



EU CENTER OF EXCELLENCE

Second Semiannual Newsletter

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Directors' Note

Dear EU Studies Community,

Welcome to the second issue of the semiannual newsletter of the European Union Center of Excellence at the University of California, Berkeley. In this issue we bring you a diverse selection of essays by graduate and undergraduate students at UCB who work on issues relating to the EU. The first two pieces were written by 2008 recipients of the EUCE Dissertation and Predissertation Grants: Zhivka Valiavicharska discusses the impact of Bulgaria's membership in the EU on the relationship between contemporary art practices and their funding sources; and Nina Horne analyses the challenges facing the EU and US as they work to integrate the emergent nanotechnology industry into their regulatory frameworks. This past spring eight undergraduate students from Northern California universities were selected to participate in the annual Claremont-UC

Undergraduate Research Conference on the European Union at Scripps College. This conference provides a unique opportunity for undergraduates to share research on the EU in a professional setting and receive critical responses to their work from faculty participants gathered from institutions nationwide. We are delighted to have received an article submission from UC Berkeley EAP student Fran Kauzlaric, in which he summarizes his conference presentation on the European Commission and the Bologna Process.

In Spring 2009 we supported interdisciplinary conferences and workshops addressing a wide range of themes designed to advance academic and public understanding of the European Union. These included sociological explorations of lifestyle choices on climate change research; comparative analyses of language acquisition and immigrant integration in Europe and the US; the impact of Russia's advancement toward "great power" status on the transatlantic relationship; comparative studies of immigration reform policies on farms and communities in the US and Europe; the veil controversies in France; and a K-14 Teacher Institute on the European Union. During the Spring Semester our center also hosted visiting scholars and dignitaries who met with students and faculty, and delivered lectures on such diverse topics as "European Public Spheres"; "The Czech Presidency and the EU"; "The EU's Reaction to the Global Economic Crisis"; and "The EU and the Obama Presidency."

As always we invite you to visit our website at <http://eucenter.berkeley.edu> for the latest up-to-date information about EU Center activities and research and funding opportunities. If you have any additional questions, please feel free to contact the EU Center directly via e-mail at eucenter@berkeley.edu or phone on (510) 643-5777. We look forward to seeing you at our upcoming events!

Beverly Crawford
Codirector

Jeffrey Pennington
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Contemporary Art, Post-Socialist Cultural Conditions and Neoliberal Subjects in Bulgaria¹

Zhivka Valiavicharska. Ph.D. candidate, Department of Rhetoric, UC Berkeley

In June 2008 (shortly after one of my countless returns to Sofia), I happened to attend the first public screening of the documentary film *Space for Art (Prostranstvo za izkustvo)*, produced by a new informal and loosely defined association of independent cultural

¹ Parts of this paper were presented at the international conference "Living on a Border: Migration of Subversion" at the Peace Institute, Ljubljana, Slovenia, November 2008. A longer version will appear in Slovenian in the September issue of the Slovenian journal *Borec*.

organizations “Familia NGOs for Art and Culture.” The association emerged to voice collective concerns about the pressing need for spaces and infrastructure, and the tangible lack of resources supporting the contemporary arts in the country. It meant to informally “unionize” the interests of various independent organizations run by separate groups of artists on scarce finances and destined to very uncertain future, around a common public concern: to claim more visibility, to make a case for the importance of a thriving contemporary art scene for the cultural life of the capital, and to demand a more serious attitude and continuous support for the institutional survival of the independent arts. The film and the discussion following its screening make a rich document: they expose an entire history of relations between cultural institutions and cultural agents in post-socialist Bulgaria and seek to make an intervention at a very particular moment when those relations are in crisis: a material and institutional crisis triggered by Bulgaria’s joining the EU which seriously unsettled relationships between contemporary art practices and their funding resources. Needing to reinvent themselves in the new material conditions, contemporary artists find themselves actively and willingly participating in the neoliberal turn the country has taken, arguing for incorporating contemporary culture within a totality of social relations governed by a neoliberal economic rationality.

