);
- Commissioners for Culture have rarely been viewed as major players;
- Considerable EP efforts have consistently been thwarted by the European Council/Commission axis and powerful member states;
- Inflexibility of dedicated culture programmes and inappropriate timescales;
- The Commission is ill-equipped and understaffed to manage programmes of this type besides the limitations of career motivation and appropriate expertise amongst DGX/DGE&C staff;
- The professional culture/heritage sector has invested huge time and energy into lobbying for very small-scale results – which are more generally seen as marginal;
- Formal evaluation for the Commission of projects/schemes (e.g. of Culture 2000 Programme) has had limited technical scope and eschewed Article 151.4 implications;
- Susceptibility of EP and Commission to unstrategic lobbying by high profile causes and individuals, and continuing doubts about the legitimacy of actions;
- Suppression of cross-sector and developmental initiatives by individual Commissioners protecting their own areas of policy;
- Evaluation patchy and good practice not shared/disseminated [ERDF/ESF etc.]
- Quality/Quantity analysis and the compromised evaluation of the 'Culture 2000' programme.

6.2 Five key observations arising for the professional sector arise out of our investigations and are worth summarising again:

- (1) the positions of both the Commissioner and the DG are relatively weak;
- (2) the professional sector expends considerable effort in seeking money for purposes it sees as its own priorities;
- (3) the resulting minor projects and schemes continue to be contentious and largely invisible in broad EU terms;
- (4) there is a general lack of understanding that it may only be through connecting the arts and heritage to other mainstream agendas that their own status and position can be improved;
- (5) the professional sector's fears and suspicions concerning 'instrumentalism' contribute to a perceived *prima donna* attitude which can further entrench the sector's isolation.

6.3 Because of culture's diffused and non-legislative position within the EU structures, coupled with the lack of any clearly understood and accepted definitions, much of the resulting discussion and unfocused lobbying is conducted at the level of 'meta-speak' (cf. 1.2, 1.3) with little or no connection to practical realities or opportunities (1.4). In order to make some impact on 'mainstream' policies, the focus surely has to shift (to paraphrase US President John F. Kennedy) to 'what can culture do for Europe', rather than 'what can Europe do for culture?' In this seems to reside President Barroso's more open attitude. Barroso has been complimentary about the impact of the *70 Cents for Culture* campaign but the question remains; had the campaign achieved anything like its major objective, what exactly would the increased financial appropriations have been used for, how would this have been defined in practical terms and who would the beneficiaries have been?

6.4 The main focus of the Commission's DG for Culture since the Treaty of Maastricht Article 128 came into being has been external to the sector's expressed needs rather than internally across the Commission. Contrast the strictly limited success of this approach with, say, the equally 'non-legislative' DG responsible for Public Health. It has managed to create powerful links across national borders with its professional and voluntary sectors and NGOs in the individual member states, thereby having a real influence on broader EU policy. The Social Platform (in whose operation the Commission has invested €600,000) would provide another excellent example of a successfully collaborative way of working where the Commission invests in and harnesses its own natural allies. A good and relevant current example of this would be the Civil Society Platform for Intercultural Dialogue.

## **(7) Summary of the relevant forces at work**

7.1 The debate around culture is constantly confused. People not surprisingly feel let down or grow disaffected as a consequence of two main contradictory forces:

(a) Many of the member states while paying lip service to 'European' ideals have done little to demonstrate any active adherence to those beliefs. 'Culture' (1.4 sense) in particular is often regarded and treated - by politicians - as some sort of bastion of nationalism which governments do not wish to see eroded. Article 151.5's Maginot Line provides adequate cover for this fundamentally 19<sup>th</sup> century mindset. Whether it is admitted or not, the mostly hierarchical central government structures and machinery perpetuate an 'internal' country focus which creates obstructions to genuine cross-border cooperation or 'big ideas'. The forums in which EU member state ministers (culture and other) meet jointly around common agendas tend to be 'ritual', symbolic and/or regulatory and defensive rather than having any primary shared or outward-looking purpose. The customary 'national identity' reasoning of member state government politicians strongly implies that they must strive to retain control to prevent any erosion.

(b) The professional cultural sector (and possibly 'citizens' more generally) had high hopes of the EU as the institution's optimistic aspirations and internationalism to some extent seemed to mirror their own inclinations and positive beliefs about the European future. They expected doors to open – which have not. It may even be that the increasing political and economic emphasis on the 'creative industries' is further consolidating competitive national policy lines of demarcation and leading to utter policy confusion in relation to 'instrumentalism'.

7.2 Not only as a consequence of the electronically linked internet and increasingly 'borderless' world, the professional cultural sector is more and more operating organisation to organisation, bypassing the slow and bureaucratic formal structures. While the available technology means that many art forms are speeding up their modes of working collaboratively, the formal hierarchical structures at the national, and even more at European, level seem to be increasingly out of step with the practice they may with good intentions wish to support and encourage. Creative people work with ideas at the speed at which they occur. Bureaucratic funding schemes inevitably cannot cope with that pace and are therefore often seen as well-meaning but inappropriate or unable to assist. Nevertheless, artists and performers across the world are misdirecting creative energy in the endless quest for small sums of public money from grants schemes.

