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European Union-Asia Pacific social and cultural dialogue: involving civil society in interregional relations

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(Eds.)

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Universidad de Deusto

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1. Libro

Un autor

—Lluís Duch, *Mito, interpretación y cultura* (Barcelona: Herder, 1998), 56-58.
—Duch, *Mito*…, 15.
—Santiago Segura, *Gramática latina* (Bilbao: Universidad de Deusto, 2012), 74-76.
—Segura, *Gramática*..., 75.

Duch, Lluís. *Mito, interpretación y cultura*. Barcelona: Herder, 1998.

Segura, Santiago. *Gramática latina.* Bilbao: Universidad de Deusto, 2012.

Dos autores

—Orfelio G. León e Ignacio Montero, *Diseño de investigaciones: Introducción a la lógica de la investigación en psicología y educación* (Madrid: McGraw-Hill/Interamericana de España, 1993).

León, Orfelio G. e Ignacio Montero. *Diseño de investigaciones: Introducción a la lógica de la investigación en psicología y educación*. Madrid: McGraw-Hill/Interamericana de España, 1993.

Tres autores

—Julio Borrego Nieto, José Jesús Gómez Asencio y Emilio Prieto de los Mozos, *El subjuntivo*…

Borrego Nieto, Julio, José Jesús Gómez Asencio y Emilio Prieto de los Mozos. *El subjuntivo: valores y usos*. Madrid: SGEL.

Cuatro o más autores

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—Natalia Ojeda *et al*., *La predicción del diagnóstico de esquizofrenia...*
—Ojeda *et al*., *La predicción*…

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—Irene Andrés-Suárez, ed., *Antología del microrrelato español (1906-2011): El cuarto género narrativo* (Madrid: Cátedra, 2012), 15-16.
—Andrés-Suárez, *Antología del microrrelato*...

Andrés-Suárez, Irene, ed. *Antología del microrrelato español (1906-2011): El cuarto género narrativo*. Madrid: Cátedra, 2012.

Editor, traductor o compilador además de autor

—Salvador Fernández Ramírez, *La enseñanza de la gramática y la literatura*. Ed. por José Polo (Madrid: Arco/Libros, 1985), 145-46.

18 Fernández Ramírez, *La enseñanza*…, 33

Fernández Ramírez, Salvador. *La enseñanza de la gramática y la literatura*. Editado por José Polo. Madrid: Arco/Libros, 1985.

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19 Gómez Mendoza, «Ecología urbana y paisaje de la ciudad», 180.

Gómez Mendoza, Josefina. «Ecología urbana y paisaje de la ciudad». En *La ciudad del futuro*, editado por Antonio Bonet Correa, 177-217. Madrid: Instituto de España, 2009.

Prefacio, prólogo, introducción o parte similar de un libro

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—Rieger, introducción, XXXIII.

Rieger, James. Introducción a *Frankenstein; or, The Modern Prometheus*, de Mary Wollstonecraft Shelley, XI-XXXVII. Chicago: University of Chicago Press, 1982.

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—Jane Austen, *Pride and Prejudice* (Nueva York: Penguin Classics, 2008), edición en PDF, cap. 23.
—Austen, *Pride and Prejudice*, cap. 23.

Austen, Jane. *Pride and Prejudice*. Nueva York: Penguin Classics, 2008. Edición en PDF.

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—Salvador Gutiérrez Ordóñez, *Lingüística y semántica: Aproximación funcional* (Oviedo: Universidad de Oviedo, 1981), http://www.gruposincom.es/publicaciones-de-salvador-gutierrezordonez.
—Philip B. Kurland y Ralph Lerner, eds., *The Founders' Constitution* (Chicago: University of Chicago Press, 1987), acceso el 28 de febrero de 2010, http://press-pubs.uchicago.edu/founders/.
—Gutiérrez Ordóñez, *Lingüística y semántica.*
—Kurland y Lerner, *Founder's Constitution*, cap. 10, doc. 19.

Gutiérrez Ordóñez, Salvador. *Lingüística y semántica: Aproximación funcional*. Oviedo:

Universidad de Oviedo, 1981. http://www.gruposincom.es/publicaciones-de-salvadorgutierrez-ordonez.

Kurland, Philip B., y Ralph Lerner, eds. *The Founders' Constitution*. Chicago: University of Chicago Press, 1987. Acceso el 28 de febrero de 2010. http://press-pubs.uchicago.edu/founders/.

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—María José Hernández Guerrero, «Presencia y utilización de la traducción en la prensa española», *Meta* 56, n.º 1 (2011): 112-13.
—Hernández Guerrero, «Presencia y utilización de la traducción en la prensa española», 115.

Hernández Guerrero, María José. «Presencia y utilización de la traducción en la prensa española».*Meta* 56, n.º 1 (2011): 101-118.

2.2. Artículo en una revista en línea

—Ángeles Feliu Albadalejo, «La publicidad institucional en la arena parlamentaria española», *Revista Latina de Comunicación Social* 66 (2011): 470, doi:10.4185/RLCS-66-2011-941-454-481.
—Feliu Albadalejo, «La publicidad institucional», 475.

Feliu Albadalejo, Ángeles. «La publicidad institucional en la arena parlamentaria española»., *Revista Latina de Comunicación Social* 66 (2011): 454-481. doi:10.4185/RLCS-66-2011-941-454-481.

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—Sheryl Gay Stolberg y Robert Pear, «Wary Centrists Posing Challenge in Health Care Vote», *New York Times*, 27 de febrero de 2010, acceso el 28 de febrero de 2010, http://www.nytimes.com/2010/02/28/us/politics/28health.html.
—Stolberg y Pear, «Wary Centrists...».

Stolberg, Sheryl Gay, y Robert Pear. «Wary Centrists Posing Challenge in Health Care Vote». *New York Times*, 27 de febrero de 2010. Acceso el 28 de febrero de 2010. http://www.nytimes.com/2010/02/28/us/politics/28health.html.

4. Reseña del libro

—David Kamp, «Deconstructing Dinner», reseña de *The Omnivore's Dilemma: A Natural History of Four Meals*, de Michael Pollan, *New York Times*, 23 de abril de 2006, Sunday Book Review, http://www.nytimes.com/2006/04/23/books/review/23kamp.html.
—Kamp, «Deconstructing Dinner».

Kamp, David. «Deconstructing Dinner». Reseña de *The Omnivore's Dilemma: A Natural Historyof Four Meals*, de Michael Pollan. *New York Times*, 23 de abril de 2006, Sunday Book Review. http://www.nytimes.com/2006/04/23/books/review/23kamp.html.

5. Tesis o tesina

—Francisco José Hernández Rubio, «Los límites del eliminacionismo: Una solución epigenética al problema mente-cerebro» (tesis doctoral, Universidad de Murcia, 2010), 145, http://hdl.handle.net/10201/17600.
—Hernández Rubio, «Los límites del eliminacionismo», 130-132.

Hernández Rubio, Francisco José. «Los límites del eliminacionismo: Una solución epigenética al problema mente-cerebro». Tesis doctoral. Universidad de Murcia, 2010. http://hdl.handle.net/10201/17600.

6. Documento presentado en conferencias, ponencias, congresos o similares

—Silvia Rodríguez Vázquez, «Flujos de traducción: Herramientas de ayuda a la gestión de proyectos en función de la situación de trabajo» (conferencia, Universidad de Salamanca, 8 de noviembre de 2012).
—Rodríguez Vázquez, «Flujos de traducción».

Rodríguez Vázquez, Silvia. «Flujos de traducción: Herramientas de ayuda a la gestión de proyectos en función de la situación de trabajo». Conferencia pronunciada en la Universidad de Salamanca, 8 de noviembre de 2012.

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—«McDonald's Happy Meal Toy Safety Facts», McDonald's Corporation, acceso el 19 de julio de 2008, http://www.mcdonalds.com/corp/about/factsheets.html.

McDonald's Corporation. «McDonald's Happy Meal Toy Safety Facts». Acceso el 19 de julio de 2008. http://www.mcdonalds.com/corp/about/factsheets.html.

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—José Luis Ramírez, 17 de marzo de 2012 (21:28), comentario a Alberto Bustos, «Hacer los deberes», *Blog de Lengua española*, 13 de marzo de 2012, http://blog.lengua-e.com/2012/hacerlos-deberes/#comments.

Blog de Lengua española. http://blog.lengua-e.com/2012/hacer-los-deberes/#comments.

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—Mike Milanovic (director ejecutivo de Cambridge ESOL), en conversación con el autor, septiembre de 2011.

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—Benjamin Spock, entrevista por Milton J. E. Senn, 20 de noviembre de 1974, entrevista 67A, transcripción, Senn Oral History Collection, National Library of Medicine, Bethesda, MD.
—Spock, entrevista.

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—Asunto C-38/14, Mr. Jones versus Secretariat of State, Judgment of the Court of 23 June 2015, ECLI:EU:C:2015:222.

Norma jurídica

—Ley 14/2007, de 26 de noviembre, del Patrimonio Histórico de Andalucía (*BOJA* núm. 248 de 19 de diciembre de 2007).
—Real Decreto 1065/2007, de 27 de julio, por el que se aprueba el Reglamento General de las actuaciones y los procedimientos de gestión e inspección tributaria y de desarrollo de las normas comunes de los procedimientos de aplicación de los tributos (*BOE* núm. 213 de 5 de septiembre de 2007).
—Reglamento (UE) n.º 492/2011, del Parlamento Europeo y del Consejo, de 5 de abril de 2011, relativo a la libre circulación de trabajadores (*DOUE* L 241 de 27 de mayo de 2011).

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Sumario / Contents

Introduction
Presentación

Introduction

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Abstract: Beyond trade, investment, geostrategic and security challenges, as well as issues of connectivity and governance, the European Union-Asia Pacific dialogue has also boosted the involvement of civil society in international politics. The involvement of civil society can contribute to enhancing mutual trust and knowledge as well as democratization processes and channels for citizen participation in social issues that have an impact on people's lives. However, in the last decade, internal crises both in the EU and in the Asia-Pacific region, as well as a lack of political will on both sides to support the discussion of issues in non-official processes, seem to have slowed down the intensity of interregional interaction and cooperation between civil society organizations. This special issue of *Cuadernos Europeos de Deusto* (CED) / *Deusto Journal of European Studies* on "European Union-Asia Pacific social and cultural dialogue: involving civil society in interregional relations" aims to make a contribution to the knowledge and understanding of some of the major actors and factors that determine the evolution of social and cultural interregional dialogue.
Keywords: European Union, Asia Pacific, Central Asia, interregional dialogue, civil society.

The Asia-Pacific region is not only the world's largest and most populous, but also home to some of the fastest growing economies in the world. In recent years, the European Union has become a key trading partner for most countries in the Asia-Pacific region and aims to play a relevant role in its stability.

Beyond trade, investment, geostrategic and security challenges, as well as issues of connectivity and governance, the EU-Asia Pacific dialogue has also boosted the involvement of civil society in international politics. Since the first ASEM (Asia-Europe Meeting) summit held in Bangkok in 1996, ASEF (Asia Europe Foundation), as part of the ASEM architecture, has

been forstering intellectual, cultural and people-to-people exchanges, with the mission of enhancing better mutual understanding and knowledge.

In a parallel way, and through parallel summits, AEPF (the Asia Europe People's Forum), has mobilized civil society organizations, NGOs, higher education institutions, and think-tanks in order to promote the creation of an ASEM community of knowledge and stimulate dialogue on issues such as democracy and human rights, peace and social justice.

The involvement of civil society can contribute to enhancing mutual trust and knowledge as well as democratization processes and channels for citizen participation in social issues that have an impact on people's lives. However, in the last decade, internal crises both in the EU and in the Asia-Pacific region, as well as a lack of political will on both sides to support the discussion of issues in non-official processes, seem to have slowed down the intensity of interaction and cooperation between civil society organizations.

Drawing on these dynamics, this special issue of *Cuadernos Europeos de Deusto* (CED) / *Deusto Journal of European Studies* on "European Union-Asia Pacific social and cultural dialogue: involving civil society in interregional relations" aims to make a contribution to the knowledge and understanding of some of the major actors and factors that determine the evolution of social and cultural interregional dialogue. In line with the journal's interdisciplinary approach, five contributions discuss various topics and reflect on the participation of civil society in interregional relations.

Christopher Kimura opens this issue with the paper "Negotiating Capital and the EU-Japan Economic Partnership Agreement". Discussing the 2019 European Union-Japan Economic Partnership Agreement, the author states that, "while the agreement itself is an example of the growing strength of the EU-Japan relationship, it is also an example of how two vastly different trade regimes can overcome entrenched structural and administrative styles to reach a consensus". The author discusses the concept of negotiating capital in the framework of the EU-Japan Economic Partnership Agreement (EPA). To this end, the author reflects on the legal and political conditions present in the agreement, from the perspective of the trade negotiating subjects, while assessing the impacts of those constraints on the negotiation outcomes. The differences between European and Japanese constraints determine the configuration of trade negotiators. While the European Union is a space conducive to the participation of civil society organizations in trade negotiation processes, in Japan the centralized composition around the hierarchy of the executive and a highly standardized network of bureaucrats limits the openness of the country's civil society in such processes.

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Cem Nalbantoğlu's contribution, "EU-China relations and data governance policies: the role of civil societies in overcoming geopolitical challenges in cyberspace", focuses on the challenges of data governance based on a geopolitical understanding of the topic. Indeed, this dimension allows the author to reflect on the role that digital civil society organizations can play in the search for alternative solutions to avoid political conflict between the European Union and China on this matter. In addition, the author analyses the socio-political, institutional, legal and cultural impact of digitalization. To this end, the author contextualizes the reflection in the global framework, as he understands that this is where responses must be articulated to overcome the inadequacies and weaknesses of the cybersecurity and digitalization policies adopted by China and the European Union. The methodology employed by the author is based on the revisionism of the effects of global challenges, in this case digitalization and its connections with cyberspace geopolitics, from a perspective based on the search for solutions beyond reified legal frameworks. From this perspective, the author uses multiple proposals to support the catalytic role of digital civil society organizations in the resolution of security conflicts, as alternatives to power struggles in the geopolitics of data governance.

