

FRAMING CULTURE IN THE EUROPEAN UNION: THE CASE OF ‘A EUROPEAN AGENDA FOR CULTURE IN A GLOBALIZING WORLD’

By
Kristína Hrvol'ová

Submitted to
Central European University
Department of International Relations and European Studies

In partial fulfillment of the requirements for the degree of Master of Arts

Supervisor: Professor Annabelle Littoz-Monnet

Budapest, Hungary
2007

(WORD COUNT: 16.756)

ABSTRACT

The paper addresses the issue of framing culture at the EC/EU level in order to identify what types of frames have been used in this policy field so far and which one is currently prevailing. The greatest part of the thesis is dedicated to the analysis of the recent Commission's Communication on "*a European agenda for culture in a globalizing world*". By setting long-term objectives and establishing the open method of coordination, this document presents a policy breakthrough. The thesis argues that it was exactly the way in which this document is framed that enabled it to come into existence and secured its relatively prompt adoption.

The thesis identifies that the Communication contains three different frames interconnected through the concept of European 'cultural richness and diversity': frame 1: 'Creative economy and the Lisbon Strategy', frame 2: 'Cultural Diversity and Intercultural Dialogue', and frame 3: 'External Relations'. It finds out that the 'creative economy' framework dominates and will probably continue so in the near future. It argues that this framework and its prevalence is in line with the way culture has been so far framed within economic categories.

Besides framing, the thesis also deals with the issue of agenda setting. It identifies that the DG EAC took advantage of a 'window of opportunity' which it actively sought to co-create, and ascribes the document's success to a unique constellation of factors.

TABLE OF CONTENTS

INTRODUCTION	1
CHAPTER 1 – LITERATURE ON FRAMING AND AGENDA SETTING	4
1.1 FRAMING	4
1.1.1 Framing according to Rein and Schön	5
1.1.2 Framing according to Kohler Koch	6
1.2 AGENDA-SETTING	9
1.2.1 Baumgartner and Jones’ approach to Agenda-Setting	9
1.2.2 Mark A. Pollack’s Assumptions about Agenda-Setting Powers of Supranational Bodies	12
CHAPTER 2 – OVERVIEW OF FRAMES APPLIED IN CULTURE AT THE EC/EU LEVEL	15
2.1 FRAMING CULTURE WITHIN ECONOMY	15
2.1.1 Market Liberalization and Four Freedoms	16
2.1.3 Economic development and the Structural Funds	19
2.2 FRAMING CULTURE WITHIN ‘EUROPEANESS’	22
2.3 FRAMING CULTURE WITHIN EXTERNAL RELATIONS	26
CHAPTER 3 – FRAMING IN THE COMMUNICATION ON ‘A EUROPEAN AGENDA FOR CULTURE IN A GLOBALIZING WORLD’	28
3.1 FRAMING THE NEW AGENDA FOR CULTURE	29
3.1.1 Frame 1: Creative Economy - the Lisbon Strategy Framework	32
3.1.2 Frame 2: Cultural diversity and Intercultural Dialogue	37
3.1.3 Frame 3: External Relations	39
CHAPTER 4 – AGENDA SETTING AND THE COMMUNICATION ON ‘A EUROPEAN AGENDA FOR CULTURE IN A GLOBALIZING WORLD’	45
4.1 ACTORS’ POSITIONS – CONSENSUS OF NUANCED CONCERNS	45
4.1.1 The Council of the European Union – Concerns about Subsidiarity	46
4.1.2 The European Parliament – Critical Comments in Advocacy of Culture qua Culture	47
4.1.3 The Committee of the Regions – for European Capitals of Culture and the Structural Funds	49
4.1.4 The cultural sector	50
4.2 GETTING CULTURE ON THE EU AGENDA	52
3.3.1 Constellation of Factors	53
CONCLUSION	57
BIBLIOGRAPHY	60

INTRODUCTION

In May 2007 the European Commission came up with a breakthrough policy document – the Communication on “*a European agenda for culture in a globalizing world*”. The document presents the first ever long-term strategy in the field of culture and sets policy objectives to be addressed by all the involved stakeholders – the EU institutions, the Member States and the cultural sector. Moreover, the Communication is a milestone in terms of the policy instruments – it introduces the ‘open method of coordination’ (OMC) into the area of culture. Given the sensitivity of culture as a policy domain, the emergence of such an ambitious document is surprising.

However, this Communication has not been addressed in any comprehensive academic research yet. The only contribution from academia is an article written by Dr. Craufurd Smith for the June issue of EU Observer and another one she wrote for EFAH, otherwise the Communication is examined mostly in the light of practical implications by cultural policy analysts from European cultural networks voicing culture at the EU level. Therefore the thesis aims to fill this gap by analyzing this important policy document from the perspective of framing and agenda setting theories.

How policy issues are framed, how they get on the EU agenda and why exactly at the particular moment of time are important questions asked in the European Studies. Although originating in public policy and decision-making, the theories of framing and agenda setting were found useful in order to investigate the proceeding of European integration in various policy fields. The fact that culture is understood as a classic bastion of the nation state’s sovereignty and a pillar on which its identity rests, coupled with the emergence of the Communication, makes it an extremely interesting field for applying these approaches.

The taken-for-grantedness of the relation between nation state and culture sheds light on how problematic the matter of speaking about culture at the supranational level results and how reluctant the member states to pull their sovereignty in this policy area are. Therefore, any attempt to formulate actions concerning culture at the EC and later the EU level has needed, probably more than any other policy field, a proper and persuasive framing – i.e. a simple but persuasive ‘narrative’ to tell in order to justify supranational intervention and mobilize actors in support of it.

This thesis sets as a goal to investigate exactly the use of such narratives in the field of culture at the EC/EU level with special attention paid to the recent Communication. The research question it aims to answer is: *“What kind of frame is prevailing in the area of cultural policy at the EU level today?”* There are a couple of partial tasks resulting from the research question. The different frames that have appeared throughout the policy domain’s development have to be identified. This includes the identification of the frame’s sponsors and the policy tools each frame enables to establish. There is also a partial research question concerning the Commission’s Communication – i.e.: *“What kind of factors enabled the document’s emergence and why it has emerged right now?”*

In order to answer these questions, the thesis draws upon Rein and Schön’s method of ‘frame-critical policy analysis’ and applies it to analyze the EU official documents and speeches in the field of culture. The methodology is complemented by personal interviews with Mr. Vladimír Šucha, the Director of the DG EAC, and with cultural policy analysts from EFAH, Mrs. Daphne Tepper and Mrs. Zora Jaurova. The interviews were obtained during the high-profile conference “Diversity Connects – Intercultural Dialogue 2008” and a seminar on international networking, both held in Bratislava. Where relevant, the thesis refers to some of the conferences’ speeches or contributions to panel discussions.

The thesis is divided into four chapters. The first – theoretical one presents important authors in the area of framing and agenda setting (Rein and Schön, Kohler Koch, Baumgartner and Jones, Kingdon, Pollack) and builds a theoretical framework for the following chapters.

The second chapter contains a brief overview of frames that have been applied in culture so far, arguing that framing culture within economic categories has been the most salient one.

The next two chapters are dedicated to the 2007 Commission's Communication. The third chapter deals with the document from the perspective of framing and applies Rein and Schön's method of frame critical policy analysis in order to detect which frames are contained in the document. Once identified, the frames are examined in the light of Kohler Koch's assumptions about successful framing. It argues that the 'Lisbon Strategy' frame has the most convenient heuristic and is serving the interests of the DG EAC the most.

The fourth chapter connects the way the document is framed with the questions of agenda setting. It investigates how the other actors (the Member States, the EP, the Committee of the Regions and the cultural sector) responded to the Commission's proposal. It also answers the partial research question by identifying which factors enabled the document's emergence and adoption.

CHAPTER 1 – LITERATURE ON FRAMING AND AGENDA SETTING

Since the research question concerns identification of frames that have been used in culture at the EU level, as well as touches upon how culture gets on the EU agenda, this chapter presents literature on the two relevant theoretical approaches – framing and agenda setting. It argues that the two are closely interrelated, because the way an issue is framed determines its ability to get on the agenda. It shows that such a link in the literature is represented by the Kingdon's concept of a 'window of opportunity' – a situation that is extremely favorable for policy adoption.

1.1 Framing

Framing as a theoretical approach is “interested in discovering why among a vast array of possibilities a particular concept is considered to be convincing.”¹ Although it comes from the area of decision-making theory, its substance has been continually broadened and the approach has been found useful also in the European Studies.

The approach has been pertinently developed in the work of Rein and Schön who present a broader definition of what frame and framing is, explain how frames can be constructed and provide frame analysts with basic guidelines and methodology how to proceed in their analysis. Their method was applied to the European Studies by Kohler Koch, who elaborated on a set of characteristics that a frame has to have in order to become successful, i.e. prevail in the policy discourse.

¹ Beate Kohler Koch. “Framing: the bottleneck of constructing legitimate institutions,” *Journal of European Public Policy* 7:4 October 2000, page 516.

1.1.1 Framing according to Rein and Schön

Rein and Schön define frames as „strong and generic narratives that guide both analysis and action in practical situations. ... (Frames) underlie the particular problem-setting stories one finds in any particular policy controversy. These generic story lines give coherence to the analysis of issues in a policy domain, often through reliance on a unifying metaphor“.² Therefore framing can be characterized as „a way of selecting, organising, interpreting and making sense of a complex reality so as to provide guideposts for knowing, analysing, persuading, and acting.“³

What is important, is the emphasis on the frame's potential for action. Frames matter because they are used to legitimize actors' claim for resources. According to Rein and Schön among competing frames, that almost always exist in a policy terrain⁴, those are the most likely to win that “'hitch on' to norms which resonate broader culture themes in society”.⁵ However, the relation between frames and interests is of reciprocal nature, as frames also co-define actors' interests by shaping and constraining the policy discourse.

However, frames are not easily recognizable at the first sight. In order to study them, we need to construct them. For this purpose, Rein and Schön advise to use two groups of evidence: ‘rhetorical frames’ – both oral and written, such as texts and speeches important in the policy discourse; and ‘action frames’, i.e. the actual policy practice.⁶ The task of the analyst is to ask what gives the policy practice, text or speech “its appearance of coherence, persuasiveness, and obviousness.”⁷

² Martin Rein, and Donald Schön. “Frame-critical policy analysis and frame-reflective policy practice,” *Knowledge & Policy*, Spring96, Vol. 9 Issue 1, page 5.

³ Martin Rein and Donald Schön. “Frame-reflective policy discourse,” In: Wagner, P. (ed.), *Social Sciences and Modern States: National Experiences and Theoretical Crossroads*, Cambridge: Cambridge University Press, 1991, page 516.

⁴ Rein and Schön, above n 2, page 11.

⁵ Ibid., page 6.

⁶ Ibid., pages 6-8.

⁷ Ibid., page 7.

