

## LANGUAGE, CULTURE, COMMUNICATION

EU CULTURAL POLICY AND SOCIETY PARTICIPATION:  
REVIEW OF THE RECENT LITERATURE AND REGULATORY FRAMEWORK**Anca Parmena Olimid**

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**Summary**

Cultural heritage, cultural policy and cultural participation are crucial topics for the European Union (EU) participatory governance and social integration. The purpose of the paper is to conduct and develop conceptual and legal research on the EU documentation in the field of cultural policy, cultural heritage and cultural participation engaging a three-step research plan: (1) the appraisal of the recent literature in the field; (2) the broad interdisciplinary approach to the relevant doctrinal and latest legal advances; (3) the policy and societal contexts influencing the citizen participatory actions. The added value of the research is related to the identification of the inner concepts and processes influencing participatory governance and social integration: cultural assets, historical and social structures and areas, cultural goods, conservation management and participatory governance.

**Key words:** cultural heritage, cultural participation, participatory governance, social integration, European Union.

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**1. Introduction**

The present paper explores the concepts of “society participation” and “cultural policy” offering a two-step guide to discuss the recent advances in the scientific literature and also, to frame the legal research on the European Union’s relevant documentation in the areas of cultural heritage and cultural management (*Nguyen, & Umemoto, 2009: 23-35*). Therefore, the first section deals with the systematic analysis of the concept of “cultural heritage” and “cultural policy” by synthesising the doctrinal and analytical contributions of recent studies reflecting:

(1) the cultural management and citizen participation in local governance (*Crowley, Jackson, O’Connell, Karunarthna, Anantasari, Retnowati, & Niemand, 2022; Kim & Lee, 2019: 1026–1047; Kiss, Sekulova, Hörschelmann, Salk, Takahashi, & Wamsler, 2022: 247–272*);

(2) the evaluation of the cultural policies and assessment of the community engagement (*Gupta & Gupta, 2019: 2681–2698; Keitumetse, 2011: 49–59; Mannarini, Fedi, & Trippetti, 2010: 262–274*);

(3) the infrastructure management and organizational factors (*Baird, Harrison & Reeve, 2007; Batteau & Villegas, 2016: 16–35*);

(4) the sustainable cultural tourism, public commitment and citizen engagement (*Chiabai, Paskaleva & Lombardi, 2013: 35–51*).

(5) the cultural competences, human resources and cultural analysis (*Dauvrin & Lorant, 2017; Heath, Johansen, Vujnovic & Kruckeberg, 2018; Rode, Huang & Flynn, 2016: 471–489; Tenhiälä, Giluk, Kepes, Simón, Oh & Kim, 2016: 179–200*);

(6) the cultural planning and patterns (*Sacco, Crociata, 2013: 1688–1706*).

The second part of the study addresses the EU legal approaches approaching the regulatory provisions concerning EU policies, management frames, institutional variables and functional status focusing on major documents launched in the period 2014–2022 in the field of cultural policy at EU level: (1) Conclusions of the Council on a Work Plan for Culture (2015–2018) (2014/C 463/02) (2014); (2) Council Resolution on the EU Work Plan for Culture 2023–2026 (2022/C 466/01) (2022); (3) Communication from the European Commission on the cultural heritage for Europe, COM(2014) 477 final (2014); (4) Communication from the European Commission on a New Agenda for Culture, COM/2018/267 final (2018); (5) the European Commission framework for action in the field of cultural heritage (2019); (6) Regulation (EU) 2019/880 pointing the import of cultural goods (2019).

## 2. Methodology

### 2.1. Methods and types of legal research

The methodology perspective of the study addresses EU documentation ranging from the descriptive legal research focused on major legal initiatives (launched in the period 2014–2022) to the analytical legal research and the conceptual legal research on the heritage and governance field using the EUR-Lex Database.

The methodology of the first part of the study concentrates on the methods of the systematic review of the recent literature approaching a broad interdisciplinary and societal analysis of cultural management and factors, citizen participation and cultural heritage.

The second part of the study uses multi-method doctrinal and legal research employing three methods of research:

(1) the descriptive legal research focused on major legal initiatives launched in the period 2014–2022 using the results retrieved from the EUR-Lex Database;

(2) the analytical legal research on the norms, values and policies related to cultural management and cultural heritage;

(3) the conceptual legal research on the heritage and governance.

### 2.2. EUR-Lex Database and documents

The research is based on the content analysis of the EU legal documents issued and launched in the period 2014–2019 and related to the topics of cultural heritage and cultural participation. The legal documents were retrieved and collected from the EUR-Lex database. The EUR-Lex data were accessed and collected in the period 20 October–20 November 2023.

The study uses the publicly available EUR-Lex Database provided by the Publications Office of the European Union with detailed references to the date of adoption of the document, the institutional and legal frame, the title of the document and the document structure and contents.

The EU legal documents used for the research were retrieved in the period September–October 2023 focusing on five areas of the EU law: (1) Conclusions of the meeting of the Council of the European Union on a Work Plan for Culture (2015–2018) (2014) and 2023–2026 (2022);

(2) Communications from the European Commission focusing on the integrated approach towards the cultural heritage (2014) and a multi-level agenda for culture (2018); (3) the regulatory provisions provided by the Regulation (EU) 2019/880 “on the introduction and the import of cultural goods” (2019).

### 3. Results and findings

The results of the research emphasize the reliability of the EU legislation in the field of cultural heritage and cultural participation and the sustainability of the functional and institutional policies aimed to empower participatory governance and social integration in the last decade.