Mario Malo's paper, "Brief overview of the factual and onto-epistemological developments of the idea of "civil society" in Japan", discusses the origin and concept of civil society in Japan. In doing so, the author avoids static configurations, and focuses on the institutional, legal and socio-economic determinants that have been present in the genesis and evolution of the concept. To this end, the author uses a qualitative analysis in which environmental conditions such as war or natural disasters are present, which have been determining factors in the configuration of civil society as a concept that is autonomous from the State and society. The reflection is of interest in order to assess the synergies between civil society and citizen participation channels in Japan. Particularly suggestive are the observations regarding State dirigisme in participatory dynamics, as well as the contextualization of social movements in post-war and natural disaster times. The historicist and sociological methodology for approaching the object of analysis, the Japanese associative world, allows us to grasp the specificities of the social movements that have developed throughout history in Japan, as well as the shortcomings and weaknesses that have prevented the consolidation of some of these movements beyond the circumstances that led to their appearance.

Nguyễn Mậu Hùng's contribution, "The Modernization Resolution of Vietnam's Education System by the Francophone Road in the East-West Cultural Conflict of the Late Nineteenth Century and the Early Twentieth

Century", describes the different phases of the implementation of the French education system in Vietnam, and discusses the effects of this system that went beyond the dynamics of colonization. The work contributes to the reflection on a civil society as a driving force for social, economic and cultural participation by drawing on the influences of the French educational model, which allowed the consolidation of critical and proactive thinking for the development of a solid civil society fabric. The author uses a wealth of bibliographical sources to analyse the effects of the French education system in Vietnam in terms of critical thinking and overcoming the hierarchical dynamics of Asian Confucianism.

Finally, **Sureyya Yigit**'s paper, "EU-Central Asian Civil Societal Relations: Unrealistic Expectations, Discouraging Results", closes this special issue. The author approaches the concept of civil society from a metahistorical perspective, where economic, social, institutional and cultural factors play a decisive role. The paper is highly relevant for understanding the difficulties of introducing categories central to the European Union (rule of law, human rights, etc.) in Central Asian countries, without taking into account the complex environmental conditions of these countries. Of particular interest is the author's reconceptualization of the democratic factor from the perspective of the material impulses of the Central Asian countries. Also relevant is the approach to the role of NGOs in civil society considering the dynamics of domination internal to the Soviet heritage and the external dynamics themselves, which limit or constrain the role of NGOs as interlocutors of civil society in the democratisation process. The difficulties in consolidating a civil society similar to those of Western Europe invite reflection on the anthropological and cultural particularities of Central Asia, key questions for articulating new EU-Central Asia relations, which the author then specifies in the conclusions.

About the authors

M.ª Luz Suárez Castiñeira is Professor at the University of Deusto. After graduating in English and German Philology from the Free University of Brussels, she received her PhD in Comparative European Literature at the University of the Basque Country (1992). Since then she has taught undergraduate and postgraduate courses at the University of Deusto in Modern Languages, Modern Languages and Management, and International Relations as well as in the Erasmus Mundus Master Programme Euroculture. She has done her research in the field of comparative literature, first, and later, since 2003, in the field of European

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Integration, focusing her study on its cultural dimension. She has also participated in several European projects around inter- and transcultural dialogue, the construction of European identity and the dimension of multilingualism and its relationship with the concept of European citizenship. Among other responsibilities, she has been vicedean of the Faculty of Philosophy and Letters, director of the Institute of European Studies and director of the Department of International Relations and Humanities. Currently, she is actively involved in the edition and publication of the Journal *Cuadernos Europeos de Deusto*, of which she is deputy editor-in-chief.

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Presentación

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Resumen: Más allá de los desafíos comerciales, de inversión, geoestratégicos y de seguridad, así como de las cuestiones de conectividad y gobernanza, el diálogo Unión Europea-Asia Pacífico también ha impulsado la participación de la sociedad civil en la política internacional. La participación de la sociedad civil puede contribuir a potenciar la confianza y el conocimiento mutuo, así como los procesos de democratización y los canales de participación ciudadana en temas sociales que impactan en la vida de las personas. Sin embargo, en la última década, las crisis internas tanto en la UE como en la región de Asia-Pacífico, así como la falta de voluntad política de ambas partes para apoyar el debate de temas en procesos no oficiales, parecen haber frenado la intensidad de la interacción y cooperación interregional entre las organizaciones de la sociedad civil. Este número especial de *Cuadernos Europeos de Deus*to (CED) / *Deusto Journal of European Studies* sobre «Diálogo social y cultural Unión Europea-Asia Pacífico: implicando a la sociedad civil en las relaciones interregionales» pretende hacer una contribución al conocimiento y comprensión de algunos de los principales actores y factores que determinan la evolución del diálogo interregional a nivel social y cultural.

Palabras clave: Unión Europea, Asia Pacífico, Asia Central, diálogo interregional, sociedad civil.

La región de Asia-Pacífico no solo es la más grande y poblada del mundo, sino que también alberga algunas de las economías de más rápido crecimiento en el mundo. En los últimos años, la Unión Europea se ha convertido en un socio comercial clave para la mayoría de los países de la región de Asia-Pacífico y aspira a desempeñar un papel relevante en la estabilidad de la región.

Más allá de los desafíos comerciales, de inversión, geoestratégicos y de seguridad, así como de las cuestiones de conectividad y gobernanza, el diálogo UE-Asia Pacífico también ha impulsado la participación de la so-

ciedad civil en la política internacional. Desde la primera cumbre ASEM (Asia-Europe Meeting) celebrada en Bangkok en 1996, ASEF (Asia Europe Foundation), como parte de la arquitectura ASEM, viene fomentando los intercambios intelectuales, culturales y entre pueblos, con la misión de potenciar una mayor comprensión y conocimiento mutuos.

De forma paralela, y a través de cumbres paralelas, AEPF (Foro de los Pueblos Asia Europa), ha movilizado a organizaciones de la sociedad civil, ONGs, instituciones de educación superior y think-tanks para promover la creación de una comunidad de conocimiento ASEM y estimular el diálogo en temas como la democracia y los derechos humanos, la paz y la justicia social.

La implicación de la sociedad civil puede contribuir a potenciar la confianza y el conocimiento mutuo, así como los procesos de democratización y los canales de participación ciudadana en temas sociales que impactan en la vida de las personas. Sin embargo, en la última década, las crisis internas tanto en la UE como en la región de Asia-Pacífico, así como la falta de voluntad política de ambas partes para apoyar la discusión de temas en procesos no oficiales, parecen haber frenado la intensidad de la interacción y cooperación entre las organizaciones de la sociedad civil.

A partir de estas dinámicas, este número especial de *Cuadernos Europeos de Deusto* (CED) / *Deusto Journal of European Studies* sobre «Diálogo social y cultural Unión Europea-Asia Pacífico: implicando a la sociedad civil en las relaciones interregionales» pretende contribuir al conocimiento y comprensión de algunos de los principales actores y factores que determinan la evolución del diálogo interregional a nivel social y cultural. En línea con el enfoque interdisciplinario de la revista, cinco contribuciones abordan diversos temas y reflexionan sobre la participación de la sociedad civil en las relaciones interregionales.

Christopher Kimura abre este número con el artículo «Negociando capital y el Acuerdo de Asociación Económica UE-Japón». Hablando del Acuerdo de Asociación Económica Unión Europea-Japón de 2019, el autor afirma que, «si bien el acuerdo en sí mismo es un ejemplo de la creciente fortaleza de la relación UE-Japón, también es un ejemplo de cómo dos regímenes comerciales muy diferentes pueden superar estilos estructurales y administrativos arraigados para llegar a un consenso». El autor analiza el concepto de negociación de capital en el marco del Acuerdo de Asociación Económica UE-Japón (EPA). Para ello, el autor reflexiona sobre las condiciones legales y políticas presentes en el acuerdo, desde la perspectiva de los sujetos de negociación comercial, al mismo tiempo que evalúa los impactos de esas restricciones en los resultados de la negociación. Las diferencias entre las restricciones europeas y japonesas determinan la configuración de los negociadores comerciales. Si bien la Unión Europea es un

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espacio propicio para la incorporación de las organizaciones de la sociedad civil en los procesos de negociación comercial, en Japón la composición centralizada en torno a la jerarquía del ejecutivo y una red de burócratas altamente estandarizada limita la apertura de la sociedad civil del país en dichos procesos.

La contribución de **Cem Nalbantoğlu**, «Políticas de gobernanza de datos y relaciones entre la UE y China: el papel de las sociedades civiles para superar los desafíos geopolíticos en el ciberespacio», se centra en los desafíos de la gobernanza de datos basada en una comprensión geopolítica del tema. En efecto, esta dimensión permite al autor reflexionar sobre el papel que pueden jugar las organizaciones de la sociedad civil digital en la búsqueda de soluciones alternativas para evitar el conflicto político entre la Unión Europea y China en esta materia. Además, el autor analiza el impacto sociopolítico, institucional, legal y cultural de la digitalización. Para ello, el autor contextualiza la reflexión en el marco global, pues entiende que es ahí donde deben articularse las respuestas para superar las insuficiencias y debilidades de las políticas de ciberseguridad y digitalización adoptadas por China y la Unión Europea. La metodología empleada por el autor se basa en el revisionismo de los efectos de los desafíos globales, en este caso la digitalización y sus conexiones con la geopolítica del ciberespacio, desde una perspectiva basada en la búsqueda de soluciones más allá de los marcos jurídicos cosificados. Desde esta perspectiva, el autor utiliza múltiples propuestas para sustentar el papel catalizador de las organizaciones digitales de la sociedad civil en la resolución de conflictos de seguridad, como alternativas a las luchas de poder en la geopolítica de la gobernanza de datos.

El artículo de **Mario Malo,** «Breve resumen de los desarrollos fácticos y onto-epistemológicos de la idea de "sociedad civil" en Japón», analiza el origen y el concepto de sociedad civil en Japón. Al hacerlo, el autor evita configuraciones estáticas y se enfoca en los determinantes institucionales, legales y socioeconómicos que han estado presentes en la génesis y evolución del concepto. Para ello, el autor utiliza un análisis cualitativo en el que se hacen presentes condiciones ambientales, como la guerra o los desastres naturales, que han sido determinantes en la configuración de la sociedad civil como concepto autónomo del Estado y la sociedad. La reflexión es de interés para evaluar las sinergias entre la sociedad civil y los canales de participación ciudadana en Japón. Particularmente sugerentes son las observaciones sobre el dirigismo estatal en dinámicas participativas, así como la contextualización de los movimientos sociales en tiempos de posguerra y desastres naturales. La metodología historicista y sociológica para abordar el objeto de análisis, el mundo asociativo japonés, permite captar las especificidades de los movimientos sociales que se han desarrollado a lo largo

de la historia en Japón, así como las carencias y debilidades que han impedido la consolidación de algunos de estos movimientos más allá de las circunstancias que propiciaron su aparición.

La contribución de **Nguyễn Mậu Hùng**, «La resolución de modernización del sistema educativo de Vietnam por la vía francófona en el conflicto cultural este-oeste de finales del siglo XIX y principios del siglo XX», describe las diferentes fases de la implementación del sistema educativo francés en Vietnam, y analiza los efectos de este sistema que fueron más allá de la dinámica de la colonización. El trabajo contribuye a la reflexión sobre la sociedad civil como motor de participación social, económica y cultural a partir de las influencias del modelo educativo francés, que permitió consolidar un pensamiento crítico y proactivo para el desarrollo de un sólido tejido de la sociedad civil. El autor utiliza una gran cantidad de fuentes bibliográficas para analizar los efectos del sistema educativo francés en Vietnam en términos de pensamiento crítico y superación de las dinámicas jerárquicas del confucianismo asiático.

Finalmente, el artículo de **Sureyya Yigit,** «Relaciones de la sociedad civil entre la UE y Asia Central: expectativas poco realistas, resultados desalentadores», cierra este número especial. El autor aborda el concepto de sociedad civil desde una perspectiva metahistórica, en la cual los factores económicos, sociales, institucionales y culturales juegan un papel decisivo. El documento es muy relevante para comprender las dificultades de introducir categorías centrales para la Unión Europea (estado de derecho, derechos humanos, etc.) en los países de Asia Central, sin tener en cuenta las complejas condiciones ambientales de estos países. De particular interés es la re-conceptualización que hace el autor del factor democrático desde la perspectiva de los impulsos materiales de los países de Asia Central. También es relevante el abordaje del papel de las ONGs en la sociedad civil considerando las dinámicas de dominación internas a la herencia soviética y las propias dinámicas externas que limitan o constriñen el papel de las ONGs como interlocutores de la sociedad civil en el proceso de democratización. Las dificultades para consolidar una sociedad civil similar a las de Europa Occidental invitan a reflexionar sobre las particularidades antropológicas y culturales de Asia Central, cuestiones clave para articular nuevas relaciones UE-Asia Central, que el autor concreta en las conclusiones.

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la Universidad del País Vasco (1992). Desde entonces ha impartido cursos de grado y posgrado en la Universidad de Deusto en Lenguas Modernas, Lenguas Modernas y Gestión, y Relaciones Internacionales, así como en el Máster Erasmus Mundus Euroculture. Ha realizado su investigación en el campo de la literatura comparada, primero, y después, desde 2003, en el campo de la Integración Europea, centrando su estudio en su dimensión cultural. También ha participado en varios proyectos europeos en torno al diálogo intercultural y transcultural, la construcción de la identidad europea y la dimensión del multilingüismo y su relación con el concepto de ciudadanía europea. Entre otras responsabilidades, ha sido vicedecana de la Facultad de Filosofía y Letras, directora del Instituto de Estudios Europeos y directora del Departamento de Relaciones Internacionales y Humanidades. Actualmente, participa activamente en la edición y publicación de la Revista *Cuadernos Europeos de Deusto*, de la que es directora adjunta.

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Estudios

Negotiating Capital and the EU-Japan Economic Partnership Agreement

La negociación de capital y el Acuerdo de Asociación Económica UE-Japón

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Summary: I. Introduction.—II. Defining negotiating capital.—III. The European Union's negotiating capital.—IV. Japan's negotiating capital.—V. The totality of European Union and Japanese negotiating capital.—VI. Application to the EU-Japan economic partnership agreement.—VII. Conclusion.