Frame-critical policy analysis as proposed by Rein and Schön should consist of two subsequent stages. First, the analyst has to identify the competing policy frames, the way these frames are constructed, who are the frames' sponsors (e.g. officials or interest groups) and determine the relevant forum where the policy discourse takes place. Here, it is necessary to be cautious because the identification of frames may reveal the analyst's own biases or be influenced by the way the frame boundaries are set.⁸

In the next step, the analyst should study the career pattern of a particular frame - whether it has become dominant or, on the contrary, marginal over time; or whether the process of reframing has occurred - whether the frame has been extended or blended.⁹ It is important to investigate reframing, because it is usually linked to the occurrence of 'windows of opportunity' in the given policy area.

1.1.2 Framing according to Kohler Koch

Kohler Koch builds upon Rein and Schön's method of framing and applies it in order to determine the competing frames in the debate on the future nature of the political system of the European Union.

Kohler Koch perceives framing as a "promising approach to evaluating what kind of conceptual models will prevail and why some gain precedence over others. Framing is a process of discriminating between various options. It follows a certain decision-making heuristic, it is highly context-specific, and it is dependent on the particular attributes of the issue at stake."¹⁰ She puts emphasis on the role of frames in making sense of ill-defined situations or complex reality and offering options upon which to act.

⁸ Ibid., page 9.

⁹ Ibid., page 16.

¹⁰ Kohler Koch, above n 1, page 513.

She also asks the question what set of characteristics makes a frame successful and she comes up with two groups of frame properties. First group of properties consists of the concept's presence in the relevant policy discourse and its usefulness and utility in terms of the solutions it offers. On the other hand, the second group of frame characteristics has to do with the concept's heuristics.¹¹

Kohler Koch stresses that in order to become salient; the frame has to be first of all present. Logically, if actors are not aware of it, it cannot become a frame of their reference. But when a frame gains a high profile, it cannot be easily ignored, nor by its opponents.¹² There are three possibilities for the frame's presence. It can be present: "in public discourse either in the media or among the functional élites, in the daily practice and political routines of an organization, or incorporated in the basic regime of an institution."¹³

However, the presence of the frame itself is not enough. It has to offer pertinent solutions for the respective policy area or have the potential to bring new dynamics into the policy development. According to Kohler Koch, "this might be the case when a concept is put in line with (1) a previous mutual consent and (2) a familiar and tried strategy. A concept that is expected to meet the normative aspirations and the functional demands of a group has a band-wagon effect."¹⁴

What regards the frame's heuristic, Kohler Koch claims that short cuts have especially high likelihood to become successful because usually there is no time and place for a complex analysis and it would be also difficult to communicate to the broader public. Kohler Koch recognizes these four types of short cuts for successful frames of reference: "(1) a parsimonious cognitive model, (2) a reminder of positive experience, (3) a link to internalized categories of traditional thinking, and (4) an indication that experts and opinion leaders share

¹¹ Ibid., page 516.

¹² Ibid., page 516.

¹³ Ibid., page 528.

¹⁴ Ibid., page 516-517.

the concept.”¹⁵ Overall, successful frames have mostly simple heuristic that can be a “prototype matching ... reduced to looking for a frame to match some surface indicators.”¹⁶

To sum up, a frame that is most likely to become successful, is the one which is present and visible in the policy debate, best if supported by experts; it offers effective solutions to problems; it is based on a very simple heuristic, easily understandable with positive connotations, either recalling positive memories or building on a previous; or linked to deeply rooted belief systems.

However, what also co-determines the salience of a particular frame according to Kohler Koch, is the institution that is assigned to deal with the policy. Here, the institutional interest may act in favor or against the frame, and eventually lead to its reframing. But institutional interest alone cannot explain everything, the self-image of the institution (e.g. the Commission’s role as a motor of the European integration) together with the norms embedded in it, may limit the number of acceptable frames. Moreover, frames may also be preselected by the initial situational conditions under which they emerged or are characterized by path-dependency.

The works of the above presented authors are of highest relevance to the research question aimed at identifying frames within which culture has been wrapped at the EU level. Therefore, in the following two chapters of the thesis I will draw upon Rein and Schön’s definition of a frame and base my methodology on their guidelines for frame-critical policy analysis. Parallel to this, I will also investigate whether the identified frames show some of the characteristics enumerated in Kohler Koch’s work and in what way these contribute to the frame’s success.

¹⁵ Ibid., pages 516-517.

¹⁶ Ibid., page 521.

However, framing alone is not sufficient for investigating the conditions under which a supranational body, e.g. the Commission, can increase its agenda-setting powers in policy areas where it has a limited competence. This kind of explanation is provided by the studies of agenda-setting. The two approaches are not contradicting; on the contrary they complement each other, because there is a direct link between framing and agenda-setting. Issues have to be framed in particular way, or as Kohler Koch put it they “have to display certain properties to get on the agenda.”¹⁷

1.2 Agenda-Setting

Similarly to Framing, Agenda Setting Theory comes from the area of public policy. It has been developed mostly in the U.S. context, but has also been found useful in studying political processes within the European Union. Because, „the common core of policy agenda research is attention to the dynamics of how new ideas, new policy proposals, and new understandings of problems may or may not be accepted in the political system“¹⁸, thus theory is helpful in explaining why and under which conditions issues appear, rise and fall on the EU agenda.

1.2.1 Baumgartner and Jones’ approach to Agenda-Setting

Baumgartner and Jones’s work bridges framing and agenda setting by focusing on the questions related to issue definition. Because appearance of issues on agenda and their career pattern is closely linked to the way in which these issues are defined.

¹⁷ Ibid., page 526.

¹⁸ Frank R. Baumgartner, Christoffer Green-Pedersen, and Bryan D. Jones: “Comparative studies of policy agendas,” *Journal of European Public Policy* 13:7 September 2006, page 960.

In the 90s, Baumgartner and Jones developed their theory of agenda definition around the interaction between policy images and policy venues. Policy venue refers to an institution or governmental level that deals with a given policy issue, while policy image is defined as a way “policy is understood and discussed.”¹⁹ Each policy image is in Baumgartner and Jones’ view composed of empirical and evaluative aspect ranging from positive to negative, which they call tone.²⁰ Policy images are in fact similar to Rein and Schön’s frames²¹. They play a vital role in bringing the previously ignored or neglected issues on the agenda. In order to be understandable to the broader public, policy images are also communicated in a simplified and symbolic manner in order to be easily understandable.²²

Baumgartner and Jones’ venue and image approach is a dynamic one. They do not agree that path-dependency can explain the whole career pattern of an issue. Of, course long periods of stability are characteristic for most of the policy issues, but from time to time dramatic changes do appear. Investigating conditions enabling policy breakthroughs is closely linked to John Kingdon’s concept of ‘window of opportunity’. A ‘window of opportunity’ or ‘policy window’ is usually a short lasting situation that is extraordinary favorable for an issue to get in the center of policy makers’ attention. According to Kingdon, such a window comes to existence, when all three streams – the problem identification, the policy proposal, and the politics, that usually operate independent of each other, are coupled together, i.e. when the political climate favors attention to the identified problem and the policy proposal is recognized as the problem’s solution.²³ When there is also policy entrepreneur that waited for this ‘policy window’, radical policy change will occur.

¹⁹ Frank R. Baumgartner, and Bryan D. Jones, Bryan. *Agendas and Instability in American Politics* (Chicago : University of Chicago Press, 1993), page 25.

²⁰ Ibid., page 26.

²¹ In his 2007 paper: “EU Lobbying: A view from the US”, Baumgartner speak directly about venues and frames.

²² Baumgartner and Jones, above n 19, page 26.

²³ John W. Kingdon. *Agendas, alternatives and public policies* (London: Longman, c1995), page 188.

In their work, Rein and Schön also made reference to Kingdon's 'windows of opportunity'. They associated these windows with occurrence of reframing. Baumgartner and Jones principally agree with this Rein and Schön's assumption, when they state that "issues rarely rise or fall on the agenda without significant changes in how they are understood or what policies the government considers."²⁴

An important category that Baumgartner and Jones developed within their image and venue model is represented by the so-called 'venue shopping'²⁵. 'Venue shopping' is based on the idea, that different institutional venues favor different policy images. Here, Baumgartner identifies a direct relation between venue-shopping and framing. According to him, the way a policy issue is framed may in fact decide to which venue the issue will be assigned, and vice-versa, the initial venue assignment has an influence on the way the issue will be framed.²⁶

However, in a multi-level system such as the European Union, a policy entrepreneur cannot easily change the policy frame according to the venue. The frame that enters the EU arena, Baumgartner claims, has to show a certain level of stability and consistency.²⁷ But not only venue can be decisive in the way a frame will look like. Baumgartner also comes up with the idea of geographically biased frames. "Place matters. In the EU, because of the history of 'market integration' as a driving force, terminology associated with harmonization and free exchange may more often find its way into the policy process."²⁸

²⁴ Baumgartner, Green-Pedersen and Jones, above n 18, page 960.

²⁵ Baumgartner and Jones, above n 19.

²⁶ Frank R. Baumgartner. "EU Lobbying: A view from the US," *Journal of European Public Policy* 14:3 April 2007, page 484.

²⁷ Ibid., page 486.

²⁸ Ibid., page 485-486.

1.2.2 Mark A. Pollack's Assumptions about Agenda-Setting Powers of Supranational Bodies

In his work *'Delegation, agency, and agenda setting in the European Community'* Mark A. Pollack, theorizes conditions that increase agenda setting powers of EU's supranational bodies, with particular attention paid to the European Commission. In this regard, he distinguishes two types of agenda setting power – formal and informal.

Formal agenda setting power of a supranational body, according to Pollack, is determined by these factors: the right of the supranational body to propose legislation, voting rules applied in a given policy area, rules governing the proposal's amendment, distribution of preferences among the supranational agent and its principals (i.e. the Commission and EU member states), and the relative time horizons or impatience of the principals when waiting for new legislation.²⁹

The Commission's formal agenda setting power therefore varies according to the procedural rules applied when adopting legislation (consultation, co-operation and co-decision) and is greatest where qualified majority voting applies. However, in policy areas subjected to unanimous voting these conclusions have only a limited explanatory power. What is more suitable in this case are Pollack's observations about the way the Commission can increase its informal agenda setting powers.

Pollack claims that "even where the decision rule among member states is unanimity, the Commission might nevertheless 'set the agenda' by constructing 'focal points' for bargaining in the absence of a unique equilibrium or by constructing policy proposals and matching these to pressing policy problems in an environment of uncertainty and imperfect

²⁹ Mark A. Pollack. "Delegation, agency, and agenda setting in the European Community," *International Organization* 51, 1, Winter 1997, pages 122-124.

information.”³⁰ In order that the Commission’s informal agenda-setting power increases, particular prerequisites has to be met. According to Pollack, these are: a situation characterized by asymmetrical distribution of information in favor of the agent or by high uncertainty of member states about future policy development, when other policy alternatives have minimal distributional consequences, where the costs of starting or waiting for alternative policy proposals are high, when the Commission allies with policy networks and other subnational actors, and when it is able to take the advantage of its expertise and take advantage of the opening up of a policy window.³¹

Although, the Commission does not enjoy exclusive monopoly of in relation to informal agenda setting, as other actors, such as the member states or business groups are also well placed to do so, it however has some comparative advantages over them. Pollack states that the Commission has all of the characteristics that Kingdon³² ascribes to successful policy entrepreneurs: it is endowed with high concentration of expert knowledge, it shows very good brokering skills, and has the necessary institutional persistence to live to see the emergence of window of opportunity. To these factors, Pollack adds the Commission’s formal right of initiative and its well-developed policy networks.³³

The phenomena of alliance between the EU’s supranational bodies and interest groups, is investigated by Pollack in more details in his paper ‘*Representing diffuse interests in EC policy making*’, where he argues that the supranational institutions of EU, and especially the Commission, act often as competence-maximizers and therefore seek the pro-integration agenda. The Commission and its DGs, Pollack claims, has been also active in

³⁰ Ibid., pages 124-125.