7.3 One former Minister of Culture we consulted stated that while he had usually been impressed by the calibre of officials and advisers around the relevant Commissioner, he had consistently been 'depressed at how fantastically difficult it was to take forward even the simplest initiative'. Commission officials, for their part, observed that member states only very

rarely came to the Culture Council with ideas. Despite the apparent opportunity of the Lisbon Agenda's emphasis on 'creativity' in developing the future directions of the EU, the Agenda itself was perhaps overcomplicated. The inflated rhetoric of cultural policy for its part is insufficiently precise to offer any real assistance in finding *practical* ways in which culture might be usefully and productively harnessed to the broader opportunities that undoubtedly exist.

7.4 The general view we encountered from our interlocutors of the professional sector's 'demand' for money was that this was something of a wild goose chase. Article 151 is not up for any radical renegotiation and President Barroso's position is already clear. His thinking on 'culture' seems to be that it has a role to play in the 'European response to global agendas'. The targets are extremely broad, and without greater focus and capacity to engage, the issue is likely to remain at the margins.

## **(8) Conclusions and issues arising directly out of our consultation process**

8.1 **The cultural lobby:** seemed to be perceived by most of the experienced external observers we consulted as weak and divided, with little real visibility as a force to be seriously reckoned with. Even when its help is actively sought, its efforts to advise can seem confusing and/or contradictory. Furthermore, it comes across as defensive, sectarian, and a shrill protest voice (on its own behalf) which expresses little interest in, and makes only minimal positive contribution to those agendas which matter most to the EU and to 'citizens' more generally. The '70 cents for Culture' campaign achieved some visibility, probably because it successfully managed to harness broad sector agreement, but nevertheless seemed to lack sufficient focus on 'what we can do for Europe'.

8.2 **Reciprocal trust:** is in rather short supply. Although a small number of the professional arts/heritage networks and foundations have through considerable effort improved relations and respect with the Commission, their influence is strictly limited – not least because they are regarded (rightly or wrongly) as quarrelsome and disunited (and their membership may not always agree). The Commission's moves to 'open up' has only managed to change attitudes on the part of the professional cultural sector slightly. Until the DG has some real policy achievements to show, it will be engaged with only 'because it's there'. In contrast to certain other DGs in similar non-legislative positions, it is not credited with 'investing in its own sector and lobbies', regarding them more like some sort of opposition rather than as obvious allies. The Commissioner's position is seen as weak. The newly created Executive Agency for Education, Audiovisual and Culture (EACEA) is neither properly independent nor any closer to the values and practice of the sector itself than was previously the case and the continuing roles of certain individuals is seen as a problem.

8.3 **Article 151:** no need or justification for major revision is foreseen. In terms of procedure a move from unanimity to QMV would probably be

helpful. However, the drafting makes it absolutely clear that ‘top down’ cultural policy is a non-starter. This should strengthen and give more importance to the professional networks (cf. social policy) and heightens the need for the DGE&C to invest in what its ‘sector’ can contribute to the EU more generally. Failure to make use of Article 151.4 is a glaring omission. President Barroso has provided an opportunity for culture to raise its own profile which in turn could help create some space for culture *qua* culture.

**8.4 Defining the agenda:** nobody seems to create or define the terms which could lead to positive action. All the institutions blame each other (member states, the Commission, the European Parliament, the Committee of the Regions - which has tried unsuccessfully to promote a much broader understanding of the cultural remit – and the professional cultural sector). While the Commission does from time to time attempt to fill this vacuum, the complicated procedures and Article 151 constraints tend to mean that only small ideas can slip through, and often for no very convincing reasons. Any actions that do arise tend to be disconnected from the major programmes, and other DGs have gone their own ways without any coordinated reference to DGE&C. Nevertheless, education *through* culture is an accepted theme enabling connections to be made with other agendas and to hitch to those bandwagons.

**8.5 Regulation not Budgets:** While the sector focuses on DGE&C in its attempts to secure increases in small designated budgets, the ongoing regulatory activity elsewhere in the Commission can have a huge and costly knock-on effect on working practice and the environment within which culture and heritage operate. This is rarely foreseen either by the DG, or by Cultural Ministries in the member states. Reaction from the sector usually therefore falls into the category ‘too little, too late’. In this regard, culture’s being ‘semi-detached’ from the major programmes and initiatives can be a serious disadvantage which emphasises the urgent need to connect and work with the existing grain. Examples of this include Directives with laudable intentions but which usually do not admit of exceptions. They are designed to have universal application and therefore need to be given more priority by the sector than is currently the case.. Examples of ‘culture’ being caught would relate to, e.g.