Abstract: The 2019 European Union (EU)-Japan Economic Partnership Agreement is, so far, the EU's largest bilateral free trade agreement. While the agreement itself is an example of the growing strength of the EU-Japan relationship, it is also an example of how two vastly different trade regimes can overcome entrenched structural and administrative styles to reach a consensus. This paper analyzes one of these barriers: negotiating capital. This concept represents the political economy of how trade negotiators utilize their legal expertise, negotiating flexibility, and limited resources to maximize free trade agreement outcomes. However, trade negotiators have differing amounts of negotiating capital, which depends on their home states' structural and administrative constraints and how the trade negotiators define and develop their trade expertise. The EU's and Japan's contrasting structural and administrative approaches to trade negotiations and how trade experts define and develop their expertise lend a unique opportunity to understand how changes in negotiating capital can alter free trade agreement negotiation outcomes. Ultimately, the EU's inclusive, quasi-federal structure and the negotiators' need to consider the limitations on their trade mandate show how their negotiating capital is relatively limited and translates into a more integrated agreement text, i.e., provisions on public opinion. On the other hand, Japan's top-

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down reformist trade regime leads to a more reactive strain of negotiating capital relying heavily on adherence to hierarchy and limited inclusiveness, resulting in agreement commitments that are generally weak and narrow. Negotiating capital is an important reality that all trade negotiators face. It is politically and strategically important for parties to understand how these various factors' political economy impacts free-trade negotiations and outcomes.

Keywords: European Union, Japan, free trade agreements, negotiations, EU-Japan Economic Partnership Agreement (EU-Japan EPA).

Resumen: *El Acuerdo de Asociación Económica Unión Europea-Japón de 2019 es, hasta el momento, el mayor acuerdo de libre comercio bilateral de la UE. Si bien el acuerdo en sí mismo es un ejemplo de la creciente fortaleza de la relación UE-Japón, también es un ejemplo de cómo dos regímenes comerciales muy diferentes pueden superar osbtáculos estructurales y administrativos arraigados para llegar a un consenso. Este trabajo analiza una de estas barreras: la negociación de capital. Este concepto refleja la economía política de los negociadores comerciales, es decir, cómo los negociadores utilizan su experiencia legal, flexibilidad de negociación y recursos limitados para maximizar los resultados del acuerdo de libre comercio. Sin embargo, los negociadores comerciales disponen de un capital de negociación diferente que depende de las limitaciones estructurales y administrativas de sus estados de origen y de cómo el negociador comercial defina y desarrolle su experiencia comercial. Los enfoques administrativos y estructurales dispares de la UE y Japón para las negociaciones comerciales y cómo los expertos en comercio definen y desarrollan su experiencia brindan una oportunidad única para comprender cómo los cambios en el capital de negociación pueden alterar los resultados de la negociación de los acuerdos de libre comercio. En última instancia, la estructura cuasi federal inclusiva de la UE y la necesidad de los negociadores de considerar las limitaciones de su mandato comercial muestran cómo su capital de negociación es relativamente limitado y se traduce en un texto de acuerdo más integrado, es decir, disposiciones sobre la opinión pública. Por otro lado, el régimen comercial reformista de arriba abajo de Japón conduce a una tensión más reactiva de negociación de capital que depende en gran medida de la adherencia a la jerarquía y la inclusión limitada, lo que resulta en compromisos de acuerdo que generalmente son débiles y limitados. Negociar capital es una realidad importante a la que se enfrentan todos los negociadores comerciales. Es política y estratégicamente importante que las partes entiendan cómo la economía política de estos distintos factores influye e impacta en las negociaciones y los resultados del libre comercio.*

Palabras clave: *Unión Europea, Japón, acuerdos de libre comercio, negociaciones, Acuerdo de Asociación Económica UE-Japón (AAE UE-Japón).*

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I. **Introduction**

Free trade agreement (FTA) negotiations optimize limited resources and legal expertise to achieve certain outcomes. Trade negotiators are the lead, critical players in determining the proper approaches, bargaining strategies, and how trade objectives translate into draft text. However, trade negotiators have differing amounts of negotiating capital, a concept representing a negotiators' degrees of flexibility and "wiggle-room" to request or make concessions or effectively bargain. The amount of negotiating capital trade negotiators possess depends on their home states' structural and administrative constraints and how they define and develop their trade expertise. I expect that varying levels of negotiating capital can result in unique variations of FTA negotiating expertise, strategy, and techniques. The amount of negotiating capital available to negotiators depends on several structural and procedural constraints present in their home state. These constraints and limitations include administrative governance factors, the chain of authority and agency roles, training and education, and consideration of third-party interests. While every state involved in FTA negotiations possesses these factors, it is crucial to consider their differences to understand their impacts on how trade negotiators acquire, use, and maximize their negotiating capital.

European and Japanese trade negotiators are prime examples of how domestic limitations and constraints affect how trade negotiators acquire, use, and maximize varying degrees of negotiating capital. The EU, as a quasi-federal governing structure accounting for 27 Member States (MMSS) and numerous cross-border businesses, non-government organizations, and civil society groups, trade negotiators must account for a plethora of interests and initiatives as part of their trade mandate. As a reforming former-mercantilist trading economy, Japan's powerful political and business authorities dominate the trade negotiation mandate but are responsive to external stimuli. This paper first traces the EU's and Japan's domestic constraints and limitations on their trade negotiator's negotiating capital. In the following section, this paper shows how the EU's and Japan's trade negotiators' levels of negotiating capital translate into variations in trade expertise, strategy, and techniques. Last, an application of this negotiating capital framework to the EU-Japan Economic Partnership Agreement (EU-Japan EPA) and the potential benefits and drawbacks of permitting or limiting trade negotiators' accessibility to negotiating capital.

II. **Defining negotiating capital**

The negotiating capital concept, as previously mentioned, is a catch-all term that represents a trade negotiator's degrees of flexibility and "wiggle-room" to make requests, concessions, or bargain effectively, all as a part of their legal expertise. The amount of negotiating capital possessed by negotiators depends on the context of the state in which they work. The negotiating capital concept considers numerous factors that are in constant evolution, including administrative governance factors, the chain of authority and role of agency, training and education, and consideration of third-party interests. This paper will focus on the roles of these factors on the negotiator's negotiating capital.

Why investigate trade negotiators? Trade negotiators must use their legal expertise in light of limited negotiating capital to obtain trade-offs, determine objectives, and maximize results[2]. Further, trade negotiators work on behalf of the state they represent, meaning trade negotiators do not achieve trade objectives purely based on their expertise or individual choices. Instead, results derive from state interests, administrative processes, and collective deliberations. Trade negotiations are also a team effort not strictly limited to lawyers as trade specialists and economists also contribute their specialized expertise to accompany trade lawyers. How trade negotiators maximize minimal resources or how much flexibility they have in exercising their legal expertise to achieve favorable results is the key to understanding their role as legal experts.

Research on concepts mirroring negotiating capital is plentiful and will guide us on the most crucial factors contributing to this analysis. Political capital, for example, is a highly researched field that aims to understand how politicians and citizens use their connections, influence, and resources to achieve political objectives. For Sørensen & Torfing, political power represents "the individual powers to act politically that are generated through participation in interactive political processes linking civil society to the political system"[3]. Sørensen & Torfing see political capital as a resource of "endowment, the empowerment, and the political identity of the

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[2] For more on expertise in the context of the exchange of knowledge, information, and expertise, *see* Diane Stone, "Introduction: global knowledge and advocacy networks", *Global Networks*, 2(1), 2002.

Also see Chapters 4 and 5 in David Kennedy, *A World of Struggle: How Power, Law, and Expertise Shape Global Political Economy*, (Princeton: Oxford University Press) 2018.

[3] Eva Sørensen & Jacob Torfing, "Network Politics, Political Capital, and Democracy", *International Journal of Public Administration*, 26(6), 2003.

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citizens"[4]. In short, citizens need a high level of political capital for a thriving, functioning democracy[5]. Sørensen & Torfing's primary investigation mechanism is the "governance networks," which have implications for negotiating capital. Much scholarly work exists on the political capital of the private sector and how such political connections can either result in favorable or unfavorable policy choices. Research on South Korean companies, for example, has shed light on trends that companies with political capital used government officials as catalysts to develop overseas international alliances[6].

Scholars have also noted the role of legal expertise in the trade negotiating process. Nicola's examination of the United States-EU Transatlantic Trade and Investment Partnership (US-EU TTIP) negotiations and the politicization of legal expertise shows how trade negotiators use newfound leverage from politicized transparency claims in regulatory cooperation negotiations[7]. In a parallel, Annelise Riles' research of the Japanese derivatives market and swap contracts emphasizes the role of back-room legal expertise in shaping finance markets from the "margins"[8]. Both Nicola and Riles have underscored the expert's role in obtaining leverage and shaping processes. This paper hopes to achieve a similar outcome, albeit through different terms. Here, negotiating capital takes on an evolving, constraining, and multi-factored notion of legal expertise that fits within the process-oriented legal expertise described by Nicola and Riles.

III. **The European Union's negotiating capital**

EU trade negotiators operate within a quasi-federal structure within a bottom-up mandate development process. Accordingly, there are various limiting effects on EU negotiators' amount of negotiating capital. Foundational principles enshrined in the EU's treaties require the trade negotiations to be transparent, open, and democratic. Article 1 of the Treaty on the European Union (TEU), decisions made in the European Union institutions will be taken "as openly as possible and as closely as possible

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[4] *Ibidem*, 623.

[5] *Ibidem*.

[6] Jordon Siegel, "Contingent political capital and international alliances: evidence from South Korea", *Administrative Science Quarterly*, 57, 2007.

[7] Fernanda Nicola, "The Politicization of Legal Expertise in the TTIP Negotiation", *Law & Contemporary Problems*, 78(4), 2015.

[8] Annelise Riles, "Collateral Expertise", *Current Anthropology*, 51(6), Dec. 2010.

to the citizen"[9]. Article 15 on the Treaty on the Functioning of the European Union (TFEU) proclaims that "to promote good governance and ensure participation of civil society, the Union institutions, bodies, offices and agencies shall conduct their work as openly as possible"[10]. Article 15 also commits the MMSS to maintain the right of access to documents by the public. The more recent Laeken Declaration of 2001 on the future of the EU explicitly states that European citizens "want the European institutions to be less unwieldy and rigid and, above all, more efficient and open"[11]. The paragraph "More democracy, transparency, and efficiency in the European Union" argues that EU legitimacy derives from democratic, transparent, and efficient institutions. Article 218 of TFEU dictates the EU's trade negotiations process[12].

The most critical phases of the negotiating process for our purposes lie in the pre-negotiation preparations. Numerous checks and balances within the preparatory process indicate a relatively finite and bounded mandate development for EU negotiators. Understandably, the checks and balances limit the amount of negotiating capital held by the EU negotiators. The mandate development process begins with the Commission, which first presents to the Council a recommendation to conclude a trade agreement with a third country, and the Council decides whether to authorize negotiations[13]. The Commission's recommendation includes an impact assessment, public consultations, and a "scoping exercise" to set out what the parties wish to negotiate.[14] The Commission and Council develop negotiating directives that prioritize objectives for trade negotiators and the final agreement. These directives are sent to Parliament and the EU national governments and made available to the public[15]. Additionally, the Commission shall work closely with the

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[9] Treaty on European Union (Consolidated Version), Treaty of Maastricht, 7 February 1992, Official Journal of the European Communities C-325/5; 24 December 2002, https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:115:0013:0045:EN:PDF

[10] Article 15, Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union, Official Journal C 326, 26/10/2012, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT

[11] *Presidency Conclusions: European Council Meeting In Laeken*, 14 and 15 Dec. 2001, 19-26, https://www.consilium.europa.eu/media/20950/68827.pdf

[12] Article 218, *supra* note 5.

[13] *Ibidem*.

[14] "Negotiating EU Trade Agreements," https://trade.ec.europa.eu/doclib/docs/2012/june/tradoc_149616.pdf

[15] "State of the Union 2017 – Trade Package: Commission unveils initiatives for a balanced and progressive trade policy", *European Commission Press Release*, Sept. 14, 2017; State of the Union 2017 – A Transparent and Inclusive Trade Negotiation Process, http://trade.ec.europa.eu/doclib/docs/2017/september/tradoc_156041.pdf.

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Council's trade policy committee[16] and the Advisory Group on EU trade agreements and keep the Council and Parliament fully informed after each negotiation round. The Commission must consult the Council and inform Parliament if it wishes to include additional negotiating proposals[17].

The role of the MMSS and public consultations as part of the EU's negotiation process is notable and has expanded in recent years as part of Commissioner Cecilia Malmström's "Trade For All" policy[18]. The Commission aims for a broad range of stakeholder involvement by implementing increased transparency measures, such as publishing negotiating directives and consulting with the Advisory Group[19]. The Advisory Group, established as part of the 2017 State of the Union policy commitments, consists of a balanced group of stakeholders representing trade unions, employers' organizations, consumer groups, and other non-governmental organizations[20]. The group's primary role is to provide technical expertise and practical experience relevant to trade agreement negotiations and advise the Commission on stakeholder perspectives on specific issues, the implementation of trade agreements, and public perception and debate over the negotiations[21]. The Advisory Group's experts consist of 28 entities, including the European Automobile Manufacturers' Association, the European Consumer Organization, the European Farmers and European Agri-Cooperatives, and the European Engineering Industries Association[22]. The comprehensive consultation process and the Trade For All policy created a strong mandate for EU negotiators to include trade commitments on sustainability, environmental, and labor standards mixed with industry input. Without commitments in these sectors, the EU institutions would likely not ratify the final agreement text[23].

EU trade negotiators' negotiating capital reflects the EU's bottom-up administrative governance processes that support the essential pillars of transparency, openness, and accountability. By developing a system of

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[16] Article 207(3), *ibidem*.

[17] *Ibidem*.

[18] "Trade For All," European Commission, https://trade.ec.europa.eu/doclib/docs/2015/october/tradoc_153846.pdf

[19] *Supra* note 9.

[20] "Commission sets up advisory group on EU trade agreements," Dec. 22, 2017, http://trade.ec.europa.eu/doclib/press/index.cfm?id=1777

[21] State of the Union 2017 – A Transparent and Inclusive Trade Negotiation Process, *supra* note 10.

[22] Expert group on EU trade agreements, *European Commission*, https://trade.ec.europa.eu/doclib/docs/2017/december/tradoc_156487.pdf

[23] "A Balanced and Progressive Trade Policy to Harness Globalization", COM (2017) 492 Final, Sept. 13, 2017; Interview, Oct. 16, 2020.

checks and balances while also incorporating broad public participation and debate, EU negotiators must consider numerous behind-the-scene factors that influence the amount of negotiating capital they possess and how effectively they may use it. The EU negotiators' bottom-up system contrasts that of their most recent FTA partner, Japan, in which negotiators operate in a top-down and overall less-inclusive environment.

IV. **Japan's negotiating capital**

Japanese trade negotiators operate within a system quite different from the EU. Japan's top-down, less-inclusive, and economic-revitalization-orientated approach alongside former-Prime Minister Abe's strengthening of the executive role had substantial implications for the trade mandate development and trade negotiators' negotiating capital[24]. Also, Japanese civil servants' definition of legal expertise stands in stark contrast to their European counterparts.