³¹ Ibid., pages 126-128.

³² Kingdon, above n 23

³³ Pollack, above n 29, page 126.

supporting the emergence and development of Euro-groups to secure its interlocutors in agenda-setting.³⁴

In the thesis, studies on agenda setting will help to solve the partial task stemming from the research question, i.e. what enabled the Commission to come up with the most important document in culture ever, the 2007 Communication on “*a European agenda for culture in a globalizing world*”, and why it came into existence right now.

In the first part of the fourth chapter the Baumgartner and Jones’ image and venue approach will be used when investigating the reaction of the other involved actors besides the Commission – the Council, the EP, the Committee of the Regions, and the cultural sector. It will demonstrate that each of the venues addressed different aspects of the Communication depending on its own interests and self-perception.

In the second part of that chapter, Kingdon’s concept of a ‘window of opportunity’ will be applied to reveal whether such a situation appeared in case of the Communication and if so, it will be further inquired what constellation of factors enabled it. Pollack’s conclusions about agenda setting power of supranational institutions, although building on a different ontology and suitable more for investigating areas falling under the Community law, bring an important hypothesis that behind major policy breakthroughs active alliance-building between the Commission and the constituencies can be traced. Therefore the last part of the chapter will examine whether the background of the Communication’s emergence is marked by changes in the relationship of the cultural DG with actors from the cultural and creative sectors.

³⁴ Mark A. Pollack: “Representing diffuse interests in EC policy making,” *Journal of European Public Policy* 4:4 December 1997, page 579-580.

CHAPTER 2 – OVERVIEW OF FRAMES APPLIED IN CULTURE AT THE EC/EU LEVEL

The task of this chapter is to present a brief historical overview of the different frames that have been so far applied in the area of culture. It will be argued, in accordance with J. Mc Mahon's findings that the Community intervention in this field has stemmed from "the desire to create a People's Europe and the drive to complete the Internal Market"³⁵. Therefore these two rationales are taken here to constitute the two main frames or in Kaufmann and Raunig's words "the paths of the familiar cultural policy talk"³⁶ within which this policy area has been wrapped. Besides these two – the market or liberal frame and the 'European' frame, it will be further argued that culture has been framed within Structural Funds as contributing to the Community's regional development and employment; and within the External Relations. These findings will have particular implications for the following chapters dealing with the 2007 Commission's Communication.

2.1 Framing Culture within Economy

The European integration started in technical areas (ECSC, EURATOM, EEC) and has been most rapidly progressing in terms of economic integration, especially with regard to trade liberalization. This had a twofold impact on the cultural matters. On one hand, the opting for starting with technical and economic fields resulted in leaving the 'softer' and more sensitive policy areas in the competence of member states, while on the other hand it

³⁵ J. Mc Mahon. *Education and Culture in Community law* (London: Athlone Press, 1995), page 121.

³⁶ Therese Kaufmann, and Gerald Raunig. *Anticipating European Cultural Policies*. Position Paper on European Cultural Policies commissioned by EFAH and IG Kultur Österreich; 10 2002, page 12.

came logical that the earliest Community intervention in culture was framed within the objective of market liberalization and thus “resulted from the mere application of free movement principles.”³⁷ Thus the proceeding technical harmonization and economic liberalization gave a stimulus for the shift from leaving culture aside to subjecting its parts to the free movement principles and enabled so the Community’s institutions to take hold of them.

2.1.1 Market Liberalization and Four Freedoms

Framing cultural issues within the Community’s aims to proceed in economic liberalization constitutes the dominant frame up to the beginning of 1990s, when the Maastricht Treaty provided the Union with legal basis for its limited competence in the field of culture. However, it has continued to be salient even since then because the way in which culture is framed here is very advantageous for a broader range of stakeholders – the supranational institutions (mainly the Commission and the ECJ), big oligopolies in the field of cultural industries and part of the Member States with preference for liberal market conception.

The frame’s early emergence was a logical consequence of no legal competence conferred to supranational institutions in culture coupled with the fact that culture was addressed by the Member States in the Council of Europe through the means of classical intergovernmental cooperation.³⁸

Further, it was natural that the market liberalization encountered with cultural goods and services - these often acting as barriers to trade that according to the logic of

³⁷ Evangelia Psychogiopoulou. “The Cultural Mainstreaming Clause of Article 151(4) EC: Protection and Promotion of Cultural Diversity or Hidden Cultural Agenda?” *European Law Journal*, Vol. 12, No. 5. September 2006, page 580.

³⁸ Rachael Craufurd Smith, ed. *Culture and European Union Law* (Oxford: OUP, 2004), page 22.

liberalization should be removed. And because the market is a community competence, culture if persuasively framed within it, results in the emergence of typical community law instruments (directives, ECJ rulings). However, such framing, i.e. commodification of culture comes into direct conflict with perception of culture as value in itself. And indeed, this kind of concerns has accompanied the market frame throughout its whole career. Although the relevant legislation simultaneously aimed at counterbalancing adverse effects on cultural diversity³⁹, the prominence was given to the liberal economic frame.

The first culture liberalizing steps were taken already in the 60s in form of Council directives (invalidation of restrictions concerning services in film production) and the ECJ Art Treasure judgement subjecting works of arts to free movement principles.⁴⁰ This started a trend of Community intervention of economic merit that continued throughout the 70s and the 80s. The frame's strengthening was copying the progress towards the Single European Market. However, the trend managed to preserve its salience even after Maastricht. Throughout its career, the frame gave birth to community legislation in such areas as audio-visual sector or intellectual property, where the economic principles are most easily applicable.

Besides demonstrating itself in form of hard law, the frame was presented in several Commission's Communications – the 1977 Communication '*Community Action in the Cultural Sector*' and the subsequent 1982 Communication '*Stronger Community Action in the Cultural Sector*'. Here, a very demonstrative example of the frame's construction is contained. For instance, the 1982 Communication states that, products and services supplied by cultural workers are subjects to the same rules of the common market as any other products and services, and that from the rules' application these can obtain particular

³⁹ Psychogiopoulou, above n 37, page 581.

⁴⁰ Ibid., page 580.

benefits.⁴¹ Market liberalization is the document's central topic, although it also tackles issues of quite a different nature (heritage preservation, grants for training for the cultural sector, support for cinema production, etc.).

The dominance of the market liberal frame throughout the history of European integration can be explained by several factors. First, going back to Kohler Koch, the frame has a pertinent heuristic in order to become successful. It frames culture within broadly accepted objectives of the Community, market liberalization being the aim present since the beginning of the European integration. The frame matches cultural issues with a method tried in other areas and meets the pro-integration aspirations of the supranational institutions. The frame exactly fits the venues that have been dealing with it – the Commission and the ECJ, endowed with treaty base for legislating in the field of economy. These have been taking advantage of the frame instrumentally in order to extend their scope of competence. The frame has found its influential supporters in form of the member states with liberal preferences, and those afraid of bearing costs in case of development of autonomous cultural policy also voiced for this option. Moreover, the intentions of the Commission and the ECJ found support by policy actors (cultural industries) from those member states in which they were dissatisfied with *dirigiste* cultural policies.⁴²

Another factor favoring the frame has been the overall developmental trend on the cultural industries markets - increased oligopolies' concentration and technological intensity⁴³ - that in a way strengthen the arguments of actors coming from cultural industries.

⁴¹ European Commission, Communication to the Council and Parliament, Stronger Community action in the cultural sector, (1982) Bull EC, Supplement 6/82, page 1.

⁴² Annabelle Littoz-Monnet. *The European Union and culture: between economic regulation and European cultural policy* (Manchester: Manchester University Press, 2007), page 66.

⁴³ Hernan Galperin. "Cultural industries policy in regional trade agreements: the cases of NAFTA, the European Union and MERCOSUR," *Media Culture Society* 1999; 21; page 630.

A practical consideration of the feasibility of the two different kinds of integration helps to co-explain the prevalence of liberal economic frame as well. This frame is carried out through the means of negative integration – directives and ECJ rulings which is, according to Scharpf, much easily achievable in contrast to the positive integration that is dependent upon achieving consensus in the Council.⁴⁴

Putting all these factors together, it appears as probable that framing culture around liberal economic arguments will survive well into the future.

2.1.3 Economic development and the Structural Funds

Framing culture within economic categories has occurred also in a quite different form. Culture has been framed within Structural Funds based on the rationale that it substantially contributes to the economic growth and development, and creates new employment opportunities in the poorer regions.

Here, similarly to the previous case, instead of a development of autonomous cultural policy, culture is subsumed within Community activities belonging to other policy framework.⁴⁵ However, the underlying logic of the Community intervention is different. In case of the liberal-market frame, the Community managed to take hold of some aspects of the policy field through negative integration – removal of trade barriers and barriers to movement of other factors of production. But in case of the Structural Funds, the Community intervention has a form of direct redistribution and re-allocation of the Community resources. So instead of laissez-faire approach, when framing culture within Structural Funds, this means linking it to the Community aim of direct support for the improvement of socio-

⁴⁴ Scharpf 1996 as quoted in Littoz-Monnet above n 66, page 154.

⁴⁵ Psychogiopoulou, above n 37, page 590.

economic conditions on its territory. Here again, the language of the frame uses economic categories such as growth and employment, and the eligibility of the regions for this kind of support is also expressed in terms of their GDP per capita. Therefore, wrapping culture within the Structural Funds was made possible by applying these categories to it in a persuasive way. This framing has been extremely successful, as since the 1989 the money from the Structural Funds constitutes the greatest portion of EU funds for financing cultural projects.⁴⁶

The types of cultural projects eligible for the support from Structural Funds naturally copied the logic of this policy framework applied to them. Therefore, the Structural Funds in relation to culture were centered mostly on the development of cultural infrastructure with material cultural heritage as the main recipient based on its role in tourism and related job creation.⁴⁷

Among the redistributive programmes of the Structural Funds from which the cultural sector has considerably benefited were INTERREG, LEADER, EQUAL and URBAN with the goals of securing sustainable development and lowering imbalances among the regions, thus again acknowledging culture as a factor in reaching these objectives.⁴⁸ The transversal value of culture comes into foreground and the field becomes to some degree instrumentalized for serving the achievement of the Community goals, especially in respect to employment and economic revitalization.

The best known stories of cultural projects funded from the Structural Funds include the restoration of the Acropolis hill in Athens (Greece), revitalization of the wasteland of

⁴⁶ Kaufmann and Raunig, above n. 36, page 5.

⁴⁷ Dragan Klaic and col.: *Europe as a Cultural Project*. Final Report of the Reflection Group of the European Cultural Foundation (2002-2004), European Cultural Foundation, page 12.

⁴⁸ Kaufmann and Raunig, above n 36, pages 5-6 of 20.

