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Framing European Heritage and Identity: the Cultural Policy Instruments of the European Union

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1. Introduction

The European Union (EU) finds itself in a series of events and crises that challenge the direction and future of the European Union integration: the economic crash of 2007, Brexit, the 2018 Italian elections and so forth (Falkner 2016; Laffan 2016). The Brexit referendum outcome in particular highlights a concern that EU policy-makers have had about the seeming lack of resonance between the EU integration project and the wider EU population. The 1992 Maastricht Treaty referendum and especially by the Treaty of Rome II referendum results (which abruptly killed the spirit of the EU Constitutional Convention process) actually signalled this reality much earlier (Hooghe and Marks 2006; Beetham and Lord 1998). Although EU policy-makers have recognised this problem and the issues of maintaining an identification with a series of abstract constitutional rights (e.g. freedom of movement), the search for solutions is ongoing and uncertain. As the debates concerning the failed EU Constitution demonstrate, the EU policy-makers have sought to link integration to the deeper senses of European identity and community, generating controversies and disagreement along the way (Norman 2003; Schlesinger and Foret 2006). It is in this context that the EU decision-makers started to take a greater interest in creating a common cultural policy, with the idea of tapping into common heritage and identity (Craufurd Smith 2004). Communicating, maintaining and indeed creating a common cultural heritage consequently has become an important and explicit part of the European integration process, but it is fraught with political and policy implications which are potentially subject to questioning and contestation as this paper explains.

The central purpose of this paper is to assess how the EU uses a particular set or 'mix' of policy instruments to build particular myths of European integration, heritage and identity. Hood (1983) defines policy instruments as the tools by which actors implement their governance strategies. In many complex industrialised national policy sectors, there is likely to be a mix of policies. Flanagan *et al.* (2011) attribute the idea of a policy mix to the economist Robert Mundell, who argued that the manipulation of the exchange rate (by floating or fixing the rate); can transform monetary policy into a powerful tool while simultaneously weakening the function of fiscal policy or else it can boost fiscal policy while weakening the monetary instrument. Thus, instruments can reinforce and/or undermine each other for various reasons when used together in the same policy sector.

What particularly interests us here is the array of instruments that the EU has selected to enhance its cultural heritage. The European Commission (2018) explains the 'cultural heritage of the EU' as 'a rich and diverse mosaic of cultural and creative expressions, our inheritance from previous: generations of Europeans and our legacy for those to come'. Although this EU description of this policy priority is our starting point, this paper will interrogate the various explicit and tacit values and perspectives that underpin the EU's cultural heritage approach, and the paper will offer a much more nuanced picture of the tensions, priorities and exclusions contained in the EU policy approach to cultural heritage. Using the theoretical apparatus of policy framing and the narrative of myths, the article explores how the EU has designed policy instruments to deliver outcomes that are often at variance with each other (e.g. to protect the single market versus acknowledging societal groups that have been marginalised) and that reinforce/undermine particular EU myths. The paper will make a final assessment of how these instruments interact with each other, and what tensions and synergies they generate.

The paper is structured as follows. The next section explains the theoretical framework, which involves a synthesis of the policy instrument and policy framing literatures with the political understanding of myths. The third section provides an overview of the main policy instruments operating in the EU Cultural Heritage, explaining the policy instrument attributes, how the instruments are supposed to function individually and the wider sectoral context. The fourth section presents the case studies, allowing us to drill down further into the thinking behind the instruments and how they interact with the wider political/policy/social landscape. We gather the evidence for the case studies through a documentary search as well as interviews of policy elites. Both the theoretical and empirical work is funded by the EU Horizon 2020-funded project CoHERE (Critical Heritages: Representing and Performing Identities in Europe).The fifth and concluding section summarises the findings and draws a wider picture of the operation of myths within the EU Cultural Heritage policy.