After 1989 the Bulgarian state has given very limited, if any, support to the contemporary arts. The chronic scarcity of resources in the 1990s, in the deepest of economic recessions and political turmoil, was partially compensated by the vastly influential presence of a few international nongovernmental organizations, and most notably, the Soros Center. Together with the Goethe Institute, the Swiss Cultural Foundation Prohelvetia, and the private patronage of Mr. Gaudenz Ruff, the then Swiss ambassador to Bulgaria, the list could be easily exhausted. In the late 1990s, the Soros Centers gradually started withdrawing funding for projects and infrastructural support for the arts to allocate it to the Central Asian states, leaving the Bulgarian state with the prospect for joining the European Union and hoping that former Soros employees would use the cultural and institutional networks, together with the generated knowledge and experience, to maintain support for the contemporary arts. By 2001 Soros had closed down only to give way to the so-called “accession” programs of the European Union, such as the Phare Access 2000 Program of the European Commission, which also included large projects for cultural development with clearly formulated cultural policies. Such was the Art for Social Change Program of the European Cultural Foundation, founded, in its own words, “to add a cultural and human dimension to the economic, technical, and legal processes of European integration.”²

Bulgaria joined the EU in 2007 which disqualified it from funding with “transitional” agendas. As some of the Bulgarian artists and independent institutions have put it, those sources “dried up.” Instead, the official entry of Bulgaria into the European Union entitled the country to large amounts of EU budgetary funding which is now rerouted through the Bulgarian Ministry of Culture. Having inherited a heavy bureaucratic apparatus and a conglomeration of cultural professionals with “traditional” views about

² Quote from the website of the Red House Center for Culture and Debate, accessed on November 16, 2008, http://www.redhouse-sofia.org/index_e.html.

the arts, the Ministry of Culture remains a clumsy establishment. It places heavy emphasis on preserving national heritage and national cultural values, and consequently, consistently supports state- and city- operated cultural venues such as national and regional theaters, national art galleries, city orchestras and choruses. The Ministry of Culture's funding preferences and politics often demonstrate an attitude of conservatism and mistrust towards the alternative contemporary arts.

In this context independently working organizations and activities in the field of the contemporary arts see themselves in a difficult vacuum, destined to marginal existence and a precarious future. Hence, independent cultural organizations, in the spirit of social activism, initiated the campaign *Space for Art* to address precisely this vacuum and to put pressure directly onto the state and the city to improve artists' unflattering working conditions. However – and this is important here – the campaign also reveals the neoliberal subjectivity of contemporary artists, fully adopted to and willingly participating in the state's neoliberal economic practices. The arts, they argued, in order to legitimate their requests, could be used by the state to generate life in economically unattractive areas, they could improve investment conditions and encourage economic activity. A new vision of social totality emerges in these arguments, in which culture plays an active incorporating role, while artists become agents of neoliberal reforms. Culture becomes a resource for newly devised technologies of governance that aim to gain access to various domains of everyday life and transform social and economic relations through grassroots and micro-practices.³ It “channels” social relations though itself, bringing these relations into being while enabling the new social whole, where, as architect Ivaylo Petkov argues in the film, cultural activity and good-quality malls could coexist and complement each other to form a coherently and self-sustainably functioning urban environment.⁴

The totality of social relations is relentlessly governed by the logic of economic benefit. During the discussion, Kalin Angelov from Dauhaus addressed directly Sofia's Deputy Mayor Fandukova, present at the discussion, to argue why the state and the city should have reasons to invest in contemporary culture: his logic is so lucid that it is worth quoting in full. “Look,” he says,

Is there a chance at all that our political class could ever realize the following thing: financial investments in social capital are very strong and comparatively profitable? In other words, one billion [Levs/Euros?] invested in culture, science, and the education of the population would be returned as financial capital comparatively quickly, for no more than ten years, in such a form that the educated person – he brushes his teeth,

³ See George Yudice's work on culture's increasing instrumentalization as part of global neoliberal development, where he describes a conceptual shift in the understanding of culture from culture as autonomous practice to “culture as resource.” George Yudice, *The Expediency of Culture: Uses of Culture in the Global Era* (Durham: Duke University Press, 2005), 9-39.