Japan's economic situation forced a significant change in international trade policy. Economic stagnation led Japan to rely less on the multilateral trade system and instead opt for bilateral and regional FTAs. This push for bilateral and regional arrangements began in the early 2000s by Japan's major multinational corporations, the *keiretsu*[25], and their political representation as part of the *Keidanren*, the Japan Business Federation. The interconnectedness of the Japanese political and corporate elite meant business interests typically coalesced into a uniform international trade policy, particularly in light of Japan's history of economic development[26] and Keidanren's role as a "pressure group, an information provider, and an interest coordinator"[27]. The private sector's primary interest in FTA

[24] Abe Shinzo was Prime Minister of Japan from December 26, 2012 to September 16, 2020, making him the longest serving Prime Minister in Japanese history.

[25] The *keiretsu* are Japan's major multinational corporations that consist of closely related business entities with some possessing interlocking equity in each other; for more on the *keiretsu*, *see* Katsuki Aoki, Thomas Taro Lennerfors, "The New, Improved Keiretsu", *Harvard Business Review*, Sept. 2013.

[26] This relationship is called the "Iron Triangle" of the Liberal Democratic Party, the strong bureaucracy, and big businesses; the declining practice of *amakudari* has played a major role in the politics-business relationship.

[27] "Urgent Call for Active Promotion of Free Trade Agreements", July 2000, https://www.keidanren.or.jp/english/policy/2000/033/index.html, accessed December, 2021.

"Towards the Implementation of Strategic Trade Policies", June 2001, https://www.keidanren.or.jp/english/policy/2001/029.html, accessed December, 2021.

Hidetaka Yoshimatsu, "Japan's Keidanren and Free Trade Agreements", *Asian Survey*, 45(2), April 2005.

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negotiations was to improve Japan's economic situation, maintain a competitive edge in foreign markets, solidify regional integration, and promote internal adjustments from outside competition[28].

The policy of FTA negotiations proceeded relatively slowly for many years but took a significant step forward during Abe's administration as one of his "Three Arrows"[29]. The administration prioritized FTAs as a foremost mechanism to improve Japan's sluggish economic situation. Abe's priority in negotiating FTAs was to promote structural economic reforms and re-introduce competition into the Japanese market[30]. This purely economic-revitalization objective behind Japan's FTA mania contrasts that of the FTA motives of the EU, which seeks to export its regulatory standards abroad.[31] This singular motive's impact on Japan's trade mandate is to limit the provisions negotiated to only those chapters that achieve this end[32]. Thus, Japanese negotiators do not seek to include sustainability, environment, and labor standards chapters and instead prefer to make only a limited number of concessions as permitted by the executive.

The executive and the ministries play an important and consequential role in Japanese negotiators' negotiating capital. Abe's ability to consolidate and centralize the executive's authority makes him a powerful "exception" to the typical Prime Minister and, in many aspects, was the "apex of powerful Prime Ministers"[33]. Japan's executive authority began shifting in the early 2000s, mainly during the Koizumi administration and the weakening influence of interparty factionalism[34]. While this shift continued until Abe's second administration, Abe's strong political positioning derived from the Liberal Democratic Party's (LDP) rallying from its previous defeat by the Democratic Party of Japan (DPJ) and

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[28] *Ibidem*.

[29] The "Three Arrows" (fiscal consolidation, aggressive monetary easing, and structural reforms) are the major policy objectives of "Abenomics"; Naoyuki Yoshino and Farhad Taghizadeh-Hesary, "Three Arrows of 'Abenomics' and the Structural Reform of Japan", *ADBI Working Paper Series*, Aug. 2014.

[30] Robert A. Rogowsky and Gary Horlick, "TPP and the Political Economy of U.S.-Japan Trade Negotiations", *Wilson Center*, 2014.

[31] Anu Bradford, "The Brussels Effect", *Northwestern University Law Review*, vol. 17, no. 1, 2012.

[32] *See*, for example, the Keidanren's model FTA: https://www.keidanren.or.jp/english/policy/2000/033/reference.html

[33] Interview, Nov. 21.

[34] Tobias S. Harris, *The Iconoclast* (C. Hurst & Co. Ltd) 2020, chapters 6-8; *also see* Ellis S. Krauss and Benjamin Nyblade, "Presidentialization in Japan? The Prime Minister, Media, and Elections in Japan", *British Journal of Political Science*, 35(2), April 2005.

successes in securing both houses of the Diet shortly after[35]. The LDP hailed Abe as a hero for bringing the LDP back to the political forefront[36]. In 2014, Abe tightened his grip over the bureaucracy by establishing the Cabinet Bureau of Personnel Affairs, a bureau working below the Prime Minister's office, allocating ministry and agency appointments[37].

According to several interviews, Abe was high involvement in the trade negotiators' trade mandate development, including throughout the negotiations process[38]. For Japanese trade negotiators, intra-agency communications for compromises, trade-offs, and bargains are essential as such decisions require approval from the affected ministries, such as the staunchly protective Ministry of Agriculture, Forestry, and Fisheries. However, as Abe consolidated power, all major trade negotiation issues were brought directly to the Prime Minister's office as his decisions carried substantial deference[39]. Abe's strengthened authority over trade matters also permitted quick amendments to the negotiators' mandates. The completion of trade negotiations with the EU, US, and the United Kingdom (UK) are examples of Abe's strong push for results amid the unpredictable atmosphere during the Trump administration, the coronavirus pandemic, and the UK's finalization of Brexit[40]. In the words of one EU negotiator, bargaining and making trade-offs was initially very tough. However, once Abe permitted broader negotiator discretion in response to the changing international situation, the negotiations proceeded and rapidly concluded[41]. In the case of the EU-Japan FTA, the Diet's Lower House ratified the agreement on November 29, 2018, followed by the Upper House on December 8, only eight days later[42].

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[35] Dae Kyu Lee, "Japanese Prime Minister Shinzo Abe's Two Administrations", *Naval Postgraduate School*, Dec. 2016, Section IV.

[36] *Ibidem*.

[37] Mayu Terada, "The Changing Nature of Bureaucracy and Governing Structure in Japan", *Washington International Law Journal*, 28(2), 2019, Part VI.

Reiji Yoshida, "Abe moves to boost control of bureaucrats", *The Japan Times*, May 27 2014.

[38] Interviews, Oct. 16 and Nov. 21.

[39] *Ibidem*. This trend can be described as *nemawashi*, a largely informal process where policy is briefed and discussed beforehand and input from higher authorities are heard; *see* Rochelle Kopp, "Defining Nemawashi", *Japan Intercultural Consulting*, https://japanintercultural.com/free-resources/articles/defining-nemawashi/, accessed December, 2021.

[40] *Ibidem*, *also* Yoshihiro Nagata, "Bureaucracy of Power-Dependence in Domestic Politics in Japan and Interdependence of International Relations in the UK, US, and the EU", *The International Academic Forum*, 2017.

[41] *Ibidem*.

[42] EU-Japan Economic Partnership Agreement Legislative Train Schedule, https://www.europarl.europa.eu/legislative-train/theme-a-balanced-and-progressive-trade-policy-to-harness-globalisation/file-eu-japan-epa, accessed December 2021.

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Japanese trade negotiators are highly risk-averse, reflective of the executive's growing authority[43]. In the words of an interviewee, "what else does one do to make the Prime Minister happy other than defend as much as possible"[44]. According to those with knowledge of the EU-Japan EPA negotiations, Japanese negotiators were unwilling to accept commitments with too broad a degree of constructive ambiguity and grey areas. This trend contrasts with the EU's negotiations with Vietnam, whose negotiators were willing to make the commitments and hash out specifics later if necessary[45]. In addition, Japan's trade negotiators are often replaced as part of the government's rotation-style of employment[46]. Unfamiliarity with the negotiations process may explain the negotiators' risk-averse behavior. In light of Japan's typically protectionist domestic market, past trade policy, and rotation-style employment, it is no surprise that Japanese trade negotiators' strategies are couched in risk-aversion and a dislike for grey areas in FTA commitments. Japanese negotiators are also cautious on concessions as the general mentality is that conceded terms in past agreements may become the demands of other third countries in future negotiations.

As a part of the Japanese civil service, Japanese trade negotiators define and develop their legal expertise differently than their European counterparts. First, bureaucratic expertise is limited to a small cohort that operates outside of the public eye[47]. Government advisory councils, the *Shingikai*, are formal groups that provide political and administrative expertise as a part of a process called *nemawashi*[48]. The *Keidanren* and other large-scale business organizations also work closely with the executive and

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Also see JiJi, "Japan's Upper House approves free trade pact with EU by majority vote", *The Japan Times*, Dec. 8, 2018, (Parties opposing the ruling coalition expressed concerns over impacts in Japan's agricultural sector, including dairy).

[43] Interviews, Oct. 16 and Nov. 21.

[44] *Ibidem*.

[45] *Ibidem*.

[46] *See* Rochelle Kopp, "Jinji-Ido – The Japanese organizational "refresh" button", *Japan Intercultural Consulting*, describing *jinji ido* (人事異動) as closest to "developmental reassignment of employees." For example, the Ministry of Finance publishes its reassignments and transfers here: https://www.mof.go.jp/about_mof/introduction/personnel/transfers/index.htm

[47] *See* Katsuya Uga, "Development of the Concepts of Transparency and Accountability in Japanese Administrative Law", in *Law in Japan: A Turning Point*, ed. by Daniel H. Foote. (University of Washington Press) 2007, 276-303; Professor Uga describes Japanese bureaucrats as having a "culture of secrecy".

[48] *See generally* Frank J. Schwartz, *Advice and Consent: The Politics of Consultation in Japan* (Cambridge University Press) 1998; *also* Mayu Terada, page 452-3, *supra* note 34. For a definition of *nemawashi*, *see* note 34.

the ministries to advocate their preferred policies by providing business expertise[49]. As for public participation, the Diet acts in this capacity, and there is comparatively less outside opportunity for consultations[50]. As for experts working within the government, expertise is developed less through the actual practice of law or other technical fields but primarily through negotiating tactics.[51] These negotiating tactics, coined as "tricks" by a former civil servant, represent one's knowledge of operating in a challenging and highly structured bureaucratic process and maximizing results[52]. For example, a ministry may be unwilling to concede on a particular proposal, but rather than decline outright might choose "foot-dragging" as an appropriate way to play hardball while also not appearing too confrontational[53]. The counter-tactic for experienced civil servants is to move up the hierarchy to present the proposal at one of the numerous meetings held within the ministry - if the proposal is to be thrown out, it is best to have it thrown out at the very top[54]. According to interviewees, success in Japan's domestic politics consists of 80% of tactics and tricks. Further, civil servants emphasize working within the bureaucratic system instead of education and aim to be "generalists" rather than specialists[55]. As mentioned earlier, many who work within the bureaucratic system are part of a rotation employment system to develop their skills in various offices[56].

V. **The totality of European Union and Japanese negotiating capital**

Analyzing the foundational differences between the EU and Japan has substantial implications for their respective trade negotiators' negotiating

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[49] Hidetaka Yoshimatsu, "Japan's Keidanren and Political Influence on Market Liberalization", *Asian Survey*, 38 (3), March 1998.

[50] Interview, Tokyo summer 2019. There is a general nuance in the Japanese bureaucracy that the common populace in Japan should be led rather than listened to; *see* David Vogel, "Protection and Protectionism in Japan", *The Journal of Japanese Studies*, 18(1), Winter, 1992, 119-122, referencing Seuishi Tomitaro and Nishimura Shuzo.

[51] Interview, Nov. 21.

[52] *Ibidem*.

[53] *Ibidem*.

[54] *Ibidem*, according to an interview, "the Japanese love meetings", and taking advantage of this characteristic of Japan's bureaucracy was a learned skill. The interviewee also characterized the Japanese as doing these "tricks in meticulous 'Asian' ways."

[55] *Ibidem*. *Also* Mayu Terada, 438, *supra* note 38. An interviewee linked the preference for generalists as a remnant of Japan's economic success through "catching-up", where expertise was less important, something the interviewee considered a possible con for future economic growth.

[56] *Ibidem*.

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capital. The negotiating capital concept represents a trade negotiator's degrees of flexibility and "wiggle-room" to make requests, concessions, or bargain effectively, all as a part of their legal expertise. In administrative governance, we have seen that the EU trade mandate development constitutes a bottom-up structure consisting of oversight and transparency checks and balances and broad stockholder consultations, and public participation. EU trade negotiators operating within this system are provided limited negotiating capital. Administrative and public interests require specific objectives, including incorporating sustainability, environmental, and labor standards, or else risk rejection by Parliament. Further, the general trade policy of the EU is to gain concessions in the harmonizing standards and regulations, a substantially more integrative endeavor than mere market access. In light of the numerous considerations, EU trade negotiators have less "wiggle-room" and stricter limitations on their ability to make concessions, trade-offs, bargains, and less opportunity to use their expertise to maximize potential outcomes.

Japanese trade negotiators operate in a top-down, closed-circuit process where the executive has centralized authority over the trade mandate development process. The executive, particularly under former Prime Minister Abe, could quickly expand the trade mandate and negotiating capital in response to international developments. Concerning consultations, Japanese trade negotiators primarily consider the interests of the ministries, inter-government experts, and corporate influence while receiving less input from civil society and the general public. These factors leave Japanese trade negotiators with a more significant degree of "wiggle room" to make concessions, trade-offs, and bargains. One example of Japanese negotiators' utilizing their extra negotiating capital is the non-tariff barrier concessions made on Japanese railway procurements. Japan's "Operational Safety Clause," which purported to ensure rail transport safety, was likely permitted by the executive to be offered as a bargaining chip in exchange for EU concessions[57]. Below are hierarchies for both the EU and Japan's trade mandate development process and impacts on negotiating capital.

[57] An introduction to the EU-Japan Economic Partnership Agreement: Public Procurement, https://trade.ec.europa.eu/doclib/docs/2017/july/tradoc_155719.pdf, accessed December 2021.