2. Explanation of the theoretical framework

Patterns of decision-makers' choices

There is a range of different approaches to understanding how policy instruments inform policy. There have been several significant attempts to assess policy instruments in a wider context. One of the most influential is Hall (1993), who places the type of instruments and their settings in the wider context of the policy principles and paradigms that inform the instruments. This approach has the merit of incorporating both micro elements, i.e. the policy instruments, with more macro considerations of the broader policy philosophies and outlooks; significant change can happen at both levels although truly transformational change is likely to happen at the more macro ideational level. Lascoumes and Le Galès (2007) argue that scholars need to study 'the long term political careers' of instruments, including the debates and controversies about their creation and revision to make more visible the policy choices behind the selection and implementation of these instruments. It is in the policy instrument that social choices and discourses seem to crystallise in actual policy responsibility for achieving policy goals.

This paper makes an original contribution in this area by looking not only at the micro level activity and implications of the cultural heritage instruments but also at the wider discursive themes that underpin and inform the instruments (while also accepting that instruments can take on lives of their own in shaping how people think and act – Lascoume and Le Galès 2007). Policy instruments are where policy-makers concretely impact upon society (Wurzel *et al.* 2013). The paper accordingly combines elements of the policy instrument with the policy framing literature and the study of political mythmaking.

Capano and Lippi (2017) help to link the study of policy instruments and macro policy considerations by arguing that two key, often conflicting, drivers inform how policy makers choose instruments; their approach focuses on how decision-makers perceive the instrument in relationship to the policy goal to be achieved as well as its wider context. This framework provides the micro analysis behind the policy choice. The first driver is the concerns about ensuring the legitimacy of the instrument choice, namely that it takes into account the preferences and interests of certain groups who confer this validity. One type of legitimacy is that generated internally to the policy sector – here the choice of instrument fits with the cognitive framework, norms or the general approach to governing that actors in the policy sector possess (Capano and Lippi 2017). In contrast, external legitimacy occurs when some organisations or groups outside the political context or policy sector are the source of legitimation for the instrument; this could be because observers perceive the instrument as being successful in the original context, which may be a different policy sector or in a different political system (e.g. Council of Europe, Germany). The second set of considerations that a policy-maker must face is the question of the instrument's effectiveness in achieving the policy goal. Where policy-makers perceive the instruments to be uniquely designed and best practice for a particular sector, Capano and Lippi (2017) defined this as specialized instrumentality. In contrast, instruments that policy makers perceive to cover a range of different sectors, policy problems and scenarios reveal a generic instrumentality.

Capano and Lippi (2017) use these two dichotomies to create four scenarios, but, as we will see below, the EU cultural heritage sector is one where unique instrument design does not exist, with multiple instruments impacting on culture from other policy sectors as well as instrument designs found in other sectors. This leads to situations where policy actors adopt a range of tools in a non-specific way, i.e. the instruments may not be the best instrument to fit the policy problem but they suit the general political and technical attitudes of those with a strong input in the process (*contamination*, see Capano and Lippi 2017, pp. 283-284). Alternatively, policy makers introduce instruments that generally suit a range of situations and have an external legitimation, and thus are relatively easy to adopt in the particular sector (*stratification,* see Capano and Lippi 2017, pp. 285-286).

Policy framing

Having established the micro foundations behind the policy choices, we now add the cognitive understanding of how policy actors view particular policy problems and the policy sectors that confront these problems. The policy framing approach expects policy-makers, when facing situations where the basis in knowledge is contestable and uncertain, to construct a narrative that enables the policy-makers to assess the problem, formulate a solution and cajole others to join in this solution (Snow and Benford 1988). Because of the policy uncertainty and debate, different actors can view the same situation and produce substantially different thinking and solutions. A critical element to the framing of a policy problem is the assessment of the potential role that other actors/communities can play in the policy problem, and therefore policy framing will shape the extent to which other actors are included and/or benefit/lose from the policy decision and instrument choice. Consequently, actors that are excluded may seek to contest this framing, potentially offering a *counter* (alternative) frame. In a particularly nebulous area such as culture, heritage and identity, we are particularly likely to see different actors in the political system focusing different aspects of the question, as well as how these aspects link to each other, leading them to pursue very different perceptions of reality and of what constitutes appropriate public policy (Schön and Rein 1994).