- Working time
- Employment conditions
- Direct (junk) mail
- Copyright

Perhaps more than any other aspect, this inescapable reality underlines the need for the professional sector and its stakeholders to engage at a very practical level in EU policy as it develops. The cultural networks are, however, very poorly resourced and have rather limited capacity. Because they are membership driven they also need to pay constant heed to the ‘lower level’ concerns of their members. A more systemic involvement in programmes with universal applications (e.g. Leonardo, Erasmus, Erasmus

Mundus etc.) would cause much earlier recognition of impending problems.

**8.6 Sector specific programmes:** while there is a case for something along these lines, they need to be designed within a much broader context. At the moment they can look suspiciously like an alibi for failing to tackle the things that really matter

**8.7 Appropriate lines of action to be pursued:** the positive suggestions for initiatives we encountered tended to focus on possible actions which seemed to be well within the scope of Article 151. These included assistance for programming and promoting culture from member states in third countries and enhanced mobility for artists (in both directions). The need for some kind of Erasmus/Leonardo programme designed for culture was a consistent suggestion. A number of our informants referred to Islam, feeling that the EU could and should be doing much more to demonstrate that culture not only separates but positively binds together, in order to promote a more positive image of immigrants. Literary translation and European film dissemination were also highlighted as vitally important, requiring more active European help and encouragement.

## **(9) Afterword**

One of our interlocutors revived the notoriously illusory or false Jean Monnet ‘quotation’ by postulating “what would Monnet have done - in *practical* terms - had he started with culture?” The following anecdote – which at least has the virtue of being genuine – may offer a clue.

Though never elected to public office, Monnet was nevertheless a hugely influential ‘pragmatic internationalist’ in the post-war era, whose vision was informed by a civilised and tolerant European ideal. He initiated a competition in May 1953 to select 18 students (three each from the then six pre-Treaty of Rome partner states) to share a bus trip around the six countries and make an educational film documenting their shared discovery of ‘Europe’. The cumulative total for the EU’s Erasmus programme by 2012 is likely to be three million student exchanges. Monnet believed that what really mattered was “building union among people rather than cooperation between states” and he argued that this kind of cultural exchange was important for young people since:

“acquainted with all that is great and good in different cultures, without ceasing to look to their own lands with love and pride, they will become Europeans”.

## **Note 1**

The ‘Culture Article’ 151 (originally Treaty of Maastricht Article 128) has since 1993 provided the general legal competence that had been missing until then. This formulation aimed to remove any threat of challenges from member states to the EU for straying onto cultural territory, but in a significantly restrictive way. The agreement itself actually had to reconcile two very different attitudes exhibited by member states. A key part of the successful negotiations astutely conducted by Jacques Delors, as President of the Commission, to secure agreement was the inclusion of:

- (a) a clear subsidiarity clause, and
- (b) the requirement for unanimous voting on proposals and budgets. This is further complicated by the need for certain national governments to respect the location of responsibility for culture within their federal (or quasi-federal) constitutions – notably in Germany, Austria, Belgium and, increasingly, Spain.

The potential fault line in securing this agreement ran approximately East-West. The Mediterranean EU member states, with a limited amount of moral support from further afield, had quite ambitious motives. Acutely conscious of the growing financial burden of maintaining and protecting their extended heritage, they were eager to find ways of supplementing their local and national budgets. France, characteristically and consistently, argued for ‘Europe’ to have some cultural capacity. At the same time, a group of predominantly northern European countries (Germany – in the throes of facing up to the economic and social costs of reunification, Denmark, The Netherlands and the UK in particular) became convinced of the need to define legal competence in order to limit, manage and *control* any programmes and budgets that might now be created.

The subsidiarity clause meant that the EU would be obliged to restrict its proposals and financial support to cultural cooperation *between* the member states, possibly with some supplementary actions; that is, specifically excluding any interventions, or EU-imposed reform or standardisation, affecting national, regional or local cultural policy systems. The significance of the unanimous voting procedure is that if only one of the 27 member states objects to a particular proposal or budget, it can quite properly threaten or exercise a veto (as has happened in negotiations over rather small budgets). Hopes for a change of rules to the less restrictive Qualified Majority Voting (QMV) system at some future date have been dashed for the time being as a result of the French and Dutch referendums on the ‘European Constitution’ in 2005.

## **Note 2**

Quite a number of important interlocutors kindly agreed to participate in our background research – under ‘Chatham House’ rules (i.e. they were free to be candid and outspoken in return for not being quoted or having particular opinions ascribed to them). These people covered the following categories:

- a former EU Commissioner
- a former national Minister for Culture and President of the Culture Council
- a former national Permanent Representative in Brussels
- an EU policy coordinator
- Members of the European Parliament
- A former MEP, Budget Rapporteur to the Culture Committee
- Senior Officials of the European Commission
- National Culture Ministry officials
- Leaders and officials of professional European cultural networks.

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