EU's Limited Negotiating Capital	Japan's Reactive Negotiating Capital
Bottom-up process Authority in multiple institutions Openness and transparency Checks and balances	Top-down process Authority in executive Inter-agency communications Reactive to international trends Increased risk-aversion
Multi-faceted trade policy Standard and regulatory setting Foreign market access	Single-faceted trade policy Economic revitalization
Public consultations and participation Advisory Group consults Member States, NGOs, businesses, interest groups, and a variety of other stakeholders	Limited circuit for participation Government groups, large business organizations, and ministry interests are prioritized
Trade negotiator expertise through training and education "Ladder-climbing" and development through technical fields	Trade negotiator expertise as a "generalist" Experience developed through working within the bureaucracy Negotiating tactics as expertise

VI. **Application to the EU-Japan economic partnership agreement**

In early 2019, the EU put into action its largest trade deal signed so far: the EU-Japan EPA. Based on a series of interviews in Tokyo with civil servants, lawyers, and academics about the new challenges of negotiating a comprehensive trade agreement, the interviewees noted the different approaches to negotiations as obstacles to success. Most importantly, the EU negotiators drove a hard bargain, and Japanese negotiators felt they were navigating uncharted waters, despite having been one of the first countries to begin negotiating new era trade agreements, starting with Singapore. To understand how different levels of negotiating capital affect FTA text, the following section considers the EU-Japan EPA's transparency chapter.

The EU-Japan EPA's transparency chapter generally possesses low integration levels, a characteristic that contrasts the EU's past FTAs while being more similar to those FTAs of Japan. Article 17.3 on publication, for instance, includes only two sub-provisions dedicated to introducing or changing measures of general application along with a requirement for prompt publication and a reasonable interval between publication and implementation[58]. There are no commitments for the parties to consider public

[58] EU-Japan EPA, Article 17.3 (a) & (b).

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comments[59]. In contrast, the EU's FTAs with South Korea, Singapore, and Vietnam include an integrative transparency chapter and transparency provisions dispersed through other chapters. For example, the EU-Singapore text contains six sub-provisions dedicated to the comments from interested persons, the availability of both previously implemented measures of general application, and those measures planning to be adopted or amended[60]. Thus, rather than looking only at the transparency chapter, one can find multiple transparency initiatives in other portions of the EU-Japan agreement[61]. Perhaps EU negotiators were satisfied with a more minor, less inclusive transparency chapter in the EU-Japan EPA so long as transparency provisions found in other chapters remained consistent with their past frameworks.

In the EU-Japan EPA, both EU and Japanese trade negotiators maximized their negotiating capital to achieve their objectives by making concessions, trade-offs, and bargains. EU trade negotiators maximized their limited negotiating capital by accepting Japan's preferred transparency text while also successfully incorporating high transparency commitments with the possibility of acquiring additional gains in other portions of the agreement. Japanese trade negotiators also maximized their negotiating capital by structuring the transparency chapter commitments to align with their risk-aversion style and desire to limit concessions while remaining open to making transparency concessions in other portions of the agreement.

VII. **Conclusion**

Trade negotiators are the lead, critical players in determining the appropriate approaches, bargaining strategies, and how trade objectives translate into draft text. Their negotiating capital represents degrees of flexibility and "wiggle-room" to make requests, concessions, or bargain effectively, all as a part of their legal expertise. Additionally, negotiating capital formation can indicate trade negotiators' reactivity to international events and trends. On a more foundational level, the

[59] *Ibidem*.

[60] EU-Singapore FTA, Article 13.3 (1) & (2).

[61] Japan-EU EPA, sub-provisions on transparency commitments appear in Chapter 4 on Customs Matters and Trade Facilitation, Chapter 5 on Trade Remedies, Chapter 6 on Sanitary and Phytosanitary Measures, Chapter 7 on Technical Barriers to Trade, Chapter 8 on Trade in Services, Investment Liberalization, and Electronic Commerce, Chapter 11 on Competition Policy, Chapter 14 on Intellectual Property, and lastly Chapter 16 on Trade and Sustainable Development.

interconnectedness of negotiating capital and expertise offers insights into trade negotiators' preferences for negotiating styles, such as risk-aversion characteristics.

By undergoing a comparative analysis of the EU and Japanese trade mandate development process, this paper has highlighted some characteristics of how trade negotiators acquire, use, and maximize varying degrees of negotiating capital. Differences in these sectors are visible across the EU-Japan EPA, including the case study of the transparency chapter. The transparency chapter displayed the EU trade negotiators' maximization of limited negotiating capital and consideration of Japan's risk-aversion approach by making concessions on a highly integrative set of transparency commitments while ensuring transparency commitments in the EPA's other chapters.

Analyzing and understanding the factors influencing trade negotiators' negotiating capital offers opportunities to optimize the concession, trade-off, and bargaining process. The above frameworks can help determine what types of provisions, their levels of integration, and possible bargaining strategies trade negotiators will bring to the negotiating table. Rather than develop a mandate and aim for a set of objectives, trade negotiators could develop an increasingly flexible negotiation style while also entering into FTA negotiations with a clearer understanding of which commitments the opposite state's negotiators are willing to fight or make concessions. States can also use this framework to reflect on how to optimize their trade mandate development process better to better achieve their trade objectives, especially in the era of growing bilateral and regional FTAs.

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EU - China relations and data governance policies: the role of civil societies in overcoming geopolitical challenges in cyberspace

Relaciones UE-China y políticas de gobernanza de datos: el papel de las sociedades civiles para superar los desafíos geopolíticos en el ciberespacio

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Summary: I. Introduction.—II. Data governance and geopolitics in cyberspace.—III. Approaches to data governance & policies in the EU and China.—IV. Civil society, cyberspace, and policymaking.—V. Policy recommendations.—VI. Conclusion.

Abstract: EU and China are the global powers that can affect and alter international relations at the political, economic, and societal levels. While the EU shapes the foreign policy in Europe, China has a critical role in Asian politics. In Asia-Europe interregionalism and interregional relations, the EU-China relations are essential in consolidating global and regional stability. However, in the current political conjuncture, the security issues in cyberspace challenge both actors. Hence, cybersecurity and digitalization policies are a potential conflict area in EU-China relations. As the impact of technological and digital developments increases on the global political economy, global powers are developing policies to breast the tape in technological development. The European Commission has set "A Europe fit for the digital age" as one of its priorities for the 2019-2024 term. Meanwhile, since 2015 China has been promoting the Digital Belt and Road Initiative to foster digital connectivity among the Belt and Road countries. However, big data analytics are important in developing new technologies, especially in digital connectivity, automation, and robotics. In this context, data governance has become a geopolitical concept in international relations. Consequently, differences between China's and the EU's approach to data – access, process, and collection – may result in geopolitical confrontations. In this paper, we argue that both actors should involve civil society in the policymaking process to address the dynamics of information technologies, cooperate on adapting a global approach and avoid geopolitical confrontations. Civil society organizations can help the actors understand the underlying risks in cybersecurity and form a non-conflicting approach in data governance frameworks. Furthermore, while investigating the EU and China's data governance models, we shed light upon the role of civil society

organizations in addressing the potential risks and opportunities in cyberspace. Finally, we conclude our paper with policy recommendations for China and the EU to cooperate in cyberspace by involving civil society organizations.

Keywords: China, EU, data governance, geopolitics.

Resumen: *La UE y China son las potencias globales que pueden afectar y alterar las relaciones internacionales a nivel político, económico y social. Mientras que la UE da forma a la política exterior en Europa, China tiene un papel fundamental en la política asiática. En el interregionalismo Asia-Europa y las relaciones interregionales, las relaciones UE-China son esenciales para consolidar la estabilidad global y regional. Sin embargo, en la coyuntura política actual los temas de seguridad en el ciberespacio desafían a ambos actores. Por lo tanto, las políticas de ciberseguridad y digitalización son un área de conflicto potencial en las relaciones UE-China. A medida que aumenta el impacto de los desarrollos tecnológicos y digitales en la economía política global, las potencias globales están desarrollando políticas que lideran el desarrollo tecnológico global. La Comisión Europea ha fijado «Una Europa apta para la era digital» como una de sus prioridades para el periodo 2019-2024. Mientras tanto, desde 2015, China ha estado promoviendo la Iniciativa de la Franja y la Ruta Digital para fomentar la conectividad digital entre los países de la Franja y la Ruta. Sin embargo, el análisis del big data es importante en el desarrollo de nuevas tecnologías, especialmente en conectividad digital, automatización y robótica. En este contexto, la gobernanza de datos se ha convertido en un concepto geopolítico en las relaciones internacionales. En consecuencia, las diferencias entre el enfoque de datos de China y la UE (acceso, procesamiento y recopilación) pueden dar lugar a confrontaciones geopolíticas. En este artículo argumentamos que ambas potencias deben involucrar a la sociedad civil en el proceso de formulación de políticas para abordar la dinámica de las tecnologías de la información, cooperar para adaptar un enfoque global y evitar confrontaciones geopolíticas. Las organizaciones de la sociedad civil pueden ayudar a ambas potencias a comprender los riesgos subyacentes en la ciberseguridad y formar un enfoque no conflictivo en los marcos de gobernanza de datos. Además, mientras investigamos los modelos de gobernanza de datos de la UE y China, arrojaremos luz sobre el papel de las organizaciones de la sociedad civil para abordar los riesgos y oportunidades potenciales en el ciberespacio. Finalmente, concluimos nuestro artículo con recomendaciones políticas para que China y la UE cooperen en el ciberespacio involucrando a las organizaciones de la sociedad civil.*

Palabras clave: *China, UE, gobernanza de datos, geopolítica.*

I. **Introduction**

Asian regionalism and Asia – Europe interregionalism have been popular subjects among the political scientists investigating the relationship between Asia and Europe from a geopolitical perspective. In Europe, European Union (EU) has been playing the lead role in European regionalism and shaping the politics in the region. On the Asian side, although it is home to various regional organizations such as the Association of Southeast Asian Nations (ASEAN) and Asia-Pacific Economic Cooperation (APEC), the region is far from a political unity. In this vein, there have been various attempts to define the challenges to Asian regionalism. Gilson advocates that in Asia – Europe relations, East Asian countries, particularly China, South Korea, and Japan, weigh heavier given their political and economic capacity; hence a geopolitical analysis should focus on East Asia rather than Asia as a region continent in a political framework[1]. Robles sees the problem in the difficulty of defining boundaries and distinguishing the continent from the region[2]. However, when it comes to defining the relations between two regions, several concepts have been used to analyze regionalism and interregionalism between Asia and Europe; bilateral interregionalism[3], crossregionalism[4], transregionalism[5], overlapping regionalism[6], bifurcated regionalism[7], stealth interregionalism[8],

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[1] Julie Gilson, "New Interregionalism? The EU and East Asia", *Journal of European Integration* 27, no. 3, (2005): 309

[2] Alfredo C Robles, *The Asia-Europe Meeting: The Theory and Practice of Interregionalism* (London: Routledge, 2012), 12.

[3] Alan Hardacre and Michael Smith, "The EU and the Diplomacy of Complex Interregionalism," *The Hague Journal of Diplomacy* 4, no. 2 (2009): 167–88, https://doi.org/10.1163/187119109x440898.

[4] Jorge Garzón and Detlef Nolte, "The New Minilateralism in Regional Economic Governance," in *Handbook of South American Governance*, ed. Pía Riggorozzi and Christopher Wylde (London: Routledge, 2017).

[5] Andrea Ribeiro-Hoffman, "Inter- and Transregionalism," in *The Oxford Handbook of Comparative Regionalism*, ed. Tanja A. Börzel and Thomas Risse (Oxford: Oxford University Press, 2016), 653.

[6] Diana Panke and Sören Stapel, "Overlapping Regionalism in Europe: Patterns and Effects," *The British Journal of Politics and International Relations* 20, no. 1 (November 10, 2017): 239–58, https://doi.org/10.1177/1369148117737924.

[7] Frank Mattheis, "Towards Bifurcated Regionalism - the Production of Regional Overlaps in Central Africa," in *The New Politics of Regionalism - Perspectives from Africa, Latin America and Asia-Pacific*, ed. Ulf Engel *et al*. (London: Routledge, 2018), 37–51.

[8] Gian Luca Gardini and Andrés Malamud, "Debunking Interregionalism: Concepts, Types and Critique – with a Pan-Atlantic Focus," in *Interregionalism across the Atlantic Space*, ed. Frank Mattheis and Andréas Litsegård (Geneva: Springer International Publishing, 2018), 15–31.

and hybrid or quasi interregionalism[9]. Here, we consider Hanggi's "hybrid regionalism" especially useful as it attaches importance to the role of individual powers in their capability to affect and alter the relations among different regions[10]. In the context of Asia – Europe relations, Niquet put forward that China's influence and power in the international political economy render it a critical force in shaping Asian regionalism and characterizing Europe's relations with the region[11]. In this context, we consider China's positioning in the global political economy, political and economic influence in Europe, and its relations with European powers to make China an essential factor in the EU's policy in Asia. Furthermore, by the end of 2021, China remained the EU's largest trading partner with a volume of 828.1 billion USD, while the EU is China's second-largest trading partner after the United States (US)[12]. Therefore, the complicated nature of the EU – China relations makes it necessary for the EU and China to cooperate in various fields. The stability of the bilateral ties between the actors is also critical for its effect on the Asia – Europe interregionalism.

In the global political and economic conjuncture, different factors have the potential to alter and transform the EU – China relations. The multilayered nature of China – EU bilaterality necessitates both actors to cooperate in political and economic spheres on international and regional levels. The EU's EU – China factsheet defined China as "a partner for cooperation and negotiation, an economic competitor and a strategic rival."[13] Biscop states that while enjoying a strategic partnership in the economic sphere, China and the EU have to refrain from engaging in political conflicts to deepen the relations[14]. It is to note that different strategic links create contrasting interests in politics despite the nature of alliances. Given its economic agenda, the US-China rivalry has been

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[9] Mario Telò, Louise Fawcett, and Frederick Ponjaert, *Interregionalism and the European Union a Post-Revisionist Approach to Europe's Place in a Changing World* (London: Routledge, 2015).

[10] Mario Telò, "'Perspectives,'" *Belgeo* 4, no. 4 (November 9, 2020), https://doi.org/10.4000/belgeo.43943.

[11] Valérie Niquet, "The Balance of Power in Asia: A Challenge for Europe?," *China Perspectives* 2006, no. 1 (February 1, 2006), https://doi.org/10.4000/chinaperspectives.579.

[12] "China-EU - International Trade in Goods Statistics," Statics Explained, Eurostat, accessed May 1, 2022, https://ec.europa.eu/eurostat/statistics-explained/index.php?title=China-EU_-_international_trade_in_goods_statistics#:~:text=EU%20exports%20to%20China%20were.

[13] European Union External Action, "EU - China Factsheet," February 2022, https://www.eeas.europa.eu/sites/default/files/documents/EU-China_Factsheet_01Apr2022.pdf.

[14] Sven Biscop, "No Peace from Corona: Defining EU Strategy for the 2020s," *Journal of European Integration* 42, no. 8 (November 16, 2020): 1009–23, https://doi.org/10.1080/07036337.2020.1852230.