Frames provide a crucial element in defining what the interests of the actors are in the policy sector, and thus which instruments actors think are appropriate. This occurs via two

discursive efforts (Schön and Rein 1994): (1) policy actors use persuasion, evidence and other means to ensure that their policy frames/narrative dominate the policy dialogue; the second discursive struggle focuses on securing the place of policy stories that trigger the adoption of specific policy tools. It is possible that the different coalitions of policy actors may over time reflect on the frames and policy problem, and come to a consensual determination about the policy debate (Schön and Rein 1994). However, equally possible is that the groups of actors may seek to build alliance and seek to overcome politically the opposition to the frame, or also seek some form of horse-trading to satisfy the other groups. Policy framing accordingly explains the processes that inform how policy-makers perceive both the legitimacy and instrumentality of the instrument in a particular sectoral context, faced by a particular policy problem that they have framed.

Given the focus on this paper on how EU actors have sought to promote a particular version of cultural heritage, it is important to get a sense of how *official frames* operate (Noakes 2000). Noakes (2000) posits that state and other actors who wish to retain their governing authority and protect their legitimacy will seek to use official frames to mobilise groups within society to support their positions and to refute alternative perspectives (and potential frames). These public actors normally will use an established repertoire of frames to respond, but there may be instances where the actors feel the necessity to search for new framings to maintain societal legitimacy and authority. By utilising these framings, often with other governance resources such as legal authority and budget money to spend, the official frame can dominate at the expense of other counter framings. However, past studies of EU framing suggest that framings, including official ones, can co-exist in the same policy sphere; policy actors, for example, can seek to evolve the governance in an area by seeking to shift frames over time. Sometimes the actors successfully make the change over time (Radaelli 1995). Sometimes they are only partly successful in bringing about change (Lenschow and Zito 1998) but other times unsuccessful in overthrowing the current dominant frame (Daviter 2011).

Political myths

Policy instruments and the frames that underpin them tend to focus on the immediate policy problems and sectors, but part of the core issues determining policy choices in the field of EU cultural heritage are broader values and philosophies about the nature of Europe, its identity, its heritage and culture. Given the presence of these grand narratives, we conceptualize the political mythmaking that might be contained in instruments and confer legitimacy to those who govern using official frames (Della Sala 2010). Mythmaking is not intended here to mean a pejorative or value judgement assessment, but rather signify the construction of longer-term narratives that carry a set of political meanings and that explain EU thinking over time, including how this thinking deals with cultural historical notions of time and evolution (Flood 2013; Probst 2003). Kølvraa (2016) and other have suggested the importance of mythical narratives that both depict the past and link this vision of the past to contemporary political issues and the contemporary pursuit of a particular utopian end point.

As EU integration is an ongoing political and economic project, the definition of political myth that resonates most is Bottici's 2007 (p. 99) definition, which focuses on myth as a process. This involves a process of both saying and acting that engages a range of actors (made up of narrators, receivers and potential re-narrators) in the activity of continually working and re-working on the myth. Political myths offer a way to map cognitively the social world (including personalities, traditions, artefacts and social practices – see Bell 2003) and events, but also involve a determination to act and a dramatic impetus to do so (Bottici and Challand 2006). Political myths are not inherently political because of their content but rather due to the way the narrative relates to and comes to address the political conditions of a

given group. Political myths need to be shared by a given group and address the specific political conditions in which the group exists (Flood 2013). Myths are narratives that: (a) give meaning and significance to political events by creating a sequence of events and practices that functions as a coherent plot (Bottici 2007, pp. 112-115); and (b) involve a network of symbols that include images, figures and characters (p. 106). Bottici (2007, pp. 111, 209-226) makes the point that any type of content can become the object of a mythical narrative, but that it is needs to be meaningful for people, in their given context, in the here and now, for the narrative to continue as a sustaining political myth. All social activities and practices can act as vehicles for reception of and therefore the continued working upon the mythmaking (Bottici and Challand 2006, p. 320).