Sheffield (UK) and its conversion into cultural industries hub; and transformation of old buildings in Catania and Lecce (Italy) into local museums.⁴⁹

However, such projects have broader, 'softer' and more nuanced social implications going beyond purely economic goals. They help to develop the cultural potential of the regions and stimulate their cultural dimension. This fact, besides the availability of financial resources for culture, makes the cultural professionals supportive for this frame although some may have objections against the Funds programming (bias toward cultural infrastructure and heritage) or may be afraid of the instrumentalization of culture.

Other advocates of applying the Structural Funds frame to culture are those member states that welcome any additional money for heritage restoration or to which the frame to some extent resembles the cultural policy model they run at the national level.

Although the Structural Funds in respect to culture are designed to serve mainly the improvement of cultural infrastructure, there are member states that also managed to indirectly include in their national plans the activities connected with contemporary artistic creation – namely Greece, Italy and Poland.⁵⁰ So the way the national plans of member states are programmed helps to reveal the most eager frame supporters. In favor of the frame are also other new eastern member states, not only Poland. All of them welcome any additional money for their cultural sector, as the current obsolescent functioning of their national cultural policies is not capable of covering the field's needs. However, they are only learning how to draw the support from the Structural Funds yet.

What made this kind of culture framing possible and acceptable was above all - going back to Kohler Koch - the frame's heuristic. Culture was wrapped within widely accepted economic and development goals and normative aspirations of the Community, thus in a way reaffirming it. It was linked to a well-known concept and exercised through known policy

⁴⁹ Psychogiopoulou, above n 37, page 590.

instruments. So the frame did not require additional energy to be carried out. It presented a simple, short-cut solution bringing funding for the cultural sector and member states that welcomed it. This frame has also a future potential. If it is properly supported by its advocates, it may result in a real mainstreaming of culture within the Structural Funds.⁵¹

What is also very important in respect to this frame is the transversal nature in contrast to purely artistic value that it recognized in culture. The concept of culture as a source of economic growth and promoter of employment, occupies an important place in the new Commission's Communication.

2.2 Framing culture within 'Europeaness'

Since the late 60s, parallel to the market liberal frame, a distinct framing of culture has appeared – i.e. framing it in terms of 'Europeaness'. This framing rests on the assumption that there exist a distinct European culture and European cultural heritage that have to be actively promoted and deserves protection. This assumption has been gradually linked to issues of 'European identity' and 'European citizenship' and the goal of building more than just an economic space. The policy instruments belonging to this frame take the form of a direct although moderate support to the cultural sector or of various symbolic initiatives.

First indications for future emergence of this frame appeared in form of the claim that integration is more than securing trade liberalization. During the *1969 Hague Summit* and the *1972 Paris Summit* the Heads of States and Governments noted that integration can not be understood in purely economic categories and that intangible values also deserve attention.⁵² Important in the early phase of this frame's carrier were also the *1973 Declaration on*

⁵⁰ personal interview with Slovak cultural policy expert, Mrs. Zora Jaurová (Cultural Contact Point), 21 May 2008.

⁵¹ Ibid.

European Identity where the member states proclaimed that there are norms, values and attitudes to life that they all share; and the 1975 *Tindemans Report on European Union* advocating in favor of greater Community involvement in the areas of communication, education and culture and explicitly stating that “No one wants to see a technocratic Europe.”⁵³ Similar appeals for greater involvement into the respective policy fields were contained also in the 1983 *Solemn Declaration on the European Union*. Moreover, the beginning of the 80s brought with it the institutionalization of the Council’s meetings in the formation of ministers of culture. These initiatives mirrored preferences for cultural and political cooperation of part of the member states – France, Belgium, Greece and Italy⁵⁴ and were mostly driven by charismatic politicians with own vision. One of such personalities was the Greek Minister of Culture, Melina Mercouri who took advantage of the Greek presidency in order to raise the culture’s profile and by Athens in 1985 started the yearly event called the ‘European capital of culture’.⁵⁵ Overall, this phase of the frame’s carrier was marked by the dominance of “the *manifestational and representative* aspects of culture”⁵⁶ as this suited the taste of the élites. However, it was important in signaling that other than economic categories can be applied for framing culture.

The frame has naturally acquired on its dynamic and visibility as the Community has developed from economic towards political union. The supranational institutions have become increasingly involved in framing culture in this way mostly due to their legitimacy concerns. In the second half of the 80s, “the idea of promoting and defending ‘common values’ while highlighting the importance of ‘common European heritage’ started becoming

⁵² Craufurd Smith, above n 38, page 23.

⁵³ Report by Mr Leo Tindemans, Prime Minister of Belgium, to the European Council, Bulletin of the European Communities, Supplement 1/76, page 12.

⁵⁴ Littoz-Monnet above n 66., page 41.

⁵⁵ Christopher Gordon, and Theodoor Adams. *The European Union and Cultural Policy – Chimera, Camel or Chrysalis?* A consultative paper, commissioned by the European Cultural Foundation (Amsterdam) 2007, page 7

⁵⁶ Palmer & Rae 2004 as quoted in Klaic, above n 17.

particularly appealing to the Commission.”⁵⁷ Important in this regard is the 1985 *Second Adonnino Report for a People’s Europe* which emerged as an attempt to find solution for the low turnout in the second direct elections to the EP in 1984 and came up with an inventory of recommendations in order to improve the Community image by its citizens and strengthen their feeling of European identity.⁵⁸ The Report’s recommendations ranged from initiatives of highly symbolic character such as setting up the European Youth Orchestra, establishing various European cultural awards to choosing the EU symbols but also measures people-centered in their nature such as exchange programmes in education and creation of European audio-visual area with multilingual TV channel.⁵⁹

Another document continuing in this line of framing was the 1987 Communication A *Fresh Boost for Culture in the European Community*. In this the Commission reacted to the Community’s objective to complete the Single Market and its transition toward European Union, and called for Community involvement in the cultural sector to secure people’s support.⁶⁰ Thus, in this phase of the frame’s career, concerns of the emerging European Union for its own legitimacy and its relations with the citizens come into foreground.

A turnout in the career life of the frame appeared with the inclusion of the Article 128 (now 151) in the Maastricht Treaty which provided basis for the EU level cultural cooperation although together with a series of strict safeguarding mechanism (subsidiarity and unanimity) to protect the competence of Member States. According to Psychogiopoulou, the article can be read as the Union’s strive to create a common cultural area within its territory and the conviction that European culture has to be promoted and protected.⁶¹ This was coupled with the emergence of support programmes for cultural projects (Kaleidoscope,

⁵⁷ Psychogiopoulou, above n. 4, page 579.

⁵⁸ Cris Shore. *Building Europe: the cultural politics of European integration* (London: Routledge, 2000), page 46.

⁵⁹ Psychogiopoulou, above n 37, page 579.

⁶⁰ Craufurd Smith, above n 38, page 23.

⁶¹ Psychogiopoulou, above n 37, page 579.

Arianne, Raphael, latter Culture 2000 and Culture 2007-2013) designed to stimulate projects with ‘European significance’ providing ‘European added value’.

To sum up, framing culture in terms of ‘Europeanness’ is based on the assumption that something essentially European exists that demonstrates itself in the form of culture. This assumption is transformed into the link between European culture and the sense of European identity and awareness of European citizenship. This frame fits the intentions of supranational institutions when preoccupied by the question of their own legitimacy. It is also ‘sponsored’ by one part of the Member States for their national policy concerns. This could be because the states have a plenitude of cultural heritage that needs money for preservation or because they see it as a mirror image of their preferred cultural policy model or as a protection against adverse external influences. For its high visibility and symbolic initiatives framing culture in this way is also very popular among the political elites.

However, in contrast to the economic framing, in this case culture is tackled as a non-legislative area protected by the principle of subsidiarity. Besides the inherent weakness of the frame’s policy tools, the categories within which it operates, such as identity, are vague and open to different interpretations. The assumption of European cultural unity is often criticized (e.g. by Shore) for being essentialist, defined in opposition to the ‘others’ and thus excluding great immigrant population of non-European origin - even if framed in terms of ‘unity in diversity’ it above all addresses the European element.

Other advantage of the economic frame over this one is that while the economic framework was based on established Community policy areas, this frame had to be artificially created, reasoned and promoted.

2.3 Framing Culture within External Relations

Another frame that can be traced in regards to culture is framing it within external relations. Here similarly to the economic framework, culture is not presented as such, but is framed as a part of other policy area.

What is at stake, when talking about culture and external relations, is the peculiar character of the European Union as an actor in the international arena. The image of ‘soft power’ Europe or Venusian polity, no matter whether as a result of the lack of EU’s real power or because of its moral conviction, incorporates culture as a natural part of its distinctiveness and includes it within the arsenal of its soft policy tools.

This kind of framing finds its expression mainly in form of cultural cooperation between the EU and its member states with third countries funded from the EU’s programmes. This cooperation projects are usually marked by yearly geographical topicality – e.g. this year is focused on the cooperation with Brazil, previous year was dedicated to China and India, etc. Or they also take form of thematic programmes, e.g. focused on development, in order to convey some political message.

Cultural cooperation of EU with third countries is aimed at presenting the distinctive nature of EU abroad, almost resembling the EU’s brand-building that is welcomed by EU élites. However, cultural cooperation with third countries is increasingly acquiring on more pragmatic implications in relation to the problems with accommodating the post-colonial immigrant, especially Islamic, communities into the majority populations in the West-European countries. This cultural cooperation thus appears to offer some kind of solution.

Resulting from the importance of its pragmatic implications, a certain Southern or Mediterranean bias can be observed in the pattern of EU cultural cooperation. Much less attention is paid to the Eastern dimension. This is replicated in the pattern of geographical

orientation of the permanent cultural organizations (the Anna Lindh Euro-Mediterranean Foundation).

The importance of the frame is gradually rising. As will be seen in the next chapter, it has become one of the main topics to be addressed by EU in the area of culture in the near future. However, it is worth noting, that this frame is in fact a dependent variable of the development of the EU's external relations as such, therefore stronger mainstreaming can also be expected to appear together with the final resolution of the issue of EU's legal personality.

CHAPTER 3 – FRAMING IN THE COMMUNICATION ON ‘A EUROPEAN AGENDA FOR CULTURE IN A GLOBALIZING WORLD’

In May 2007, the European Commission launched its first ever long-term strategy in the field of culture – the Communication on ‘A European agenda for culture in a globalizing world.’ The document is important for two reasons: it sets the long-term objectives to be addressed by all the actors involved (the EU institutions, the member states, cultural organizations and professionals) and it establishes a new policy method – the open method of coordination, to be applied in the area of culture. The Communication was adopted on 15-16th November 2007 by the Education, Youth and Culture Council (EYC), what is relatively soon after the document’s launching.

The following part of the thesis will examine two substantial aspects of this Communication. First, it will draw upon the Rein and Schön’s textual method of frame-critical policy analysis in order to identify how culture is framed in this important Commission’s document, whether it contains competing or complementing frames and if so, which of them is prevailing. Because, the frames are scattered throughout the document, their identification requires, exactly in accordance with Rein and Schön, that first the frames are constructed, i.e. that it is asked what gives each of the frame “its appearance of coherence, persuasiveness, and obviousness.”⁶² Once identified, the frameworks will be examined in the light of Kohler Koch’s assumptions about the factors of successful frames

⁶² Rein and Schön, above n 2, page 7.