⁴ Ivaylo Petkov, documentary film *Prostranstvo za izkustvo*, dir. Nikola Zambeli.

incurs less expenses in the health care system, increases the GDP, pays more taxes. However, the thinking of the political class is such that it completely ignores culture. Is there a chance that in the future the political class realizes this?⁵

Kalin Angelov is a member of Dauhaus – a new generation collective regarded as one of the most promising new elements on the alternative art scene. Fluent in the terminology of neoliberal discourse, he delivers a perfectly formulated argument urging the state to make use of that hidden asset of culture: its expediency for economic development. Supporting the contemporary arts should proceed not because the arts, for example, mobilize, sharpen, and give communicative power to the critical potentials of a young generation, but because of their ability to transform social and cultural capital into financial capital. Angelov is a part of a young community of people who identify strongly with what they consider to be the most progressive “independent” arts and alternative practices in the country, but who nevertheless struggle to carve a niche for culture within the mechanisms of neoliberal governance. With such future envisioned and willed for the contemporary arts, no progressive politics, critical discourses, or critical practices have captured the creative imagination of younger generations; no deconstructive critique is invited to examine the mechanisms of newly settling relations of power, to dismantle the logic of new forms of subjugation, to locate newly emerged inequalities, to give language and public visibility to old and new social injustices, and to offer openings for emancipatory politics to the present moment.

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Facing New Challenges: EU-US Nanotechnology Cooperation and Harmonization to Solve Global Energy and Environmental Problems

Nina Horne. Master's Program, Goldman School of Public Policy, UC Berkeley

I. Current US and EU Regulatory Frameworks

The nanotechnology industry is critically important to US and EU economic development and has emerged as a key frontier for technological development in the twenty-first century. US nanotechnology products are valued at \$150 billion and enable a broad range of applications – electronics, materials, chemicals, health science, and energy production.⁶ Yet research promises greater fundamental improvements to some of our biggest challenges, including energy, water, food, and health. The National Science

⁵ Kalin Angelov, public discussion following the screening of *Prostranstvo za izkustvo*, Red House Center for Culture and Debate, Sofia, July 18, 2008 (translation from the Bulgarian is the author's).

⁶ National Nanotechnology Initiative, “*NNI Strategic Plan*” 2007.

Foundation estimates that the worldwide nanotechnology market will reach \$1 trillion by the year 2015; private market research indicates that figure will grow much higher, upwards of \$3 trillion.⁷

The emergent nanotechnology industry is at a crossroads, and faces significant challenges. First, the global nanotechnology industry faces economic challenges due to increasing risk uncertainty, inefficient commercialization, and environmental, health, and safety (EHS) externalities. Second, legal challenges stem from a legal framework that fails to adequately address unique nanomaterial properties and a lack of scientific research to adequately define risk and to inform more effective regulation. Finally, the US and the EU have built a strong consensus that current frameworks are sufficient, yet there is an increasing potential for standards disharmonization between the US and the EU from various governmental and NGO groups.

Building a strong and harmonized global nanotechnology industry is critical given the large and broad market potential. The potential for nanotechnology disharmonization threatens to repeat the genetically modified organisms (GMO) experience, which resulted in trade barriers, significant economic loss, and heightened diplomatic distrust; the impact of repeating this experience is vast. Moreover, harmonizing US and EU laws or reducing potential trade barriers can help drive higher global standards for all producers.⁸

This assessment flows from a comprehensive analysis of the existing regulatory framework in the US and the EU. A literature review from a wide range of academic disciplines produced a set of thirty-one US and forty EU consumer, worker, environmental, intellectual property, and standards and measurements laws cited as *potentially* applicable to regulating nanotechnology. Additionally, all US and EU industry self-regulation in the form of codes of conduct and risk management tools, as well as special interest group calls for increased regulation, are included in this analysis. A systematic comparison of corollary regulations produced a set of common features and significant variations between US and EU law. Subsequently, this comprehensive set of existing policies was subjected to a first-order rudimentary economic analysis. The resulting work creates a clear picture of the current challenges and the need for an *integrated public-private* regulatory framework in order to manage risk efficiently in the face of insufficient scientific data to properly develop new regulation. The potential for disharmonization is increasing based on current discrepancies in some regulations and calls for tighter regulation from some EU consumer, labor, and government bodies.