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pushing the EU to pursue a complex approach toward the US and China[15]. Similarly, Kavalski elaborates that China's investments and close relationships with Central and Eastern European countries have caused concerns among the EU officials, despite the growing EU – China ties[16]. Following, the EU and China relations are tested through different political dynamics. Maher believes that to deepen the relations and bolster the EU – China cooperation; both actors must acknowledge the security challenges and generate standard policies to overcome the geopolitical conflicts; otherwise, China and the EU have conflicting interests and values[17]. Here, Winseck[18], Lacy and Prince[19], and Sheldon[20] see the power struggle in cyberspace to characterize the global political and economic dynamics in International Relations.

Mühleisen points out that information technologies (IT) development and innovation are closely attached to the improvements in economic connectivity, productivity, and growth in the contemporary economic outlook[21]. Newman *et al*. stress that digital technologies' impact on trade and bureaucracy proliferates as businesses, companies, state organs, and society rely on information technology and network connections[22]. Unsurprisingly, "security" in cyberspace has become a critical part of the national security frameworks for global powers. However, we claim that cyberspace does not pose a geopolitical complexity for its sole role in "information flow." The data's role in the development and innovation of technology renders it a geopolitical concern.

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[15] Johannes Gabriel and Susanne Schmelcher, "Three Scenarios for EU-China Relations 2025," *Futures* 97, no. 1 (March 2018): 26–34, https://doi.org/10.1016/j.futures.2017.07.001.

[16] Emilian Kavalski, "The Unexpected Consequences of China's Cooperation with Central and Eastern Europe," *International Studies* 57, no. 1 (December 22, 2019): 2, https://doi.org/10.1177/0020881719880739.

[17] Richard Maher, "The Elusive EU-China Strategic Partnership," *International Affairs* 92, no. 4 (June 20, 2016): 976, https://doi.org/10.1111/1468-2346.12659.

[18] Dwayne Winseck, "The Geopolitical Economy of the Global Internet Infrastructure," *Journal of Information Policy* 7, no. 2 (2017): 229, https://doi.org/10.5325/jinfopoli.7.2017.0228.

[19] Mark Lacy and Daniel Prince, "Securitization and the Global Politics of Cybersecurity," *Global Discourse* 8, no. 1 (January 2, 2018): 100–115, https://doi.org/10.1080/23269995.2017.1415082.

[20] John B. Sheldon, "Deciphering Cyberpower: Strategic Purpose in Peace and War," *Strategic Studies Quarterly* 5, no. 2 (July 2011): 95–112, https://www.jstor.org/stable/26270559.

[21] Martin Mühleisen, "The Long and Short of the Digital Revolution," *Finance & Development* 55, no. 2 (June 2018): 6–8.

[22] Joshua Newman, Michael Mintrom, and Deirdre O'Neill, "Digital Technologies, Artificial Intelligence, and Bureaucratic Transformation," *Futures* 136, no. 2 (February 2022): 102886, https://doi.org/10.1016/j.futures.2021.102886.

While elaborating on tech companies' increasing turnover over the last decades, Szczepański attests that "data is the new oil."[23] Data generation, access, and storage are critical to trade, politics, security, economic development, and technological innovation. For these reasons, data security and data governance have become essential concepts in cybersecurity. However, what makes data so important in the geopolitical context? What are the implications of data governance in contemporary geopolitics? We benefit from Zhang and Flint's "paired Kondratieff cycle and hegemonic cycle model" to shed light on these questions[24]. As "Paired Kondratieff cycle and hegemonic cycle model" elaborates on the rise and fall of hegemonies, it defines a causal relationship between technological advancements and hegemonic shifts from a geopolitical outlook. This model investigates the impact of data governance on developing new technologies and thus the geopolitical interplays.

In the framework of contemporary global political-economic dynamics, when we analyze the EU and China, we see that digitalization policies constitute a critical part of foreign policy dynamics. While centering the Belt and Road Initiative (BRI) in its foreign policy, the Chinese government has been building the Digital Belt and Road (DBR) among the BRI countries[25]. In Europe, the European Commission defined cybersecurity and digitalization as the Union's strategic goals[26]. As Matthew and Streinz put forward, data governance has become a concept that poses implications in their domestic and foreign affairs for China and the EU[27]. Furthermore, data's essential role in developing new technologies and technological innovations renders it significant for economic development. In this context, the data's vital role in technical and economic development poses a geopolitical challenge to the EU – China relations.

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[23] Martin Szczepański, "Is Data the New Oil? Competition Issues in the Digital Economy [Policy Podcast]," Epthinktank, January 10, 2020, https://epthinktank.eu/2020/01/10/is-data-the-new-oil-competition-issues-in-the-digital-economy-policy-podcast/.

[24] Xiaotong Zhang and Colin Flint, "Why and Whither the US-China Trade War?: Not Realist 'Traps' but Political Geography 'Capture' as Explanation," *Journal of World Trade* 55, no. 2 (April 2021).

[25] Hong Shen, "Building a Digital Silk Road? Situating the Internet in China's Belt and Road Initiative," *International Journal of Communication* 24, no. 1 (June 2018): 18–36.

[26] European Commission, "COMMUNICATION from the COMMISSION to the EUROPEAN PARLIAMENT, the COUNCIL, the EUROPEAN ECONOMIC and SOCIAL COMMITTEE and the COMMITTEE of the REGIONS 2030 Digital Compass: The European Way for the Digital Decade," 118 § (2021), https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A52021DC0118.

[27] Matthew S Erie and Thomas Streinz, "The Beijing Effect: China's 'Digital Silk Road' as Transnational Data Governance," Ssrn.com, February 3, 2022, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3810256.

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In this research, the EU and China can utilize civil society organizations to define the legal and political incompatibilities, address conflicting interests, and have a better understanding of the dynamics of cyberspace. In this way, civil society organizations can help actors adopt data governance policies to avoid geopolitical vacuums. Furthermore, cooperation through civil society organizations can act as a cooperation model between the EU and Asian states to reinvoke the regionalism and interregionalism efforts between Asia and Europe. This study will further investigate the problems between Asia – Europe interregionalism from the EU – China relations framework and define the data governance's impact on the global power struggle. Finally, we will create a model of cooperation framework between the EU and China that employs civil society as a tool in problem defining.

II. **Data governance and geopolitics in cyberspace**

Despite its prevalent usage in daily language, "data" is a complicated concept that has introduced different fields to the social sciences. Zins defines data as the raw material used to build the information blocks[28]. In this relation, Zins asserts that data is a symbol, qualified and quantified, whereas information is a set of signs that can create knowledge[29]. In other words, knowledge is the information appropriated by the user in terms of information science. Similarly, Liew claims a correlation and causation between the control over data, information, and knowledge[30]. There are different ways to analyze and correlate data to politics, economics, society, and the military in social sciences. We can analyze data to measure the econometrics, generate models on actor behavior, compare the military capabilities, or even predict the results of an election. Data is widely used to create models, make predictions, and test hypotheses. Thence, data protection has even become a matter of national security across the globe[31]. Every entity constantly generates data through network technologies,

[28] Chaim Zins, "Conceptual Approaches for Defining Data, Information, and Knowledge," *Journal of the American Society for Information Science and Technology* 58, no. 4 (2007): 480, https://doi.org/10.1002/asi.20508.

[29] Zins, 480.

[30] Anthony Liew, "Understanding Data, Information, Knowledge and Their Inter-Relationships," *Journal of Knowledge Management Practice* 8, no. 2 (June 2007), http://www.tlainc.com/articl134.htm.

[31] Christopher Kuner *et al*., "The Challenge of 'Big Data' for Data Protection," *International Data Privacy Law* 2, no. 2 (April 23, 2012): 47–49, https://doi.org/10.1093/idpl/ips003.

people, businesses, societies, states, devices, and servers within network technologies. Although there are different uses of data, we want to focus on the relation between the data and the development of new technologies, especially artificial intelligence (AI).

When explaining the relationship between big data and AI, an article released by Maryville University elaborates, "…AI's ability to expertly work with data analytics is the primary reason why artificial intelligence and big data are now seemingly inseparable. AI machine learning and deep learning are pulling from every data input and using those inputs to generate new rules for future business analytics…"[32] So when it comes to the development of AI, big data has a critical role. O'Leary sees control over big data as a prerequisite for the research and development of AI technologies[33].

According to Buhl *et al*., big data is the generation of mass data through online and offline applications and gathering them in one source[34]. In this context, data generation, management, analysis, and data manipulation, as in computer sciences, are essential to create big data and feed the research and development of AI technologies, as we had indicated earlier. Furthermore, regarding the AI's role in international relations, in 2020, Russian President Vladimir Putin has asserted that the nation that will dominate the AI development will have technological, economic, and military superiority in the international arena[35].

In our analysis, regarding its role in developing AI technologies and research on machine learning, we see data governance as a geopolitical concept. To explain this relationship, we benefit from Zhang and Flint's model of "paired Kondratieff cycle and hegemonic cycle." Zhang and Flint see the trade tensions, between the US and China, as a manifestation of competition over the core technologies; furthermore, they note that historically, the hegemonic power has been the one that captured these core technologies[36]. Moreover, in their interpretation, Zhang and Flint elaborate

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[32] Maryville University, "Big Data and Artificial Intelligence: How They Work Together," Maryville Online, July 21, 2017, https://online.maryville.edu/blog/big-data-is-too-big-without-ai/#:~:text=AI.

[33] Daniel E. O'Leary, "Artificial Intelligence and Big Data," *IEEE Intelligent Systems* 28, no. 2 (March 2013): 96–99, https://doi.org/10.1109/mis.2013.39.

[34] Hans Ulrich Buhl *et al*., "Big Data," *Business & Information Systems Engineering* 5, no. 2 (February 14, 2013): 65–69, https://doi.org/10.1007/s12599-013-0249-5.

[35] Indermit Gill, "Whoever Leads in Artificial Intelligence in 2030 Will Rule the World until 2100," Brookings, January 17, 2020, https://www.brookings.edu/blog/future-development/2020/01/17/whoever-leads-in-artificial-intelligence-in-2030-will-rule-the-world-until-2100/.

[36] Zhang and Flint, 7.

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that the rise and fall of hegemonies can be explained by two consecutive Kondratieff cycles[37]. Kondratieff cycles, put forward by the Soviet economist Nikolay Kondratieff, depicts a relation between the superiority over new technologies and the economic status of powers (Figure 1)[38]. With technological superiority, actors rise to become the hegemony; through their control over the economic means, they restructure the international order. In this picture, Colin and Flint see the dominance in the development of core technologies, including AI, as the gateway to rise as a hegemonic power in the liberal world order.

Our theoretical framework employs the "paired Kondratieff cycle and hegemonic cycle" to address the impact of the data governance frameworks in international relations from a geopolitical standpoint. While shaping the social, economic, and political trends and visions, data concerning big data and big data analytics has become a geopolitical phenomenon in international relations for the critical role in the development of AI[39]. In addition to data's role in developing AI technologies, Penchava *et al*. see its composition in the information building to aggravate the national security concerns among states[40]. Furthermore, the approach to data governance, or data governance regime, can determine how data can be generated, mined, accessed, and processed[41]. Therefore, data's role in international politics, security, economics, and international relations renders data governance a geopolitical challenge.

The widespread use of digital technologies and the interconnectivity between the technology and the user make it challenging to distinguish the ownership and endpoint of data use. For example, when a user in a country utilizes an application belonging to a company in another country, do the company can collect the data of this user? Does it belong to the state of the country resides? Concerns over the data have led states to create policies toward data governance. In this vein, the EU and China have undertaken several policies toward data governance. However, while developing and

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[37] Zhang and Flint, 8.

[38] Zhang and Flint, 13.

[39] M. C. Elish and Danah Boyd, "Situating Methods in the Magic of Big Data and AI," *Communication Monographs* 85, no. 1 (September 19, 2017): 57–80, https://doi.org/10.1080/03637751.2017.1375130.

[40] Irina Pencheva, Marc Esteve, and Slava Jankin Mikhaylov, "Big Data and AI – a Transformational Shift for Government: So, What next for Research?," *Public Policy and Administration* 35, no. 1 (June 12, 2018): 095207671878053, https://doi.org/10.1177/0952076718780537.

[41] Marijn Janssen *et al*., "Data Governance: Organizing Data for Trustworthy Artificial Intelligence," *Government Information Quarterly* 37, no. 3 (July 2020): 101493, https://doi.org/10.1016/j.giq.2020.101493.

implementing these policies, the EU and China can shift towards a geopolitical confrontation. In that vein, it is critical to understand the approaches and concerns regarding data governance. Identifying the underlying concerns over the data can help states to create policies that will avoid a possible geopolitical confrontation and lead to a greater conflict in cyberspace.

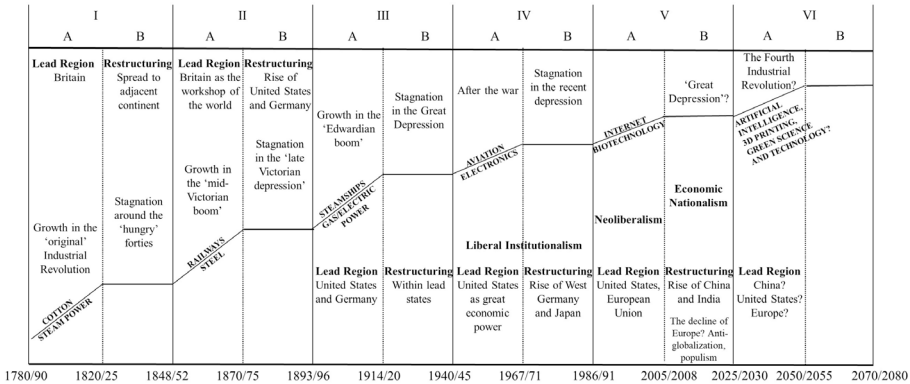

Figure 1

The Evolution of the Kondratieff Cycle and Hegemonic Cycle[42]

III. **Approaches to data governance & policies in the EU and China**

Big data analytics and artificial intelligence shape the world by driving innovation in different spheres. To develop new technologies and drive innovation, techno-hubs are harvesting the data ubiquitously from the users, plants, weather changes, cars, and many more components[43]. Regarding data's role in technological development, it is hardly a surprise that some are calling information "new oil". Although it is not unbiased, the rationale of the analogy lies in resembling the role of data in technological development to the position of oil in heavy industrialization. Furthermore, James and Scharfman considers the dominance over the data as a gateway

[42] Zhang and Flint, 9.