3.1 Framing the New Agenda for Culture

The Commission's Communication on 'a European agenda for culture in a globalizing world', presents a complex labyrinth of simple concepts centered around *globalization* and the European '*cultural richness and diversity*'.

Globalization constitutes the changing context - new, more dynamic and ever more complex reality ranging from new communication technologies, knowledge-based economy, to exposure of Europe to other cultures. All of these are challenges to which the European Union has to respond. The EU can manage this endeavor more easily by taking advantage of its main and unique cultural asset – its 'unity in diversity'.

The prominence of unity in diversity is underlined by the Communication's opening quotation of Denis de Rougemont. This method of invoking the consent of 'star' figures with the Commission's intentions is replicated throughout the whole Communication (quotes from Dario Fo, Yehudi Menuhin, Francesco Alberoni, Octavio Paz, Gao Xingjian). It is aimed at adding the document a pinch of glamour and prominence.

What is most striking about the Communication is that it offers a quasi definition of culture – something that the Commission has so far tried to avoid or leave over for cultural anthropologists. The Communication explicitly states that „culture should be regarded as a set of distinctive spiritual and material traits that characterize a society and social group. It embraces literature and arts as well as ways of life, value systems, traditions and beliefs.“⁶³ Thus, the definition introduced here can be read as a broader understanding of culture. As will be seen further, such definition is intentional as it enables to frame culture within other policy areas.

⁶³ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a *European agenda for culture in a globalizing world*, Brussels, 10.5.2007. COM(2007) 242 final, page 2.

The Communication puts culture prior and above trade, directly in “the very heart of the European project.”⁶⁴ It builds on the assumption of existence of common European culture or more specifically shared cultural heritage, but also norms and values that emerged through vital cultural exchanges. From here, the Communication’s omnipresent concept of ‘cultural richness and diversity’ starts to fully unfold itself. Its internal significance for the Union as “social and cultural project”⁶⁵ is indisputably established and the concept’s validity is taken for granted ‘unity in diversity’ being the EU’s motto. However, in the Communication the concept also serves as a sprit for linking culture to other policy areas. ‘Cultural richness and diversity’ is said to constitute the core of its peculiar ‘soft power’ character as an actor in the international arena, and thus makes framing culture within external relations legitimate. In regard to EU’s economic and cohesion policies, ‘cultural richness and diversity’ is claimed to be the source of innovation demanded by the knowledge-based economy and contributing to socio-economic development.

To sum up, identification of the challenge – globalization is linked with the possible solution – ‘cultural richness and diversity’. But what is perhaps more important is that culture is presented in the Communication as an instrument that can help the achievement of the Union’s objectives.

In order to underline the role of culture, the initial part of the Communication offers a summary of what has been so far done in this field at the EU level. The enumeration of activities includes symbolic initiatives, Community funding programmes with special attention paid to funding opportunities from other policy areas, the most important Community legislation with implications for both the Single Market and cultural diversity (the Television Without Frontier Directive, copyright legislation and cultural exemptions

⁶⁴ Ibid., page 2.

⁶⁵ Ibid., page 3.

from state aid legislation), and the recently introduced Council's multi-annual programmes of thematic cooperation between Member States.

What is emphasized in the Communication is the subsidiarity principle. In accordance with Article 151, the Commission stresses that the competence lies at the national or regional level, and explicitly states that "culture is and will therefore primarily remain a responsibility of Member States."⁶⁶ Thus, the EU's activities can only supplement the actions undertaken at national level. Such reaffirmation of subsidiarity principle is evidently meant to secure the support of Member States.

The Commission's aspirations are backed by the Eurobarometer results⁶⁷ and inputs from the on-line consultation process that predated the document's emergence. This means recognition of the role of Civil Society and European cultural networks and professionals who took part in the process and is aimed at gaining the support of these stakeholders as well as the legitimacy for the Communication. Thus it is marked by a particular instrumentality.

What regards the objectives that should become the long term cultural agenda for all the stakeholders – the Commission, the Member States, and the cultural sector, these include:

- Promotion of cultural diversity and intercultural dialogue;
- Promotion of culture as a catalyst for creativity in the framework of the Lisbon Strategy for growth and jobs;
- Promotion of culture as a vital element in the Union's international relations.⁶⁸

⁶⁶ Ibid., page 4.

⁶⁷ Commission Staff Working Document. Inventory of Community actions in the field of culture Accompanying document to the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions *Communication on a European agenda for culture in a globalizing world*. Brussels, SEC(2007) 570, pages 3-4.

⁶⁸ Communication on a European agenda for culture in a globalizing world, above n 63, page 8.

These objectives present three distinct frameworks within which culture is wrapped – three distinct narratives based on which the importance of culture for the EU is reasoned. They draw upon the ways the culture has been framed so far, but modify the already known frameworks in the light of the new context.

The three frames are both, complementing and competing, connected through the meta-concept of ‘cultural richness and diversity’. It seems like the frames are to a great extent serving the DG EAC to raise the profile of its agenda and make other actors occupy with it. However, behind them ideas can be also traced – especially those that oscillate around the very sense of the European integration.

3.1.1 Frame 1: Creative Economy - the Lisbon Strategy Framework

A brand new element that the Communication brings in respect to the ways culture has been so far framed within economic categories at the EU level, is the way culture was tackled through the broader objectives of the Lisbon Strategy framework. How was this framing made possible and carried out?

First of all, from the concept of ‘cultural diversity’ - a taken for granted mantra of the EU around which broad consensus is shared - implications for the economic and social spheres of Europe were drawn:

Europe’s cultural richness based on its diversity is also, and increasingly so, an important asset in an immaterial and knowledge-based world. The European cultural sector is already a very dynamic trigger of economic activities and jobs throughout the EU territory. Cultural activities also help promoting an inclusive society and contribute to preventing and reducing poverty and social exclusion.⁶⁹

⁶⁹ Ibid, page 3.

The claim that cultural sector is a crucial contributor to the European economy and social cohesion was supported by empirical evidence. In 2006 the Commission ordered a study investigating the significance of cultural and creative sectors which came up with exact statistical data. The data were included in the Communication thus presenting a strong backing for the argument. The study revealed that in 2004 the cultural and creative sectors constituted 3.1% of total employment in EU(25), contributed by 2.6% to the GDP creation in 2003, and between 1999-2003 they grew at an average growth rate higher than the entire European economy.⁷⁰ This type of evidence prepares the ground for bringing in the creative economy and framing culture within the Lisbon Strategy as a tool for achievement of its main goals – growth and jobs.

This linkage is more precisely introduced in the Commission Staff Working Document. There it is explicitly stated that the study proved the cultural and creative sectors' indirect impact on the overall economy by fostering innovation⁷¹ and that these sectors “are crucial for the take off of ICTs (Information and Communication Technologies), the flagship industry of the Lisbon strategy”.⁷² The role of the sectors is highlighted also in regard to the positive socio-economic effects these have on the sub-national level – regions and cities (tourism, job creation, etc.). Thus, culture is expressed mostly in economic categories, emphasis is placed on its “potential to contribute to our (i.e. EU's) growth and our money earning potential enormously in the coming years”.⁷³

However, besides aiming purely at economic categories, the Communication contains also ‘softer objectives’ within ‘creative economy’ – i.e. in terms of mainstreaming culture in education, training and life-long learning or improving competence and skills of the European cultural operators.

⁷⁰ Ibid, page 9.

⁷¹ Commission Staff Working Document, above n 67, page 5.

⁷² Ibid, page 5.

⁷³ Ibid, page 6.

The Lisbon Strategy as a Successful Frame for Culture

The creative economy framework presented here is in line with the previous economic framing of culture introduced in the second chapter of the thesis. The framework draws upon the EU's experiences of framing culture within the Structural Funds as well as within the free movement principles. The free market rationale is identified by the Commission to provide the relevant legislative basis for the creative economy promotion – the EU copyright legislation.⁷⁴

However, it is the introduction of the Lisbon Strategy that gives this type of framing a new dynamic and much stronger appeal. Returning back to Kohler Koch's findings on what makes a particular frame successful; the Lisbon Strategy shows many of these elements. It applies to culture a framework that is undoubtedly present, known and shared by the EU leaders. Moreover, it fulfills the requirement of having the potential of bringing new dynamics into the policy development. The Lisbon Strategy is extremely convenient as a frame for culture, because it meets both of the Kohler Koch's criteria at the same time – it constitutes: (1) a previous mutual consent and (2) a familiar and tried strategy⁷⁵, although in other policy areas. What regards the frame heuristic it offers a direct linkage of culture to the achievements of the most important objectives of the European Union and therefore is marked by high moral aspirations. Simultaneously, the Lisbon Strategy framework presents a simple prototype matching and is easily communicable to all the stakeholders. This simplicity, is according to Kohler Koch another condition for a frame to become successful.

However, what also helps this frame to establish its validity is the broader context. Knowledge-based economy, service society or immaterial factors of economic welfare are matter of course in the modern economics. But there is a more specific aspect to this that

⁷⁴ http://ec.europa.eu/culture/our-policy-development/doc431_en.htm, last accessed: 30 May 2008.

⁷⁵ Kohler Koch, above n 1, page 516-517.

makes the frame translatable to the cultural and creative sectors. Similar findings as those brought to light by the Commission's study are already well known in the cultural policy theory⁷⁶. A very influential in this sense was the work 'The Rise of the Creative Class' by the American Richard Florida, which applied statistical indicators to culture for the first time. Its conclusions revealed that the contribution of culture to economic growth and development was much higher than expected. Thus for the cultural sector, the Lisbon Strategy, in fact presents a continuation of a known trend. For the cultural professionals two practical concerns add to the frame's validity – the fact that intellectual property earns a lot of money, and the conviction that heavily subsidized national cultural systems are not sustainable in future⁷⁷.

Instrumentality of the Lisbon Strategy Frame – Pursuing the Interests of DG EAC

The most important policy implication that was enabled by framing culture within the Lisbon Strategy is the introduction of the open method of coordination (OMC). It can be said that the Lisbon Strategy Framework was intentionally chosen in order to enable this new policy method to be introduced and for the Directorate General Education and Culture (DG EAC) to improve its position within the Commission.

Mr. Director Šucha from the DG EAC of the European Commission, who is considered to be the driving force behind the Communication's emergence, stated in a conference speech he delivered in Bratislava, that it was exactly the Lisbon Strategy which awoke the Member States' consciousness of the need to give the two previously neglected

⁷⁶ personal interview with Mrs. Zora Jaurova, national cultural policy expert and member of the EFAH Board, Cultural Contact Point, Slovakia, Bratislava 21 May 2008.

⁷⁷ Ibid, Bratislava 13 May 2008.

areas – education and research, appropriate attention also at the EU level.⁷⁸ Thus it is logical, that from framing culture within the Lisbon Strategy, similar results are expected.