⁷ Mark Bunger, "Nanomaterials in Industrial and International Context," presented at California Department of Toxic Substances Control Nanotechnology Conference, March 12, 2009, Lux Research, 2009.

⁸ David Vogel, *Trading Up: Consumer and Environmental Regulation in a Global Economy*, Harvard University Press, 1995.

II. Current US and EU Nanotechnology Regulation: Many Tools, Significant Opportunities

A wide range of existing chemical, worker, and environmental regulations can apply to nanotechnology, thereby ensuring a strong regulatory net *if fully implemented as allowed by law*. A comprehensive look at these US and EU regulations shows that, despite the many tools available, some risks still exist. The US and the EU have comparable regulatory frameworks, although the EU and Member States regulated “human contact and consumption” goods – cosmetics, food, and drugs – with more stringency. There is strong corollary law, with essentially no areas covered by only the US or the EU.

A deeper analysis of the corollary laws indicates generally strong similarities in the implementation level, with some significant differences. Common to both systems are a governmental-level consensus that existing regulatory systems are adequate. Some nano-specific issues, such a volume triggers, could be shifted at the implementation level. Of the noticeable differences, EU regulation is more likely to require industry rather than consumers to bear the costs of ensuring safety through various mechanisms as pre-manufacture notification or requiring a level of proved safety before products can be released to market, but there are important exceptions to this trend in US regulation.

Our current understanding of the physical characteristics and behavior of nanomaterials and their impact on health and environmental safety is limited, and frustrates our ability to design effective regulation today. Given the lack of scientific evidence to adequately define risks for at least the next five years, a broader look at regulatory goals could produce better risk management in the near future.

III. Objectives of a Strong Global Regulatory Framework

Stepping back from specific existing regulations, we must ask the following: what is an optimal regulatory framework? An effective framework would achieve three goals: (1) protect consumers, workers, and the environment from harmful substances, (2) provide a stable and predictable business environment to support robust growth and innovation, and (3) provide all stakeholders with information to make informed decisions about use and exposures risks. Such a framework would be built from the ground up, using dose/response curves to determine risk assessment and risk management structures, which would then inform regulatory standards, triggers, processes and other safety mandates and incentives.

The current US system fails to adequately reduce risk; much of this risk is due to the infancy of this emerging technology and the subsequent lack of scientific information to adequately assess risk. Consequently, producers are not well incentivized to actively participate in the assessment and management of risk. To date the most effective environmental regulations, such as the Toxics Release Inventory (TRI), have focused on enforcing minimum standards and incentivizing the disclosure of information. Such modern regulation focuses on regulatory processes rather than strict standards, which produces greater efficiencies and better outcomes.

Critical to the successful implementation of these changes are finding low- or no-cost mechanisms which can reside easily within the existing regulatory structures, which improves the likelihood of implementation. To be politically feasible, the changes must respond to the existing consensus in the US and the EU that current regulations are generally adequate, but that shifts in implementation are tolerable.

IV. Moving Toward Higher Global Standards

A rudimentary first-order economic analysis points to a very clear set of policy shifts that can be easily implemented *within the existing regulatory structures* to improve efficiencies and reduce consumer, worker, and environmental risks today. Bolstering the weakening US insurance market for nanotechnology is a critical first step in ensuring the continued growth of the emerging market while providing a safe and responsible development of novel materials. The creation of a separate global risk market can provide an added incentive for continued innovation. Both of these options provide significant benefits at essentially no costs.