In his overview of the application of political myths to EU integration, Della Sala (2010) distinguishes between two types of myths present in European integration as well as other mythmaking. On the level of grand narratives, there are foundational and primary myths that have a core role in explaining the identity of the (EU) community that exists and why the community has gathered together (Della Sala 2010, pp. 6-7). The core integration narrative that the EU has been responsible for ensuring the prevention of war as well as democracy and prosperity in post 1945 Europe is EU's most important primary myth. These primary myths help to generate derivative or secondary myths, which help sustain the legitimacy of EU political authority by giving meaning to the political action that the EU takes on behalf of the EU political system and society. The analysis of such secondary mythmaking highlights the importance that both less visible and more visible policy sectors such as competition policy and environmental policy have had in justifying EU integration (Akman and Kassim 2010, Lenschow and Sprungk 2010), as seen in existential debates about EU integration such as the Brexit referendum campaign where EU environmental regulation was framed (for example by Caroline Lucas, UK Member of the European Parliament) as one reason for the United Kingdom retaining its EU membership. The study of EU cultural heritage needs to be aware of the primary myths about EU integration which inform cultural heritage policy but also the relevant secondary myths that underpin it.

This paper argues that policy instruments and the policy frames that inform these instruments constitute activities, arenas and processes, which in turn support EU secondary mythmaking in the cultural sector, and thus support overall the mythmaking of the EU integration process. In a parallel effort, Lähdesmäki (2018) has investigated two heritage efforts by EU institutions to support three primary EU myths surrounding its founding, concerning the common historical legacy that Europeans share, the re-birth of a common Europe after political disruption caused by World War Two and the Communist domination of Eastern Europe, and the importance of the EU Founding Fathers. This paper differs in seeking to present the wider context of the policy instruments and the frames and myths that the instruments represent; the complexity of this wider picture allows us to tease out the tensions and contradictions within the frames and mythical narratives.

3. Overview of the instruments in the EU cultural heritage *repertoire*

In this section we survey the main policy instruments operating in the EU Cultural Heritage sector, explaining the wider sector context, the attributes of the current policy attributes, and how the instruments are supposed to function individually. Up until the inclusion of an article on culture in the Maastricht Treaty in 1992, the EU's acknowledgement of common cultural issues was extremely limited as the member states had quite diverse views on such a policy priority. Article 167 of the Lisbon Treaty notes the need for the EU to supplement member state efforts by (only where necessary) fostering an understanding of the culture and history of the European peoples as well as conserving cultural heritage. Craufurd Smith (2015) argues that the overarching EU cultural policy and the programmes it initiated

between 1992-2006 took quite a wide-ranging approach as well as one that contained both overt cultural aims with a focus on industrial development and professionalization of the sector. After 2007, the EU focus has shifted more towards economic and technological development as the priority, with a narrowing of the core objectives, concentrating more on the economic potential of culture and the need for sustainability in the selected projects (Craufurd Smith 2015). This paper focuses particularly on those current instruments that retain an explicit aim of enhancing and maintaining cultural heritage, and the relation between culture and history within this larger context.

In order to survey the cultural heritage tools that the EU uses, it is important to categorise them further. Hood's (1983) classic typology of instruments focuses on how public actors manipulate particular resources to achieve their policy aims. Keeping in mind that some instruments can contain more than one of these characteristics, the four basic resources that underpin instruments are: organization (establishing official or unofficial organisations and networks to govern policy problems); authority (harnessing legal, administrative and hierarchical powers); finance (offering money - e.g. subsidies - or taking it - e.g. charges and taxes); and information (using knowledge and communication to steer societal behaviour or using it as an input to inform public policy). We have also included a fifth category, namely instruments that have had a significant but unintended consequence on EU cultural heritage efforts. To make use of this categorisation, we place instruments with multiple resource components in the category that has the dominant impact on the target audience. This overview relies on the EU Commission's (2016a, 2017a) mapping exercise as well as academic surveys of activity in this area (especially Craufurd Smith, ed., 2004; Psychogiopoulou, ed., 2015).