What is expected from the OMC, is that if successfully exercised, it can increase the DG EAC's bargaining power '*vis a vis*' other Commission's Directorates General in negotiating the future redistribution of the common budget among the various policy areas.⁷⁹ The empirical evidence – statistical data on the contribution of culture to economy provided by the study, will also serve as a tool in this DG EAC's endeavor. It in fact armors the DG with arguments formulated in the language used during such negotiations.⁸⁰ Besides serving the extension of the DG's own power, the increase of budget if reached, will above all benefit the cultural and creative sectors by providing funds for their activities.

According to interviewed cultural policy experts from EFAH⁸¹, the 'creative economy' framing of culture is currently prevailing in Brussels and constitutes the agenda of future. The prevalence of this frame can be explained by several factors – the appropriate heuristic of the frame building on previous consensus and offering a simple prototype matching, the familiarity of the frame to cultural sector from its own scientific field, the linkage to the achievement of the European priorities, the strong interests of the DG EAG tied to the frame and support on the side of the creative industries together with the liberal Member States (such as the UK or the Netherlands) that have always been actively pushing the economic framework forward.

However, what may appear as problematic in this respect are the limits inherent to expressing culture only in terms of economic indicators and the threat that the frame will

⁷⁸ Mr. Vladimír Šucha (DG EAC), Conference „Diversity Connects – Intercultural Dialogue 2008“, 31 March 2008, Bratislava.

⁷⁹ The European Agenda for Culture: involving civil society (February 2008) - First steps towards the application of new instruments for European cultural policy, EFAH.

⁸⁰ personal interview with Mrs. Zora Jaurova, national cultural policy expert and member of the EFAH board, Cultural Contact Point, Slovakia, Bratislava 21 May 2008.

⁸¹ Mrs. Daphne Tepper and Mrs. Zora Jaurova.

unproportionally benefit the creative industries that better fit within this logic and will marginalize creative arts operating within more subtle categories.

3.1.2 Frame 2: Cultural diversity and Intercultural Dialogue

In this framing of culture the concept of ‘cultural richness and diversity’ is embodied per se and the frame’s formulation clearly builds upon the paragraphs 1 and 2 of the Article 151. The Commission’s Communication states that:

...the flowering of the cultures of the Member States in respect of their national and regional diversity is an important EU objective assigned by the EC Treaty. In order to simultaneously bring our common heritage to the fore and recognise the contribution of all cultures present in our societies, cultural diversity needs to be nurtured in a context of openness and exchanges between different cultures.⁸²

The Treaty basis provides the frame with appropriate validity and grounds the frame on a previous consensus. However, in the Communication the frame’s validity is even more strengthened by referring to the multi-cultural nature of the European peoples and society, thus propping upon the EU’s reality.

Concerning the objectives subsumed under this frame, they include mobility in terms of both, pragmatic concerns of artists and cultural operators for their own mobility and European connections and in terms of mobility of art collections and artifacts in order to secure the access of European citizens to the works of art. It is worth noting, that the mobility of artists is linked to the objectives of the Lisbon Strategy frame - mobility of artists helps to increase their employability. Another objective set in the Communication is to strengthen intercultural dialogue and intercultural competence as necessary components of life in multi-

cultural society. Special emphasis is put on the promotion of multi-lingualism as it was previously recognized as a very important and needed European skill by the European parliament.

The ‘cultural diversity’ framing is already well-known from the past. It has been serving for framing culture since the first symbolic initiatives and various Community campaigns; and finally found its institutionalization in form of the EU’s cultural programmes. On the official Commission’s webpage, these programmes are recognized as the main policy tool in regard to cultural diversity.⁸³

However, more recent is the concept of ‘intercultural dialogue’ as this emerged as a response to the need of Member States to accommodate large immigrant communities into their majority populations. Therefore the 2008 ‘European Year of Intercultural Dialogue’ is introduced here as an additional policy instrument. It is a thematic adaptation of the well-known symbolic initiative ‘*the European Year of ...*’. No additional reasoning for its introduction is included in the Communication as it was adopted by the Council’s and EP’s decision in 2006.

This frame is a conglomerate of elements important for the cultural sector, symbolic initiatives and pragmatic considerations regarding the contemporary European reality. This enables the frame to gain a broad support. Its main advantage is that it is known, accepted and well-established. However, its policy tools show particular weakness - the cultural programmes are not endowed with sufficient funding, and the symbolic initiatives can be used freely in the hands of politicians.

⁸² Communication on a *European agenda for culture in a globalizing world*, above n 63, page 8.

⁸³ European Commission – Culture - Cultural diversity & Intercultural dialogue, http://ec.europa.eu/culture/our-policy-development/doc401_en.htm, last accessed: 31 May 2008.

3.1.3 Frame 3: External Relations

The third frame present in the Communication is “culture as a vital element in international relations.”⁸⁴ This has been the less salient frame since the appearance of culture on the EU agenda, depending on the development of the Community/EU’s international actorness as such. Therefore, particular attention is paid to the frame’s reasoning and establishment of its validity. The ground for its introduction was prepared by the Commission’s broad definition of culture from the initial part of the communication, i.e. defining culture also as a value system.

Similarly to the previous two frames, this frame draws upon the concept of EU’s ‘cultural richness and diversity.’ The link between this concept and EU’s international dimension is established as follows:

Europe’s cultural richness and diversity is closely linked to its role and influence in the world. The European Union is not just an economic process or a trading power, it is already widely – and accurately – perceived as an unprecedented and successful social and cultural project. The EU is, and must aspire to become even more, an exemplar of a „soft power“ founded on norms and values such as human dignity, solidarity, tolerance, freedom of expression, respect for diversity and intercultural dialogue, values which, provided they are upheld and promoted can be of inspiration for the world tomorrow.⁸⁵

Culture is put in the service of EU’s own aspirations to secure its peculiarity as an actor in the international arena. ‘Cultural richness and diversity’ is recognized as suitable for the export of European values, especially in terms of human rights promotion and conflict prevention. For instance, on the Commission’s official webpage dedicated to the Communication, it is explicitly stated that “the EU’s own internal experience of peaceful

⁸⁴ Communication on a *European agenda for culture in a globalizing world*, above n 63, page 10.

cultural coexistence is a crucial benchmark for third countries.”⁸⁶ Therefore, within this framework culture is depicted as an element of the normative face of the Union abroad.

However, because this frame has been so far less developed than the other two frames, it demands additional reasoning. For this sake, the Communication contains an overview of all the EU’s activities, programmes and partnerships where the cultural aspect of its external relations has demonstrated itself (cooperation and neighborhood programmes with other regions of the world, support for heritage conservation, local capacity building, dissemination of works of art, organizing cultural events in third countries, thematic multi-annual initiatives, etc.).

The frame’s legitimacy is based on the Treaty Article 151 – paragraph 3 on cultural cooperation with third countries and international organizations, and paragraph 4 on cultural mainstreaming. Additional legitimacy is derived from opinion survey among EU citizens and the June 2006 European Council proving that both, the citizens as well as the elites “want Europe to be more present in the world, with external policy which well reflects its values”⁸⁷. Also the results of the on-line consultation process show that the vast majority of the cultural professionals also want culture to be mainstreamed in the EU’s external relations.⁸⁸

The recent UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions signed by both the Union and its Member States also plays an important role in establishing the validity and persuasiveness of the frame. According to the Communication the UNESCO Convention “illustrates the new role of cultural diversity at international level.”⁸⁹

⁸⁵ Ibid, page 3.

⁸⁶ European Commission–Culture–International dimension, http://ec.europa.eu/culture/our-policy-development/doc403_en.htm, last accessed: 30 May 2008.

⁸⁷ Communication on *a European agenda for culture in a globalizing world*, above n 63, page 7.

⁸⁸ European Commission – Culture – International dimension, http://ec.europa.eu/culture/our-policy-development/doc403_en.htm, last accessed: 30 May 2008.

⁸⁹ Communication on *a European agenda for culture in a globalizing world*, above n 63, page 7.

The main policy implication stemming from the external relations frame consist in taking use of the Article 151(4), i.e. streamlining culture in all EU's international activities and development policy directed to third countries. It also aims at supporting access to culture in the developing world. In more details the goals are specified as follows: fostering political and cultural dialogue, promoting mutual cultural exchanges, providing market access to cultural goods and services from developing countries (counterbalancing the asymmetry in mutual trade), providing financial and technical support for cultural activities and heritage preservation, inclusion of culture into educational syllabi in the developing countries and closer cooperation with international organizations – The Council of Europe and the United Nations.⁹⁰

Although the future of this frame may not be so secure as in case of the 'creative economy', subsequent events following the Communication's adoption suggest that the frame has found its reaffirmation among the elites. The very recent May declaration of the Slovenian Presidency based on the conclusions of a Ljubljana conference dedicated to this topic, states that:

... Commissioners Figel', Ferrero-Waldner and Potočnik, as well as President Pötering and Minister Rupel clearly recognised the fundamental contribution of culture to promoting EU values in external relation by fostering democratisation and reconciliation, and by enhancing respect for human rights. They expressed their commitment to further integrate culture in external policies and instruments along the lines of the principles enshrined in the Commission Communication on a European Agenda for Culture.⁹¹

What is probably most important in this regard is that the Presidency recommended a development of a 'European Strategy of External cultural policy' based on the Commission

⁹⁰ Ibid, pages 10-11.

⁹¹ SLOVENIAN PRESIDENCY DECLARATION based on the recommendations of the conference "New Paradigms, New Models – Culture in the EU External Relations" (Ljubljana, 13–14 May 2008), page 1.

Communication.⁹² But the Presidency brings even more ambitious recommendations – it recommends that cultural attachés of the Member States should be for this sake networked with the Commission and that the future Foreign Service personnel of the Commission should be trained in cultural relations.⁹³

The fact that this frame has found its support among the EU elites can be explained by two factors. First, the elites welcome the frame based on the assumption that it will increase the EU's visibility abroad. Second, the mainstreaming of culture in external relations, especially in terms of 'cultural diversity' and 'intercultural dialogue' has some pragmatic implications for coping with the post-colonial immigrant communities in the Western European countries. This can also explain why a particular emphasis in the Presidency Declaration is put on the Mediterranean dimension – for instance, it suggests that a Euromed Strategy should be elaborated within the Euromed Culture Ministerial Meeting.⁹⁴

It is also assumed that the majority of cultural professionals support the frame as well. For them it can bring mobility enhancement and increased cultural contacts with their counterparts in third countries.

But although, the frame has so far enjoyed support, its future existence may be endangered by the scarcity of EU financial and human resources and by the fact that within it culture is subjected to the development of EU's external relations as such.

As demonstrated above, the three frames are inter-connected through the concept of European 'cultural richness and diversity'. Their legitimacy is derived from the Treaty Base and the EU's objectives in other policy areas, thus giving them a high level of persuasiveness. The fact that they are built around the same basic concept makes them complementary. The Communication itself points on several places to the frames' intersection points. For instance,

⁹² Ibid, page 1.

⁹³ Ibid, page 2.

intercultural dialogue can find a pertinent applicability in the external relations or mobility of cultural workers is good for raising their employability which in turn results in innovation and creativity multiplying, etc.

Put together, the frames aim at achieving better mainstreaming of culture to other policy areas and thus the increase in scope and competence of the DG EAC in respect to culture. All the frames thus show some degree of instrumentality, the biggest being inherent in the ‘creative economy’ frame. This emphasis on mainstreaming underlines the understanding of culture as a transversal category touching upon various sphere of human life.