Less easily implemented but still highly effective are the creation of subsidies for clean production processes and materials registries that can reduce information asymmetry and incentivize higher standards while avoiding inefficiencies. Private-public collaborating to provide rigorous third-party certification and the support of voluntary agreements will also ensure a vibrant and responsible market development. By ensuring that risks are managed and reduced, nanotechnology can continue on its very promising path in transforming basic manufacturing processes.

Ultimately, science will provide the necessary answers to develop responsive regulatory shifts. In the interim, we must use the tools available to ensure a robust and responsible industry will develop that can fulfill the remarkable promise of nanotechnology.

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The European Commission and the Bologna Process: Finding a Common Language. Research Summary

Fran Kauzlaric, University of Warwick, BSc Economics, Politics and International Studies; and EAP student, University of California, Berkeley.

The goal of the Bologna Process is to create a European Higher Education Area (EHEA) by 2010, based on cooperation between ministries, higher education institutions, students and staff from forty-six countries, along with the participation of international organizations. It was founded as an intergovernmental declaration signed in Bologna in 1999 by Ministers of Education of twenty-nine countries in order to address problems of higher education governance, social dimension, and public responsibility of education, as

well as a call for preserving the values and roles of higher education as societies globalize and modernize.

The European Commission has always been in some ways involved with the Bologna process – participating mainly by supporting (financially or otherwise) certain initiatives and programs under it. For example, in the 2001 Prague Conference, the Commission supported several projects connected to quality assurance, particularly the Tuning project and Transnational European Evaluation Program (TEEP). Official involvement of the European Commission with the Bologna Process began with the formation of the Bologna Follow-up Group (BFUG) following the signing of the original Bologna Declaration. At that point the Commission became a permanent member.

One of the Commission's most successful examples of an educational program is *Erasmus*, a program not directly linked to the Bologna process. Part of a larger European Union initiative founded in 1994 under the name *Socrates* and renamed *Lifelong Learning Programme* in 2007, Erasmus is a program that coordinates cooperation between higher education institutions across Europe in arranging student exchange programs. *Erasmus* is open not only to students but also to professors and academics, thereby truly attempting to achieve the “mobility of knowledge”. So far, around 90% of European universities have participated, with a total of 1.9 million students taking part since the beginning of the program in 1987. (There is, however, a decisive drawback to the Erasmus program. A strong bias excludes the non-EU members from participation: the only member countries are twenty-seven members of the EU, plus Iceland, Liechtenstein, Norway, and Turkey.)

Involvement in the Bologna Process has not proven as successful for the Commission. An excellent case study for the challenges involved is Croatia, the country which has advanced furthest in the negotiations process and is now almost certain to become the twenty-eighth member of the EU. In a series of interviews with government officials and educational stakeholders that I conducted during 2007, the one that still strikes me most was with a highly ranked government official, Dr. Zrinka Kovacevic (at that time Assistant Minister for Higher Education at the Ministry of Science, Education, and Sports) in Zagreb. Speaking about the reforms Croatia undertook with regards to Bologna, Kovacevic stated that many aspects of the reforms are part of a greater picture of Croatia's accession negotiations with the EU. She mentioned deadlines as one example of measures which had a positive impact on the negotiations, because they accelerated the process not only of opening discussions on the chapters “Science and Research” and “Education and Culture”, but also closing them.

However, such thinking is not shared by everyone in Croatia. The reform of higher education instigated by the Bologna process has been widely criticized as taking a top-down approach, reconfiguring only the system's structure, while not dealing with its content. The same deadlines affirmed by Kovacevic forced many of the universities to reform their programs from previous “4+1” to new, “3+2” programs. Many of the institutions failed however to touch the actual content of the material taught. Such an approach of merely dealing with the “tip of the iceberg” caused a great deal of

dissatisfaction among both students and academics, who started resisting the reforms. With the combined resistance from the academia and closing deadlines for negotiations with the EU, Croatia had no other option than to press for any kind of reform. The result was the aforementioned 'formal' reform, leaving many substantial changes unimplemented. This is a clear example of how education might need to be approached differently from other issues in the public sector. As change in the educational sphere must not and cannot happen overnight, the conditionality effect of the EU negotiation process may be more detrimental than beneficial. Since coercion and conditionality proved inefficient in the Croatian example, the voluntary aspect of the Bologna process must not be violated.