Organisation

Moving to organisational instruments, the EU has one agency, the Education, Audiovisual and Culture Executive Agency (EACEA), to administer various funding programmes that include culture. By its very multi-programmatic nature, EACEA contains a number of frames, focusing particularly on intercultural communication. The European Commission (2013) Decision establishing the agency has no explicit reference to cultural heritage, but rather makes clear its need to implement the Culture Programme and Creative Europe activities in addition to projects enhancing integration and market principles of free movement, such as European Region Action Scheme for the Mobility of University Students (ERASMUS). More numerous are a series of networks and non-governmental bodies that gather experts and stakeholders to generate greater information and knowledge concerning EU priorities. The Member States Expert Group on Digitalisation and Digital Preservation (MSEGDDP) specifically includes cultural heritage and preservation of culture in its objectives but gives a primary framing to the question of economic competitiveness (European Commission 2007). More specifically focused on cultural heritage was the Horizon 2020 Expert Group (EG) on Cultural Heritage, which was active in 2014. Despite its title, the group's broader mission focused its role in support the cultural heritage agenda by making efforts that 'can build on the potential of new business models and social innovation to stimulate financing in this sector and promote its effective contribution to the green economy' (European Commission 2016b). The European Marine Observation and Data Network (EMODnet) aims to provide better knowledge on location and nature of underwater cultural heritage sites, but its much larger focus is marine knowledge, the marine economy and sustainable growth. The network of law enforcement authorities and expertise competent in the field of cultural goods (EU CULTNET) has an explicit aim of protecting cultural heritage, but much of the focus is framed in terms of illegal goods operating within the common market and protecting EU citizens (Council of the European Union 2012).

Authority

The prescriptive rules that have a more explicit engagement with culture and cultural heritage tend to focus on enhancing the Internal Market and protecting the community within its borders. Thus, for example, Directive 2014/60 regulates the return of cultural objects unlawfully removed from the member state territory. This is framed in terms of cultural heritage, but also on preserving the market (EU 2014). Regulation 116/2009 on the export of cultural goods has a dominant frame focused on the preservation of the single market. The EU also has made use of more flexible instruments to support cultural heritage initiatives, most especially the Regulation establishing the Creative Europe Programme involving funding, guidelines and organisation as well as the use of authority (EU 2013). The objectives are specifically framed in terms of protecting Europe's cultural and linguistic diversity and cultural heritage but equally framed around the competitiveness of the cultural and creative sectors and on sustainable economic growth.

Finance

There is a wide range of financial instruments that impact on cultural heritage explicitly but the biggest and most important of them are more specifically focused on other frames to support EU integration. In terms of budgetary weight, the major EU spending programmes, specifically the European Regional Development Fund (ERDF), the European Social Fund (ESF), the European Agricultural Fund for Rural Development (EARFRD), the European Maritime and Fisheries Fund (EMFF), Programme for the Environment and Climate Change (LIFE), Instrument for Pre-Enlargement (IPA), and the EU programme for the Competitiveness of Enterprises and Small and Medium-sized Enterprises (COSME) all have funded cultural heritage but have a much larger focus on other core integration frames (European Commission 2017a). The EU has funds focused more generally on knowledge and research, such as Joint Research Centre (JRC), ERASMUS, European Research Area, that support research; there are also funds for some cultural heritage efforts in East Europe via the Ljubljana Process and Horizon 2020. One recent effort to reach the European youth about cultural diversity (and appreciating cultural heritage) is the Discover Europe programme offering free rail tickets to 18 year olds, which has been explicitly linked to the 2018 European Year of Cultural Heritage; again, other frames are involved, such as freedom of mobility (European Union 2018).