[43] Teresa Scassa, "Considerations for Canada's National Data Strategy," *Data Governance in the Digital Age* (Waterloo: The Centre for International Governance Innovation, March 2018), https://www.cigionline.org/static/documents/documents/Data%20Series%20Special%20Reportweb.pdf.

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to the superiority in the digital economy and even military intelligence[44]. As the impact of data grows, data governance assumes more importance in international politics, economy, and geopolitics. Likewise, with the use of data in different fields, novel problems such as data privacy violations[45], algorithm fairness[46], and mass surveillance have started to rank on the states' political agenda[47]. To regulate cyberspace, several initiatives, such as Osaka Track (Declaration)[48], have been launched to create a framework for data governance and ensure cross-border data flows. However, the nature of the field makes it challenging to define a framework for data governance and set global standards.

Data governance is a field that forces technological capabilities to meet the political agenda. Pisa *et al*. note that issuing regulations and laws, creating incentives and sanctions, and auditing the data require a level of technic expertise among the policymakers and bureaucrats[49]. Hence, it is critical to define data governance to analyze the data and investigate it in a legal framework. Samm and Sherman define data governance as rules that states impose to interact with the private sector[50]. Rupert *et al*. argue that the methodology in data collection and procession generates power imbalances and leads to information asymmetries in a strategical sense[51]. Similarly, in Micheli *et al*., data governance is attributed to "… the way

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[44] James Marceau and Barry Scharfman, "Right AI Strategy a Must for Military Superiority," *National Defence*, 2019, JSTOR, https://www.jstor.org/stable/27022573.

[45] Nidhi Rastogi, Marie Joan Kristine Gloria, and James Hendler, "Security and Privacy of Performing Data Analytics in the Cloud: A Three-Way Handshake of Technology, Policy, and Management," *Journal of Information Policy* 5, no. 1 (2015): 130, https://doi.org/10.5325/jinfopoli.5.2015.0129.

[46] Akintande, Olalekan J, "Algorithm Fairness through Data Inclusion, Participation, and Reciprocity," in *Database Systems for Advanced Applications*, ed. Christian S Jensen *et al*., vol. 12683 (DASFAA 2021, Capital Region of Denmark: Springer International Publishing, 2021), 633–37.

[47] David Lyon, "Surveillance, Snowden, and Big Data: Capacities, Consequences, Critique," *Big Data & Society* 1, no. 2 (July 9, 2014): 1–13, https://doi.org/10.1177/2053951714541861.

[48] G20 OSAKA LEADERS, "G20 Osaka Leaders' Declaration | Documents and Materials," G20 Osaka Summit 2019, 2019, https://www.mofa.go.jp/policy/economy/g20_summit/osaka19/en/documents/final_g20_osaka_leaders_declaration.html#:~:text=We%2C%20the%20Leaders%20of%20the.

[49] Michal Pisa *et al*., "Governing Data for Development: Trends, Challenges, and Opportunities," *CGD Policy Paper* 190 (November 2020): 1–61, https://www.cgdev.org/sites/default/files/governing-data-development-trends-challenges-and-opportunities.pdf.

[50] Samm Sacks and Justin Sherman, "Global Data Governance Concepts, Obstacles, and Prospects," *New America* (The Howard Baker Forum, December 2019), newamerica.org/cybersecurity-initiative/reports/global-data-governance/.

[51] Evelyn Ruppert, Engin Isin, and Didier Bigo, "Data Politics," *Big Data & Society* 4, no. 2 (July 3, 2017): 2–14, https://doi.org/10.1177/2053951717717749.

data is accessed, controlled, shared and used, the various socio-technical arrangements set in place to generate value from data, and how much value is redistributed between actors"[52]. Moreover, Erie and Streinz assess the capability of the digital infrastructure building as a power of control over the data flows[53]. Deriving from these definitions, we see it as a set of rules, laws, and negotiations on the digital and physical infrastructure in the digital sphere that state issues against the society, private sector, and other states to implement a political agenda. Hence, we see a reciprocal relationship between the political agenda and policies toward data governance. Again, in this context, concepts such as data colonialism, privacy laws, data flow, data classification, data localization, and data mirroring may lead to political clashes in the international arena.

Both the EU and China have acknowledged the role of the data and created legal and political frameworks for its governance. The EU enacted the "General Data Protection Regulation"[54] (GDPR) in 2016 and reached an agreement on the "Digital Services Act" in 2022 to "create a safer digital space where the fundamental rights of users are protected." Furthermore, in 2020, European Commission "Artificial Intelligence White Paper" has addressed the critical role of big data in AI research and development[55]. Similarly, the Chinese government revised the "Guarding State Secrets Law"[56] in 2010, enacted the "Cybersecurity Law"[57] in 2016, the "Encryption Law"[58] in 2019, and the "Data Security Law"[59], as well as

[52] Marina Micheli *et al*., "Emerging Models of Data Governance in the Age of Datafication," *Big Data & Society* 7, no. 2 (July 2020): 3, https://doi.org/10.1177/2053951720948087.

[53] Erie and Thomas Streinz, 46.

[54] European Parliament, "Protection of Natural Persons with Regard to the Processing of Personal Data and on the Free Movement of Such Data, and Repealing Directive 95/46/EC (General Data Protection Regulation)," 2016/679 § (2016).

[55] European Commission, "White Paper on Artificial Intelligence - a European Approach to Excellence and Trust," European Commission, February 19, 2020, https://ec.europa.eu/info/sites/default/files/commission-white-paper-artificial-intelligence-feb2020_en.pdf.

[56] Laney Zhang, "China: State Secrets Law Revised," Library of Congress, May 7, 2010, https://www.loc.gov/item/global-legal-monitor/2010-05-07/china-state-secrets-law-revised/#:~:text=Limits%20on%20the%20time%20period.

[57] Cyberspace Administration of China, "中华人民共和国网络安全法[Cyberspace Security of the People's Republic of China]," www.cac.gov.cn, November 7, 2016, http://www.cac.gov.cn/2016-11/07/c_1119867116.htm.

[58] National People's Congress of the People's Republic of China, "中华人民共和国密码法[People's Republic of China Encryption Law]," www.npc.gov.cn, October 26, 2019, http://www.npc.gov.cn/npc/c30834/201910/6f7be7dd5ae5459a8de8baf36296bc74.shtml.

[59] The National People's Congress of the People's Republic of China, "中华人民共和国数据安全法[People's Republic of China Data Security Law]," www.npc.gov.cn, June 10, 2021, http://www.npc.gov.cn/npc/c30834/202106/7c9af12f51334a73b56d7938f99a788a.shtml.

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"Personal Information Protection Law"[60] in 2021, creating a broader framework for the data governance principles within the country.

The GDPR is a comprehensive framework that underlines the values, concerns, and actions of the EU towards different subjects within the data governance sphere[61]. Via various institutions, the EU is working towards bolstering its cybersecurity and the privacy of its citizens while protecting their rights[62]. Similarly, Chinese legislatures are working on a legal framework to create more comprehensive laws and regulations that will protect the interests of the state and the people[63]. It is possible to analyze Chinese and EU data governance from various aspects of the data governance regime. Data processing regulations, privacy, security, innovation, cross-border data transfer, and surveillance are the thematics of the international data governance debates[64]. Although both actors have produced several laws and regulations to put the data exercises in a framework, the EU and China are far from building a consensus on the scope and the range of an international data governance structure. In this context, within our theoretical framework, the digital technologies' impact on economic production has the potential to push the actors toward a geopolitical standoff in cyberspace. Here, we see the concepts of "big data for development", "data collection regime", and "norms followed in third countries" as key fields for a potential geopolitical interplay in the EU – China relations. We will analyze the data governance approaches from these standpoints as the EU and Chinese executives, the international community, and the academic literature officially recognize them. While analyzing each of these concepts, we will also monitor the rules and approaches followed in China and the EU, with the purpose of defining the gray areas and potential conflict zones in cyberspace.

The United Nations (UN) sees big data as a critical factor in developing essential industries of emerging economies[65]. The European Commission

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[60] The National People's Congress of People's Republic of China, "中华人民共和国个人信息保护法," http://www.npc.gov.cn/, August 20, 2021, http://www.npc.gov.cn/npc/c30834/202108/a8c4e3672c74491a80b53a172bb753fe.shtml.

[61] Paul Voigt and Von Dem, *The EU General Data Protection Regulation (GDPR) : A Practical Guide* (Cham: Springer International Publishing, 2017): 2-7

[62] Ben Wolford, "What Is GDPR, the EU's New Data Protection Law?," GDPR.eu (European Union, November 7, 2018), https://gdpr.eu/what-is-gdpr/.

[63] Feng Liu, Jiayin Qi, and Chi Yaqiong, "数字化转型背景下企业数据保护成熟度模型构建[Construction of Enterprise Data Protection Maturity Model under the Background of Digital Transformation]," *Journal of Intelligence* 40, no. 9 (September 2021): 134–40, https://doi.org/10.3969/j.issn.1002-1965.2021.09.020.

[64] Andrea Mulligan, "Constitutional Aspects of International Data Transfer and Mass Surveillance," *Irish Jurist* 55, no. 1 (2016): 199–208.

[65] UNCTAD, "Digital Economy Report 2021" (Geneva: United Nations, August 2021).

foresees the data-driven applications to benefit society with improved healthcare services, cleaner transport systems, innovative products, and sustainable energy resources[66]. In its 14th Five Year Plan, the Chinese government has asserted that "Big data serves as a new driving force for economic transformation and development, offers a new way to improve government governance capacity (政府治理能力), and provides a new opportunity to reshape the country's competitive advantages"[67]. Furthermore, big data analytics is a set of operations that includes data generation, collection, process, and service. To build technical capacity and highlight the key catalyzers of the big data processors, the EU and China have taken various steps. China's big data strategy follows a "whole of state" approach, which incorporates state-owned enterprises, state-run organizations, government agencies, and several governing bodies, including the State Council and National Development Reform Commission[68]. Furthermore, in 2015, China's State Council issued the "Action Plan for Promoting the Development of Big Data"[69]. The plan focuses on creating databases throughout the country to leverage the mass data produced by the population and centralize them within the state control. Furthermore, China's big data strategy has implications in the economic, political, and military domains. In the European case, the EU has acknowledged the role of big data and formulated the Union's strategy of becoming the global leader in a "data-driven society"[70]. The European Commission has established various data hubs, research centers, and cooperation facilities to promote the public-private partnership within its data strategy[71]. Although

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[66] European Commission, "Strategy for Data - Shaping Europe's Digital Future," digital-strategy.ec.europa.eu (European Union, 2020), https://digital-strategy.ec.europa.eu/en/policies/strategy-data.

[67] PRC Ministry of Industry and Information Technology, "'14th Five-Year' Plan for the Development of the Big Data Industry," Center for Security and Emerging Technology, February 2021, https://cset.georgetown.edu/publication/14th-five-year-plan-for-the-development-of-the-big-data-industry/.

[68] Derek Grossman *et al*., *Chinese Views of Big Data Analytics* (California: RAND Corporation, 2020), 1–18.

[69] Lindsay Gorman, "China's Data Ambitions: Strategy, Emerging Technologies, and Implications for Democracies," The National Bureau of Asian Research (NBR), August 14, 2021, https://www.nbr.org/publication/chinas-data-ambitions-strategy-emerging-technologies-and-implications-for-democracies/.

[70] Cyberwatching, "Toward a Data-Driven Society: A Technological Perspective on the Development of Cybersecurity and Data-Protection Policies," Cyberwatching (European Union, March 4, 2020), https://www.cyberwatching.eu/news-events/news/toward-data-driven-society-technological-perspective-development-cybersecurity-and-data-protection-policies.

[71] EUHubs4Data, "Members Archive," European Federation of Data Driven Hubs, 2020, https://euhubs4data.eu/members/.

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different laws and political frameworks regulate the EU and China's big data strategy, both actors attach a critical role to the big data within their development path. Sun *et al*. assert that even though they are shaped by different dynamics, the significance of big data renders cyberspace a strategic play zone in international relations[72]. In other words, despite its crucial role in accelerating the development and improving the livelihood of the society, the lack of a consensus on data governance may leave China and the EU in a geopolitical struggle. Winseck advocates that when big data strategies are regarded, the lack of international consensus and framework leaves gray areas open for a geopolitical interpretation[73].

The data collection regime indicates to any practice and technological outset that the collector uses the received data. According to Tyler, the data collection regime includes technical problems such as collecting data from external databases through data localization and mirroring and ethical issues such as allowing government access to the databases and free data flows[74]. Differences come forward when considering the different data collection regimes in the EU and China. First of all, the EU's data collection practices are executed under the legal GDPR. Whereas, in China, no singular law or execution works as a guideline for the data collection. Furthermore, the European Chamber press release argues that China's Data Protection Law has contradicting characteristics with GDPR's data collection principles[75]. Secondly, while the GDPR does not impose data localization practices on companies, the data localization is forced depending on the "entity that is processing data" and the "type of data that is being processed" under the Chinese law [76]. The data that is important for Chinese national security is to be stored in China, and data can only be transferred with authorities' approval. Furthermore, in their study for European Data Protection Board (EDPB), Czarnocki *et al*. claim that the EU standards on the EU companies'

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[72] Liyuan Sun, Hongyun Zhang, and Chao Fang, "Data Security Governance in the Era of Big Data: Status, Challenges, and Prospects," *Data Science and Management* 2, no. 02 (June 2021): 41–44, https://doi.org/10.1016/j.dsm.2021.06.001.

[73] Winseck, 229.

[74] Isaac Taylor, "Data Collection, Counterterrorism and the Right to Privacy," *Politics, Philosophy & Economics* 16, no. 3 (June 22, 2017): 326–46, https://doi.org/10.1177/1470594x17715249.

[75] European Chamber, "European Chamber Stance on China's Data Security Law and Personal Information Protection Law," www.europeanchamber.com.cn, August 25, 2021, https://www.europeanchamber.com.cn/en/press-releases/3367/european_chamber_stance_on_china_s_data_security_law_and_personal_information_protection_law.

[76] Hunter Dorwart, "New FPF Report: Demystifying Data Localization in China - a Practical Guide," Future of Privacy Forum, February 2022, https://fpf.org/blog/new-fpf-report-demystifying-data-localization-in-china-a-practical-guide/#:~:text=Under%20Chinese%20law%2C%20data%20localization.

data transfer towards third party countries have no practical implications on the Chinese law or the data collection practices in China[77]. Finally, the EU and China follow different principles on data sharing and government access. Article 40 of the Chinese Constitution guarantees the private rights of the Chinese citizens; it states that for the matter of national security and criminal investigation, public security organs can act accordingly[78]. Riordan considers the differing practices within data collection regimes to cause a conflict of interest between the global powers[79].