#### 3.1. Cultural heritage and cultural policy: values and assets in WPC (2014)

The Work Plan for Culture (hereinafter WPC) agreed by the Council of the European Union in December 2014 for the period 2015–2018 develops an up-to-date framework of the linkages between cultural cooperation, social development, civil society participation, voluntary initiatives, including cross-sectorial actions and programmes approaching cultural heritage and inclusive cultural policies (*Council of the European Union, 2014*).

The WPC describes new approaches to society participation and cultural heritage as key factors for development cooperation and management and “catalysts for creativity” (*WPC, Annex I, Priority area C, 2014*).

The focus of the WPC (2014) engages a focus role for the mutual cooperation between resources, information and governance pointing out two sets of arguments expressing the symbiosis between cultural heritage and society participation.

Moreover, a recurring approach of the WPC is the engagement for the “Open Method of Coordination” (OMC) as a new initiative aimed at safeguarding citizen participation and cultural participation in multilevel governance.

However, as noted by WPC in Annex I, society participation and participatory governance are prominent areas for social development reflecting the role of heritage networks and resources (*WPC, Annex I, Priority area B, 2014*).

#### 3.2. Assessment of heritage management and participatory heritage

The WPC (2014) is crucial for encouraging access, support and contribution to cultural participation during the period 2015–2018. Therefore, the latest “EU Work Plan for Culture 2023–2026” launched by the Council of the European Union in December 2022 recognizes the prominence of the culture-oriented policies, but also the cultural heritage management impacting the local community, freedom of expression, social creativity and cultural relations (*Council of the European Union, 2022*).

The WPC (2022) enhances a three dimension framework addressing:

(a) the development of the priority areas involving a wide variety of cultural and creative areas;

(b) strengthening of cultural participation and participation in cultural activities;

(c) measures and support for cultural institutions and participatory heritage. In addition, the focus is on the “power of culture” in Part II dedicated to the priority areas (WPC, p2022), but it is also acknowledged the role of the sustainable measures for cultural heritage and accessibility to digital facilities and services.

Second, for purposes of the WPC (2022), heritage management is viewed as a culture of co-creative initiative and actions aimed to strengthen the role of the civil society, communication

and dialogue. At the core of the WPC (2022), the mechanisms for the society participation and cultural policy reflect selective cultural areas: (a) cultural policies for citizens; (b) dialogue and institutional collaboration; (c) cultural management and cross-sectoral initiatives and planning; (d) cultural heritage and digital area; (e) cultural heritage sustainability and resilience.

### **3.3. Heritage conservation principles and cultural management**

The Communication of the European Commission launched in July 2014 illustrates how an integrated approach to cultural policies and cultural heritage enhances the “sense of belonging” of the EU’s citizens (*European Commission, 2014*).

A key point of Communication (2014) approaches the developing standards and objectives by recognizing the consequences of risks and external events. Other commitments of the document focus on the heritage conservation principles and objectives requiring citizen-centred actions and establishing management-by-actions operating at local and European levels.

A key aspect of the communication illustrates: (a) the policy for governance and cooperation appealing to the inter-cultural contributions and dialogue and (b) the multi-layered initiative enhancing the cultural heritage and featuring the societal valorization and potential of the European practices and experiences.

Nonetheless, Communication (2014) designs a shared expertise of the cultural heritage and societal values undergoing the assessment of the societal challenges in local governance. Regardless of the cultural policy areas, one of the important tasks of the document impacts four categories of programs and actions: (1) the cultural infrastructure; (2) the cultural services and cultural access; (3) the cultural heritage values and policies; (4) the cultural resources and participation.

### **3.4. Cultural participation and participatory governance**

In focusing on cultural participation and participatory governance, the Communication of the European Commission was launched in May 2018 addressing a new agenda and framework for EU cultural policy (*European Commission, 2018*).

In the context of a culture-based approach to creativity, integration and innovation, the new EU cultural agenda fosters active citizenship, urban mobility and regeneration, and cultural participation addressing the need to advance new research initiatives and progress.

As noted, the Communication discusses a wide range of resources and actions related to: (a) participatory governance and social cohesion; (b) cultural awareness and innovation capacity in multi-level governance.

Therefore, with respect to public participation, the document (2018) notes three main categories of assistance and management:

- (1) increasing knowledge of urban policy and governance;
- (2) raising awareness of integrated cultural management;
- (3) fostering social cohesion and cultural participation.

### **3.5. Reability and sustainability**

Cultural goods, cultural memory and cultural life play a prominent role within the Regulation (EU) 2019/880 launched on 17 April 2019 designed for the regulation of the import of cultural goods (2019). In short, the new legal provisions identify the patterns of development by providing the regulatory mechanisms and instruments focusing on the procedures for the import of cultural goods, the administrative documentation, the implementing acts, cooperation and the use of the electronic system. A wider approach of the Regulation (EU) 2019/880 points to the categories of cultural goods in accordance with the regulatory framework of Article 3(1) assessing the role of the customs procedures an authorities and the requirements of the import licence.

#### 4. Conclusions

The study focuses on the different functional, structural and cultural patterns, based on the innovative potential of the cultural management and cultural participation as mentioned by EU legislation. In conclusion, the results of analysis of the legal provisions follow a two-approach framework: (a) the top-down cultural management and perspective individualizing the approach to cultural policies and governance; (b) the bottom-up approach creating the conditions for new cultural and operational capacity of the institutions.

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