Information

Informational instruments with a focus on cultural heritage are the most prevalent in this policy sector; they are also the most diverse. There are some tools, notably EUROSTAT, which provide online statistics on cultural consumption but also have a much larger framing around the market and other aspects of EU integration (European Commission 2017a). A number of documents set the agenda and give the basis for other informational and other cultural heritage instruments, including plans (e.g. the Council Work Plan for Culture 2015-2018), strategies (e.g. the Commission 2014 Communication 'Towards an integrated approach for cultural heritage for Europe'), digital platforms (e.g. Europeana), recommendations, and decisions (European Commission 2017a). Despite a focus on heritage, the examples of instruments show the simultaneous importance of other frames: for example, Recommendation 2005/865/EC on film heritage and the competitiveness of related industrial activities similarly frames objectives in these differing directions (EU 2005). Of particular interest to this paper are informational instruments that provide a designation that draws attention to cultural values as well as providing funding or prize money as well as legal protection as appropriate. These include: European Capitals of Culture, European Heritage

Days, the European Heritage Label, European Year of Culture, and the EU Cultural Heritage Prize as well as instruments with a focus on protect traditional cultural activities and locations, such as the EU Quality Logos for Protected Designation of Origin (PDO). Decision 2017/864, establishing 2018 as the European Year of Culture, frames its core objectives as protecting cultural heritage and bringing to a wider European audience as a means of integration, but also equally frames its objectives in terms of realising EU cultural heritage's economic potential and as an external relations vehicle for engaging with Third Countries (EU 2017).

Instruments with unintended consequences
The conception of policy mix means that instruments can unintentionally have very meaningful consequences on a given policy sector. Given the lack of a conscious link between these policies and cultural heritage policy, it is difficult to present systematically all the EU instruments that might have an impact. This section focuses on the ones where an explicit EU linkage has been made to Cultural Heritage. The Working Group on EU Directives and Cultural Heritage (WGEUDCH) has isolated a list of EU instruments that have a negative potential impact on cultural heritage: 16 Directives (such as the Directive creating the Environmental Impact Assessment and directives on energy performance in buildings, biocidal products, safety requirements for workplace and so forth) and 3 Regulations that are authoritative in nature and exert prescriptive rule-making (Nypan 2007). Thus, these regulations seeking to protect the environment, visitors, inhabitants and so forth raised issues about particular materials and their use in preservation; for example, the Biocidal Directive created problems for the use of a traditional wood tar for the preservation of the famous Norwegian stave churches. The WGEUDCH focused on particular directives that limit efforts to preserve the authenticity of elements of EU cultural heritage (Nypan 2007). However, another possibility is that EU rules and norms may inhibit or undermine the broader efforts at cultural heritage. An important example of this is the EU effort to protect the internal market by restricting state aid; the 1998 Commission regulation, and the regulations that have followed and amended it, offer the recognition of this potential negative impact by allowing certain categories of aid to be continued, including culture and heritage conservation (European Commission 2017b).

4. Case studies.
[Incomplete]

This section assesses four policy instruments tied to the cultural heritage goals that span more than a decade to assess how their framing and contributions to a wider mythology have evolved and interacted with other instruments.

European Heritage Label and the myths of the common heritage and cultural diversity

Myths of economic integration and spillover

5. Conclusion: an instrumental mosaic
[Incomplete]
The preliminary assessment of this cultural heritage sectors suggests the following basic trajectories for EU policy. The first is that cultural policy

reflects a stratification of instruments. The instruments are layered together in this policy sector in a way that does not seem to involve a high level of interaction on any particular policy problem and EU societal group. Because the interaction is rather diffused, the tensions and contradictions between instruments is diffused as well. The research does show that certain instruments that have no explicit cultural heritage purpose do work against some of the explicit cultural heritage instruments, but do so for unintended reasons. Given the use of the metaphor of mosaic to depict European cultural heritage mentioned in the introduction, it is an apt metaphor to depict the policy mix of instruments at work in the cultural heritage policy sector: the mix reflects a fairly in coherent mix and mosaic of instruments often carrying multiple policy frames.

The more interesting story about the policy mix is at the ideational and cognitive level where frames and mythological narratives operate. Cultural heritage contains a number of instruments that come from multiple official EU frames and that support important EU secondary myths. As such, none of these official frames and myths are providing a counter narrative to each other. At the same time, their mutual existence in the stratified world of cultural heritage policy instruments means that they are in competition with each other in terms of values. Furthermore, certain frames, centred on EU market reinforcement and economic competitiveness, and certain myths of the inevitable progress of the EU market and free movement, having the greater voice in the sector.

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