However, besides being complementary, the frames show a particular degree of competition. They differ in respect to what they prioritize – whether economic categories, European norms and values or multi-cultural society and more pragmatic concerns of the cultural sector. This is in fact a potential source of conflict between the stakeholders.

Although all three frames meet the criteria of successful framing as summed by Kohler Koch – they are present, have quite simple heuristic, built upon previous and known concepts or remind of positive experience, linked to accepted ways of thinking about the EU, and shared among the élites and experts. However, it is the ‘creative economy’ that is the most salient frame in today’s Brussels⁹⁴. The frame dominance can be explained by a conglomerate of several factors. Among the different frames ‘creative economy’ presents the most elegant ‘prototype matching’ by framing culture within the Lisbon Strategy and is linked to the achievement of the Union’s most important objectives. Moreover, the frame draws upon persuasive empirical evidence in form of statistical data and thus speaks in the language of economic categories which has been strongly present since the beginning of

⁹⁴ Ibid, page 1.

⁹⁵ conclusion drawn from personal interviews with cultural policy experts and attendance of international conferences: conference “Diversity Connects – Intercultural Dialogue 2008” on 31st March 2008 in Bratislava;

European integration. The frame has important policy implications for the Directorate General Education and Culture as it enables to launch the OMC in culture. The relevant statistical data may also serve the DG to increase its bargaining power in the next budget negotiations. The broader context also acts in favor of the frame and it enjoys support from the creative industries – the major contributor in terms of economic categories, and several Member States with liberal economy preference. Besides hard indicators the frame operates within ‘softer’ areas, such as education or training, what can satisfy stakeholders also with this kind of preferences. However, the main threat this frame bring with itself, is that culture could be too instrumentalized. That’s exactly why it needs to be presented together with the other frames, especially with the second one.

As a concluding remark to the ways culture has been recently framed by the Commission, it is worth noting, that the framing continually gains on its richness and complexity as the Union develops and thus more concepts become present in the minds of people.

and conference “European cultural networks – the gate toward international cultural cooperation“, Cultural Contact Point, Slovakia, Bratislava 13 May 2008.

CHAPTER 4 – AGENDA SETTING AND THE COMMUNICATION ON ‘A EUROPEAN AGENDA FOR CULTURE IN A GLOBALIZING WORLD’

This chapter goes further in the Communication’s analysis and establishes a link between the way the document is framed and its ability to raise the profile of culture at the EU level. First, it aims to examine how the Commission’s proposal was accepted among the rest of the involved stakeholders, and what their reaction can reveal about the relation between frame and venue. In the second part, it will proceed towards the identification of factors that created a ‘policy window’ for the Communication to come into existence and how the policy momentum is being kept.

4.1 Actors’ positions – Consensus of Nuanced Concerns

This section will examine the attitudes of the Council, the European Parliament, the Committee of Regions and professionals from the cultural sector towards the Commission’s document. The examination will be based on the relevant documents of the institutions and in case of cultural sector on conference speeches and personal interviews with involved cultural professionals. This will demonstrate that the different actors address different aspects of the Communication based on their interests as well as the self-perception of their role. To put it in other words and using Baumgartner and Jones’ framework, it will be seen that different venues pick different frames or partial issues to react to.

4.1.1 The Council of the European Union – Concerns about Subsidiarity

In the introductory part of its Draft Resolution on a European agenda for culture, the Council states that it: “succeeded in finding a solution to certain outstanding issues”⁹⁶ and achieved full agreement on the Communication. This statement should be read in terms of overcoming the initial German veto - the Land’s Bavaria September ‘no’ to the Communication for subsidiarity concerns.

Therefore the Council’s document puts special emphasis on the protective mechanisms for Member States – subsidiarity and flexibility, especially with regard to the proposed introduction of the open method of coordination. The Council explicitly “stresses that action pursuant to these objectives should have a real European added value and be carried out with full respect for the principle of subsidiarity, and that these common guidelines at EU level do not preclude the definition and implementation by Member States of their own national policy objectives.”⁹⁷ The objectives of the Communication should be addressed in a flexible manner, the competence kept by the Member States at all respective levels – national, regional and local and the participation in the OMC process has to be voluntary. Moreover, “when implementing the OMC, special attention will be paid to the need to minimise financial and administrative burden upon the different actors, in accordance with the principle of proportionality, as set out in the EC Treaty.”⁹⁸ This kind of formulation, finally secured the Communication its adoption on 15-16th November 2007.

Overall, the Council’s Resolution agrees with the Communication’s aims. It accepts the transversal and instrumental value that the document ascribes to culture in terms of its role in European integration, achievement of the goals set in the Lisbon Strategy, its

⁹⁶ Draft Council Resolution on a European agenda for culture - Adoption of the Resolution, Council of the European Union, Brussels, 31 October 2007, 14485/07, page 1.

⁹⁷ Ibid, page 6.

⁹⁸ Ibid, page 7.

contribution to socio-economic development and its role in external relations especially with regard to intercultural dialogue⁹⁹.

Positive is that the Council identifies a task for itself in form of better coordination between the Cultural Council other Council formations as well as taking culture into account in other policy areas in order to reach its intended mainstreaming.

The Council Resolution specifies the Communication's aims and sets five priorities to be addressed by the Community and its Member States: improvement of mobility of artists and cultural professionals, securing access to culture, development of statistical indicators for culture, unlocking the potential of creative industries, especially the SMEs, and promotion and implementation of the new UNESCO Convention¹⁰⁰. These priorities set by the Council are also used as the topics around which the OMC processes will be structured.¹⁰¹

4.1.2 The European Parliament – Critical Comments in Advocacy of Culture qua Culture

The European Parliament continued in its line of voicing for culture and the needs of the sector (i.e. line represented in the Ruffolo Report). It commissioned a critical analysis of the Commission's Communication from cultural policy expert Christopher Gordon. This analysis in the form of a Briefing paper identifies problematic areas of the Communication.

First of all, it points out to the confused understanding of the cultural sector. According to the Briefing paper "there is an inbuilt elision (or confusion) of the non-commercial contemporary arts and creativity with culture which is produced and

⁹⁹ Ibid, page 3.

¹⁰⁰ Ibid, page 10.

¹⁰¹ personal interview with Mr. Director Vladimír Šucha, Bratislava, 31 March 2008.

disseminated on an industrial scale”¹⁰² and “the opportunity has been therefore missed to clarify precise references in relation to proposed actions and indicate what the likely effects might be on those very different realms of ‘culture’”.¹⁰³

The paper further discusses the instrumentality of the Communication – the definition of the Communication’s objectives is serving Commission’s own priorities. It appreciates the very tactical way the Communication is maneuvering in the context of legal constraints imposed by Article 151 as well as by positions of some of the Member states and thus is successful in establishing the new structure and process in the field of culture.¹⁰⁴ In other words, it says that the agenda has been framed in such manner that is convenient for the Commission. It states that the Communication has been programmed so since the on-line consultation process which predated its emergence by putting there questions with preselected answers. This naturally resulted into prioritizing certain areas and leaving other issues aside. Therefore the Briefing paper draws the attention to the issues it finds missing in the Communication - resources needed for arts and heritage, copyright protection and employment conditions, freedom of movement¹⁰⁵ - mainly issues of practical relevance for the cultural professionals. However, the paper stresses that it fully understands that the DG EAC has framed culture as an integral part of other policy areas – economic, social and foreign, in order to legitimize its agenda and improve its own position, but it expresses its concerns about the possible instrumentalization of culture. The EP’s Briefing paper is also concerned with keeping the openness of the OMC processes and involvement of the civil society into them.

¹⁰² Briefing paper for the European Parliament on the Commission Communication “a European agenda for culture in a globalising world” {SEC (2007) 570}, Prepared for the European Parliament by Christopher Gordon with additional input from Rod Fisher and Dragan Klaic, International Intelligence on Culture, August 2007, page 3.

¹⁰³ Ibid, page 7.

¹⁰⁴ Ibid, pages 3 and 5.

¹⁰⁵ Ibid, page 21.

The above presented aspects of the EP's Briefing paper is fully in line with the parliament's perceived role as the gate keeper for civil society and diffused interests and a advocate of 'culture qua culture'.

4.1.3 The Committee of the Regions – for European Capitals of Culture and the Structural Funds

In its Draft Opinion on the Commission's Communication, the Committee of the Regions (CoR) is concerned mostly with issues regarding the European cities and regions. Therefore the Committee of the Regions views as problematic the fact that not enough attention was paid in the Communication to the importance of the 'European Capital of Culture'. It argues that the scheme of the European Capital of Culture "is the most popular of all the European cultural projects, and is quickly gaining importance in the cultural development of cities and regions, as witnessed by the increasing number of national competitions to secure the title."¹⁰⁶

The argument goes further by establishing a link between the scheme and its broader socio-economic implications: "Particular momentum is generated here by the fact that, under the Capital of Culture scheme for the years 2007 to 2011, culture is understood and treated as an engine and tool for social development, thus making a major contribution to European added value."¹⁰⁷ This argument makes the Committee of the Regions an advocate of the culture's framing within the Structural Funds as presented in the second chapter of this work. Indeed, this frame sponsorship is reaffirmed in the CoR Draft Opinion, where it is concerned with the questions of culture funding. The Committee of the Regions underlies the role of the

¹⁰⁶ Draft Opinion of the Commission for Culture, Education and Research on a European Agenda for Culture in a Globalising World. Rapporteur: Mr Gerd Harms (DE/PES), Committee of the Regions, 9th commission meeting, 21 September 2007, EDUC IV-014, page 4.

¹⁰⁷ Ibid, page 4.

Structural Funds in funding of cultural infrastructure and calls for the fulfillment of the Commission's plans to include more aspects of culture within the funds in future.

As concerns the introduction of the OMC, the CoR expresses its concerns that the sub-national level could be marginalized in the OMC processes. Similarly to the Council, the Committee is afraid of the additional administrative burden this new method will bring with itself. Therefore it stresses that the subsidiarity principle pertinent to culture should be respected to prevent that the regions will be left out of the OMC. In regard to the supposed administrative burden it wisely "recommends making use of the multifarious opportunities afforded by setting up and fostering European platforms and networks"¹⁰⁸, i.e. actively engaging cultural professionals.

The Draft Opinion reveals that the CoR perceives itself as the advocate of interests of cities and regions. For the same reason it supports framing culture as the contributor to the urban and regional development, i.e. within the Structural Funds. And among the European symbolic initiatives it advocates for the Capital of Culture for due to its supposed socio-economic implications at the sub-national level.

4.1.4 The cultural sector

The cultural sector – cultural professionals, cultural organizations, networks and associations, in general welcome the Commission's Communication. For the sector the Communication has meant the recognition of its role in shaping policy actions in the field of culture at the EU level - at least in the phase of consultation.¹⁰⁹ The sectors' role was further

¹⁰⁸ Ibid, page 6.

¹⁰⁹ European cultural networks – the gate toward international cultural cooperation, Cultural Contact Point, Slovakia. Seminar of five major European cultural networks: IETM, Trans Europe Halles, EFAH, IPRN, Europa Nostra. Bratislava 13 May 2008.

reaffirmed in relation to civil society as it should be acting as a bridge between it and the Commission through the Rainbow Platform.