Another danger in the EC's involvement with the Bologna Process is the case of non-EU countries. Because it has a broader membership than the European Union, the process should have a broader scope than merely being an instrument of the goals of the Lisbon agenda. Bologna currently counts forty-six countries, compared to twenty-seven members of the EU. Therefore some of the aspects that the Commission is trying to implement into the Bologna process which are relevant for the EU might not be relevant for other countries. Despite the fact that some do hope to join the EU at a later stage, there are other countries which do not. For example, the largest country taking part in the Bologna process is Russia. But, despite also having interest in modernizing its universities, Russia has no interest in making EU the most competitive, knowledge-based society in the world. The EC must realize that there are universities and countries that are part of the Bologna process, but that may not wish to be part of the Lisbon strategy. In that respect, I argue that leaving Lisbon agenda out of the Bologna process creates room for a continuing and more inclusive cooperation in higher education, one originally envisioned by the Bologna process.

From a moral perspective the Commission's involvement has so far proven to be very much connected to achieving the goals of the Lisbon Process. Such thinking needs to change, especially with regards to the goals and aims outlined in the Commission's formal statements regarding the Bologna process. What should always come first is the inherent value of education, education for education's sake, and not for the purpose of employability, growth, job-creation, or economic supremacy. Only by such thinking will the reform of higher education truly be socially responsible, all-inclusive, and supported by those participating in it at the very fundamental level – students, academics, and university staff.

EUCE Fall Guest Interviews - Conversations with History

Harry Kreisler, Executive Producer and Host.

“Politics of the Veil”

Joan Wallach Scott, Institute of Advanced Study, Princeton

<http://globetrotter.berkeley.edu/people9/Wallach/wallach-con0.html>

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Events: Spring 2009

January 27

Conference: “Substitute it Now: Understanding the Origins and Exploring the Potential of ChemSec’s Bold List of ‘Bad Actor’ Chemicals”

Organizers: Megan Schwarzman, Michael Wilson
Research Scientists, School of Public Health, UC Berkeley

February 11

“European Public Spheres”

Christine Landfried

EUCE Scholar-in-Residence; Universität Hamburg, Institut für Politische Wissenschaft.

February 18

“The Netherlands between Accommodation and Commotion”

Ido de Haan

Professor of Political History, Utrecht University

February 25, 26

“Cover-Up: French Gender Equality and the Islamic Headscarf “

Joan Wallach-Scott, Princeton University

Olivier Roy (moderator), CNRS, France

April 2

Conference: “The Transatlantic Relationship in a Post Transatlantic World; Responding To The Russian Challenge”

Cosponsored with the Berkeley APEC Study Center

<http://basc.berkeley.edu/russiaconference.html>

April 4

“European Union: A Teacher’s Institute”

Sponsored by the EUCE at UC Berkeley. Cosponsored by the Office of Resources for International Studies (ORIAS) at UCB, and WorldSavvy.

April 6

“The Czech Presidency and the EU”

Daniel Kumermann, Czech Consul General

April 22

“The EU and the Obama Presidency”

Luc Veron, Bill Burros
EU Delegation

May 1

Conference: “Climate Change Mitigation: Considering Lifestyle Options in Europe and the US”

Falk Schuetzenmeister, Convener
EUCE Visiting Scholar

May 4

Conference: “Language Policy as a Tool for Integration: A Comparative Perspective”
Cosponsored with The Chief Justice Earl Warren Institute on Race, Ethnicity, and Diversity, UC Berkeley.

<http://www.law.berkeley.edu/4247.htm>

May 21

Conference: “Immigration Reform: Implications for Farmers, Farm Workers, and Communities”

Phil Martin, Convener

Professor of Agricultural and Resource Economics and Chair, UC Comparative Immigration & Integration Program, UC Davis

July 19-21

Conference: “Europe-US Infectious Disease Response”

Chris Ansell, Convener

Associate Professor of Political Science, UC Berkeley