The fact that the objectives set in the Communication are quite broad, touching upon different policy areas and spheres of life and because the concepts used in the document are opened to different kinds of interpretations, this makes both the professionals from creative arts as well as the cultural industries supportive to the Commission's intentions. However, on the side of creative arts, there is a certain concern regarding the economic and political instrumentalization of culture and the dominance of creative industries, especially with regard to the Cultural Industries Platform and the open method of coordination. Therefore, the European cultural networks that represent the main advocate of the interests of arts, are trying to mobilize cultural organizations in order to increase their voicing capacity. They especially try to gain support of organizations in new, mostly eastern member states, because too little is known about their preferences (e.g. the concept of intercultural dialogue fits better the reality of Western European states, than the more homogenous population of the Central and Eastern Europe).¹¹⁰

The main burden of voicing advocacy of arts and heritage at the EU level lies on the shoulders of two European cultural networks – the EFAH (recently renamed for this sake to 'Culture Action Europe') and Europa Nostra. Other cultural networks lacking stuff and resources are not capable of regularly following what's going on in Brussels.¹¹¹

Overall, it can be stated that general consensus on the Commission's Communication was reached among all of the actors – institutions and cultural sector, although the practical concerns and frame preference differed from venue to venue. The Council stressed that the competence of Member States should remain untouched. The

¹¹⁰ Ibid, panel discussion, Bratislava 13 May.

¹¹¹ personal interview with Mrs. Brigitta Persson, Trans Europa Halles, Bratislava 13 May 2008.

European Parliament continued with its advocacy of culture as a value in itself. The Committee of the Regions aimed to secure the position of cities and regions and recalled framing culture within the Structural Funds. And finally, the cultural sector expressed its concerns about pure economic or political instrumentalization of culture as well as dominance of the cultural industries that enjoy a tremendous advantage when operating on the Common European Market.

4.2 Getting Culture on the EU Agenda

A partial task set within the research question is to explain what helped that the Communication on ‘A European agenda for culture in a globalizing world’ was adopted and why such a milestone document came into existence right now. As was shown in the first chapter, there is a link between the way a policy issue or area is framed and its ability to get on the agenda or increase its profile.

Kingdon’s concept of ‘window of opportunity’ – a situation enabling major policy breakthroughs, is appropriate here. According to him, such a situation appears when problem identification is linked to a policy proposal in a policy climate that favors the attention to both.¹¹² In case of the Communication all the three conditions are met. Globalization – the changing context is formulated as the problem or the challenge the EU has to face nowadays and the European ‘cultural richness and diversity’ around which the whole document is built, is presented as the EU’s main asset in coping with this endeavor. As will be shown later in this section, the constellation of factors created a favorable climate for bringing culture on the agenda and that the DG EAC played a pro-active role in pushing through for the issuing of the Communication.

¹¹² Kingdon, above n 23, page 188.

What is also important in this respect is Rein and Schön's association of this kind of situation with the occurrence of reframing, i.e. change in the way the policy issue is framed. Indeed, substantial reframing of culture appeared in the Communication with subsuming it within the Lisbon Strategy, which is the document's main driver and enables the introduction of the OMC.

3.3.1 Constellation of Factors

What enabled the Communication to come into existence was a unique constellation of several factors that met at the same time.

First of all, according to the well-informed observers from the EFAH – Mrs. Daphne Tepper (policy analyst) and Mrs. Zora Jaurova (board member and director of the Cultural Contact Point, Slovakia) there was a indisputable role of personalities who endowed the Commission with entrepreneurial vigor. The observers ascribe the responsibility for the document's emergence to two DG EAC officials – Director-General Odile Quintin, who is a very experienced and competent official and as a former Director General of DG Employment and Social Affairs she was engaged in the Lisbon Strategy processes; and Director Vladimír Šucha who came to the DG with a strong personal mission. These personalities were also the prime movers of the idea to subsume culture within the Lisbon Strategy.¹¹³

Secondly, the new UNESCO Convention on diversity signed by the EU and the Member States acted as an external factor in favor of the Communication's emergence. The Convention in fact means a global agreement on streamlining culture within other policy areas and thus serves the DG's intentions extremely well.

¹¹³ personal interviews of 13 May and 21 May 2008 respectively, Bratislava.

Third, the ‘maturity’ of the EU can be seen as another significant factor. Throughout its development and continual seizure over new policy areas, such as education, research and innovation, the EU reached the state when inclusion of culture within similar policy processes resulted as natural. And the proper way of framing, i.e. presenting culture from this perspective enabled to move culture one step forward.

Fourth, the crises following the failure of the Treaty Establishing a Constitution for the European Union, created an atmosphere of searching for a way out in which new reasonable initiatives were more welcomed.

Finally, the role played by coalition-building is an important one to consider. As stated by Pollack, alliance-building with constituencies helps to increase the Commission’s agenda-setting capacity. He further elaborated on this assumption when claiming that the Commission and its DGs when actively seeking pro-integration agenda, supports the emergence of its allies, i.e. Euro-groups and policy networks. The same is true in the case of the Communication. Throughout the process of the documents emergence the Commission tried to give a new dimension to its relationship with the cultural sector and civil society. The process started when the Commission was given the mandate to negotiate the UNESCO Convention, continued throughout a series of high level conferences, then took a form of on-line consultation on the text and public hearing of the sector by the Commission and finally was institutionalized in form of the so-called ‘Structured Dialogue’.¹¹⁴

In February 2008 the Commission organized an information session in Brussels¹¹⁵ to inform cultural organizations how it plans to involve concerned actors and civil society into what is envisaged in the Communication. According to the Commission, this would be done through the means of three platforms. Besides *the Civil society platform (Rainbow platform)* which was initiated by cultural sector (ECF, EFAH), two other platforms will be set up with

¹¹⁴ Commission Staff Working Document, above n 67, pages 6-7

¹¹⁵ Web streaming of the information session, Brussels, 19 February 2008

Commission sponsorship: a platform on „*Access to Culture*“ and a platform on *cultural industries*, in order to provide the cultural sector with an opportunity to improve its voicing at the EU level.¹¹⁶

3.3.2 Agenda-Keeping

Active alliance building with the cultural sector has a very pragmatic significance also as a safe-guard mechanism for the agenda-keeping process. However, there are some other similar mechanisms in-built in the Commission's Communication for keeping the policy momentum. In fact, the document is tailored in a very sophisticated manner as regards the policy instruments.

Most importantly, the launching of the OMC is linked with the symbolic initiative – the 2008 ‘European Year of Intercultural Dialogue’. When preparing their national strategies concerning this initiative the Member States were also asked to identify their best practices for benchmarking in respect to the intercultural dialogue. These will be used in the first round of the OMC process. The intercultural dialogue is strongly backed by the UNESCO Convention, but moreover, the Council of Europe has also joined the endeavor and will come up with a set of best practices as well.

Similarly, the next ‘European Year’ will be dedicated to creativity what is fully in line with the Lisbon Strategy Framework and most probably will be attached to the OMC around the topics of cultural industries, and culture and education.

This all will make the Member States occupy with the elements of the Communication for longer time and thus help to keep culture on the EU agenda. However,

<http://webstream.ec.europa.eu/scic/eac/080219/day1en-1.wmv>

¹¹⁶ The European Agenda for Culture: involving civil society (February 2008) - First steps towards the application of new instruments for European cultural policy.

<http://www.efah.org/index.php?id=147&pagelang=en>

first positive impact of the document has already demonstrated itself. According to Mr. Director Šucha, the Communication has lead to the breaking of the taboo of speaking about coordination of cultural policies at the EU level – before this was something unimaginable, nowadays representatives of Member States find the use of this term absolutely normal.¹¹⁷

¹¹⁷ personal interview from 31 March 2008, Bratislava.

CONCLUSION

The main task set in the thesis was to identify how culture has been so far framed at the EC/EU level and to give answer on the question which one of the frames is currently prevailing. In order to do so, the thesis was logically based on the theory of framing which, although originating in other academic discipline, has been found useful in researches into European integration. More specifically, the thesis drew upon Schön and Rein's method of frame critical policy analysis and Kohler Koch's assumptions about successful frames. After presenting a short historical overview of the frames applied in the field of culture (economic, European and External Relations), it turned its attention to the recent Commission's Communication "*on a European agenda for culture in a globalizing world*".

Although this Commission's document is considered to be a milestone in the field of culture - it sets for the first time long-term policy objectives and establishes the open method of coordination to be applied here, no comprehensive academic research has been done into this Communication yet, neither in the European Studies, nor in other scientific disciplines. Therefore the main contribution of the thesis consist exactly in filling this research gap.

The thesis identified three frames contained in the Commission's Communication: 'Creative economy and the Lisbon Strategy', 'Cultural Diversity and Intercultural Dialogue' and 'External Relations'. It also discovered that these frames to a great degree correspond with the ways culture has been framed so far, however with 'creative economy and the Lisbon Strategy' being major innovation concerning the economic frame.

The thesis found that all the three frameworks meet most of the Kohler Koch's criteria for successful frames – they are present in the discourse, have pertinent and simple heuristic, build upon previous positive experience or internalized ways of thinking, and are shared among the élites. However, for several reasons it is the 'Creative economy' frame that results

dominant. By bringing in the Lisbon Strategy the ‘creative economy’ frame presents the most elegant prototype matching of all the frames and links culture directly to the achievement of the most important EU objectives. Moreover, it is based on empirical evidence in form of the 2006 Commission’s study which provides exact data on the contribution of the cultural sector to the EU economy. The frame has important implications for DG EAC – it gives legitimacy to the establishment of the OMC and it is expected to increase the DG’s bargaining power during negotiations on the future budget. Besides the DG, the frame has a strong advocates in form of cultural industries together with their supporting Member States (liberal - the UK, the Netherlands) who have always been influential players pushing the economic frame forward. But the frame is also welcomed by the creative art sector because it means the long expected culture’s profile-raising at the EU level. It also touches upon ‘softer’ areas and resembles some aspects of the Structural Fund frame that provided the sector with resources. However, concerns about the possible instrumentalization of culture the frame may bring with itself are often expressed.

The thesis proceeds further in its analysis of the Communication and asks why such an important document emerged right now and why it was adopted. In order to find the answer, it draws upon the Kingon’s concept of ‘window of opportunity’ which bridges framing theories with agenda setting. It argues that in case of this document all of the three Kingdon’s conditions were met. The identification of the problem – in this case globalization, was linked with the supposed solution - the European ‘cultural richness and diversity’ and the overall political climate favored attention to both.

Concerning the constellation of factors that enabled the document to come into existence, the thesis identified the following - role of DG EAC officials with strong personal mission – Mrs. Odile Quintin and Mr. Vladimír Šucha, the post-crisis situation following the refusal of the proposed Constitution favoring new reasonable initiatives, the influence of the

recent UNESCO Convention to which the EU is a singatary party, the overall progress the EU has made in other related policy areas, and the DG's coalition-building with the cultural and creative sector. The coalition-building together with the sophisticated combination of new and old policy instruments (the OMC and symbolic initiatives) is aimed at keeping the reached policy momentum in future.

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