Finally, arguably a more significant challenge for both the EU and China lies in the data governance practices that the actors will exercise in third countries. Third countries are important markets for global tech giants to increase their market cap and penetration. While operating in international markets, the EU and Chinese companies interact with users in different state jurisdictions, making it challenging to implement their data governance policies. Similarly, Brown from Human Rights Watch advocates that as less developed countries lack legal regulations and cyber law enforcement practices, these markets become open for exploitation by big tech companies and platforms[80]. Furthermore, digital connectivity projects such as DBR and Global Gateway (GG) render the "norms practices in third countries" critical for their scope and impact. As the data harvested in third markets are vital to big data analytics, the lack of a framework on data collection norms may force the EU and China to tackle data governance and implementation challenges in different markets and countries.

IV. **Civil society, cyberspace, and policymaking**

When we examine civil society from the framework of international relations, the arguably dominant challenge is determining civil society's functionality, impact, and role in foreign policymaking. While a vast literature discusses the nature of state-society relations in political science, civil society's role and function in international relations are limited and

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[77] Jan Czarnocki *et al*., "Government Access to Data in Third Countries" (European Data Protection Board, November 2021).

[78] Tiffany C. Li, Jill Bronfman, and Zhou Zhou, "Saving Face: Unfolding the Screen of Chinese Privacy Law," *Journal of Law, International and Science (Forthcoming)*, August 22, 2017, 1–33, https://ssrn.com/abstract=2826087.

[79] Shaun Riordan, "The Geopolitics of Cyberspace: A Diplomatic Perspective," *Brill Research Perspectives in Diplomacy and Foreign Policy* 3, no. 3 (June 27, 2018): 1–84, https://doi.org/10.1163/24056006-12340011.

[80] Deborah Brown, "Big Tech's Heavy Hand around the Globe," Human Rights Watch, September 8, 2020, https://www.hrw.org/news/2020/09/08/big-techs-heavy-hand-around-globe.

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characterized by political perspectives. Here the question we ask is whether civil society organizations (CSO) can shoulder a different role in international relations by addressing the issues and creating consciousness among the policymakers. In other words, can civil society organizations act as a catalyzer in the resolution of security conflicts by charting the security interests and presenting alternative solutions to policymakers?

Hehir stresses that although they are not the actual power yielders, civil society organizations (CSO) can influence the states' by creating pressure mechanisms on policymakers[81]. Similarly, Kamimura claimed that establishing research organizations, institutions, and non-governmental organizations (NGOs) helped the Japanese people process the nuclear disarmament talks in Japan[82]. Das argues that in India, policymakers tend to believe that their actions are backed by public support in the lack of a robust civil society[83]. Civil society has a critical role in addressing the security challenges, reflecting the problems on the ground level, and pushing the agenda towards comprehensive policymaking. CSOs can articulate their expertise in related fields to avoid confrontations and consolidate international communication among societies, states, and decision-makers. First, CSOs can affect security policies by pressurizing the policymakers and offering policy alternatives to the decision-makers through interaction with state agencies[84]. Secondly, the CSO can shape the national security policies by addressing the policy perspectives that are unclear to the policymakers[85]. Takana and Wanandi suggest this relationship as "…Civil society organizations often have a clearer sense of how to solve concrete problems than governments; they are setting norms that governments increasingly heed"[86]. Next, CSOs can work as conflict de-escalators and intermediaries between the conflicting parties. Likewise,

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[81] Aidan Hehir, *Humanitarian Intervention: An Introduction* (Houndmills, Basingstoke, Hampshire; New York: Palgrave Macmillan, 2010), 28.

[82] Naoki Kamimura, "Civil Society, Nuclear Disarmament, and the U.S. Alliance:: The Cases of Australia, New Zealand, and Japan," *Analysis and Publications* (East - West Center, 2004), http://www.jstor.com/stable/resrep06487.

[83] Samir Kumar Das, *Conflict and Peace in India's Northeast: The Role of Civil Society*, vol. 42 (Washington D.C.: East-West Center, 2007), 23.

[84] Marina Caparini and Philipp Fluri, "Mapping Civil Society in Defense and Security Affairs: An Agenda for Research," *Connections* 1, no. 4 (December 2002): 51–62, https://www.jstor.org/stable/26322966..

[85] Délber Andrade Lage and Leonardo Nemer Caldeira Brant, "The Growing Influence of Non-Governmental Organizations: Chances and Risks," *Anuario Brasileiro de Direito Internacional* 3, no. 1 (2008): 79–93.

[86] Hitoshi Takana and Jusuf Wanandi, "The Regional Context: Civil Society and Changing Perceptions of Security," in *Civil Society Contributions on Regional Security Issues* (New York: Japan Center for International Exchange, 2010), 2–4.

CSOs can withdraw attention from public issues that the state may not fully understand amid a crisis. In the pandemic outbreak, civil society organizations in Argentina, Chile, and Brazil took the initiative to help the state develop a pandemic playbook[87].

The crucial role of the data in the development of AI renders it a critical asset. From our analysis of the "Paired Kondratieff cycle and hegemonic cycle model", data has a geopolitical significance that may push the EU and China towards a geopolitical confrontation. The lack of a global consensus on data governance, inadequate legal frameworks, and the absence of technical expertise may further cause a geopolitical vacuum that forces the actors to struggle. However, we claim that CSO can play a critical role in identifying the geopolitical challenges and creating a global data regime in the international arena to prevent confrontations.

In the outlook of the geopolitics of cyberspace, we see that the development of digital technologies causes the global power struggle to spill over to the cyber realm. Although the different approaches to data governance equally pose challenges to the EU and China, data is not the only concern that may force a geopolitical confrontation. The development of blockchain technology, the emergence of new financial products, and digital groups are challenging global financial pillars. While cyberspace is evolving and developing continuously, it creates political, economic, and societal implications. Therefore, to prevent conflicts and avoid confrontations in the international arena, states are tasked with identifying risks and cooperating to take the corresponding action.

Here, we claim that the involvement of civil society organizations in cyberspace can help the EU and China chart the geopolitical vacuums and cyber conflict zones while addressing the critical issues that may create further complications in Europe – Asia relations. Moreover, CSOs' role in conflict mapping and de-escalation can become a model for resolving geopolitical conflicts that hinder Europe – Asia interregionalism. As we have put forward, there are various gray zones in cyberspaces that states cannot define, cannot act on, or simply have competing interests on. Here, CSOs and non-governmental organizations can help policymakers comprehend the technical aspects of cyberspace. As Hanna notes, tech companies, businesses, and scholars are more capable of developing new technologies and working them out than states and the public sector[88]. In this context, CSOs can help the

[87] Carnegie Civic Research Network, "Civil Society and the Global Pandemic: Building Back Different?" (Washington DC: Carnegie Endowment for International Peace, September 2021).

[88] Nagy Hanna, "A Role for the State in the Digital Age," *Journal of Innovation and Entrepreneurship* 7, no. 1 (July 16, 2018): 2–16, https://doi.org/10.1186/s13731-018-0086-3.

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EU and China policymakers understand the technological dynamics of digital technologies so that legislation can respond to the technical mechanism. Furthermore, the CSOs can act as an intermediary between China and the EU to discuss the framework of the governmental policies and identify the overlapping and non-complying articles. CSOs in China and the EU can exchange information and insights to help the actors define each other's approach to data governance. Another aspect is that external actors affect both the EU and China's data governance approaches. Through CSO, players can identify and engage with other actors and third countries and map the concerns in less developed regions. As digital CSO are more capable of understanding the technological and digital trends, they can act as an intermediary between the state and data fields so that states can better understand the consequences of technological developments and trends[89]. Finally, creating a global norm or consensus on data governance basics is a challenging task. There are different states, businesses, companies, players, and digital organisms that affect the governance of cyberspace. States' political nature prevents them from comprehending the technological and digital trends, interacting with players on a societal level, and corresponding to their requirements. Here, CSO can address the problems, challenges, and possible roadmaps essential to states' decision-making mechanisms.

With scientific developments, inventions, and innovations, new technologies such as blockchain, artificial intelligence, and machine learning have affected every aspect of human life. CSOs in specific technological fields provide training, material, and guidance for people to understand and follow new developments. States may utilize the expertise of CSO to chart new technological developments and their impacts on society, trade, economy, political relations, and security. In this context, we claim that although CSO does not have the power or capacity to set political agendas, they can guide states on scientific and technological developments, as these fields require high technical education and expertise. Furthermore, to produce comprehensive policies on data governance, and to interact with other players, including technology companies, decentralized organizations, cryptocurrencies, and novel technologies, states can utilize the expertise of CSO. In this way, states can avoid geopolitical traps and confrontations in the digital sphere with the help of CSO. Finally, this cooperation model between the EU and China can act as a method of resolving the conflicts and confrontations that slows down the Europe – Asia interregionalism.

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[89] Svetlana Morozova and Alexander Kurochkin, "Formation of Digital Competencies in the Public Policy Sphere: The EU and Russia Experience," ed. T. Kliestik, *SHS Web of Conferences* 129, no. 6 (2021): 06006, https://doi.org/10.1051/shsconf/202112906006.

V. **Policy recommendations**

EU – China cooperation has critical importance in the Asia – Europe Interregionalism. The quasi regionalism model between the EU and China can become an exemplary case in reinforcing the relations between the European and Asian countries while contributing to the Asia – Europe interregionalism. To overcome geopolitical confrontations and consolidate the welfare of the relations, the EU and China may cooperate on several issues. Here, we will put forward several policy recommendations to enhance CSOs' presence in the cybersphere and create digital civil society organizations. Likewise, through these policy recommendations, we believe the EU and China will work toward a global data governance regime that will lead to a worldwide framework for data politics.

First, the EU and China should start working groups on cyberlaw to explore the differences and approaches to data governance. As we have analyzed earlier, European and Chinese legal framework on data usage and collection shows varieties. Furthermore, the rapid development of digital technologies necessitates both actors to update their laws and regulations. To prevent further mismatch in approaches towards data governance, the EU and China need to start workgroups that will analyze the laws and regulations and highlight the overlapping areas and contradicting principles.

Secondly, as data governance requires technical qualification, both the EU countries and China need to encourage digital CSOs that can provide technical expertise to the state organs. In various cases, bureaucrats and the state organs do not possess the knowledge and capability to comprehend the impacts of technological developments. Here, digital civil societies can inform both the state and society about the consequences of laws and regulations in cyberspace. Furthermore, these CSOs can act as digital pathfinders and revealers that will forecast the results of technological developments, innovations, and financial trends in the tech industry.

Next, let us consider the technology giants, such as Google and Alibaba, from the perspective of their financial capitalization and impact on digital technologies. Their impact on the global political economy is evident. In this vein, China and the EU can consider appointing digital ambassadors to these companies to develop better relations and map their strategies. In contemporary political-economic conjuncture, technology companies are an asset for countries with technological and economic capabilities. Digital ambassadors can work with these technology giants to ensure the compatibility of their actions with state policies and regulations.

Finally, the EU and China need to cooperate with CSOs to work on an international data governance framework. While new technologies create power struggles between the semi-periphery and the hegemony, infrastruc-

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ture investments and development projects in the periphery create further geopolitical complexities. In February 2022, the EU announced a 150 billion Euro investment package for infrastructure projects in Africa within GG[90]. DBR has been constructing information and communication technology infrastructure in BRI countries, including technologically underdeveloped regions of Southeast Asia, Central Asia, and North Africa[91]. In Sridhar and Sridhar, infrastructure building is essential for sustainable growth and development in developing economies[92]. However, the lack of an international data framework may politicize these efforts and create geopolitical vacuums in the international arena. Therefore, the EU, China, and other global powers need to work on an international data governance framework to implement equal practices in less developed and developing countries that will benefit from technology and infrastructure imports.

VI. **Conclusion**

Technological innovations have a profound impact on political and economic dynamics, as well as on human life. Among these technologies, AI has been widely recognized for its potential to transform public and private domains. However, AI and machine learning research require big data to operate and develop. Consequently, issues related to data – access, process, share, and transfer – have gained importance. Approaches to data governance have started to pose a geopolitical challenge to the countries. In this framework, we have investigated the data governance frameworks in the EU and China. In our research, we have found that the EU and China have been working on policies to define the legal and political framework of data governance. While these policies have overlapping sections, EU and Chinese data governance policies differ in their approach to big data, data collection regime, and practices in third countries. When big data

[90] European Commission, "EU-Africa: Global Gateway Investment Package," European Commission, 2022, https://ec.europa.eu/info/strategy/priorities-2019-2024/stronger-europe-world/global-gateway/eu-africa-global-gateway-investment-package_en.

[91] Huadong Guo *et al*., "The Digital Belt and Road Program in Support of Regional Sustainability," *International Journal of Digital Earth* 11, no. 7 (May 10, 2018): 657–69, https://doi.org/10.1080/17538947.2018.1471790.

[92] Kala Seetharam Sridhar and Varadharajan Sridhar, "Telecommunications Infrastructure and Economic Growth: Evidence from Developing Countries," *Applied Econometrics and International Development* 7, no. 2 (2008): 54, Sridhar, Kala Seetharam and Sridhar, Varadharajan, Telecommunications Infrastructure and Economic Growth: Evidence from Developing Countries (August 23, 2008). Applied Econometrics and International Development, Vol. 7, No. 2, 2007, Available at SSRN: https://ssrn.com/abstract=1250082.

geopolitics are regarded, these differences have the potential to push the EU and China towards a geopolitical vacuum in cyberspace.

The EU – China relations have global and regional implications when the global political economy and international relations are regarded. On a regional level, cooperation between the EU and China is essential in fostering Asia – Europe interregionalism and interrelations. Furthermore, the EU – China quasi interregionalism can pave the way for Asian regionalism. However, for the EU and China to cooperate, it is essential for them to overcome geopolitical challenges. In the cyberspace, CSOs can shoulder an intermediary role between the EU and China by addressing the technological risks and identifying alternative policy options. Furthermore, the involvement of civil society in cyberspace can prevent uneven and unjust data regimes in third countries that do not possess IT technologies and infrastructure.

With digital connectivity, digital technologies are developing at an unprecedented rate. While these technologies can transform human life and offer better opportunities for societies, it is to note that they are not exempt from political challenges. Hence, states need to cooperate with each other and civil society to address the emerging challenges and consolidate the safe use of novel technologies.

About the author

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Brief overview of the factual and onto-epistemological developments of the idea of "civil society" in Japan

Breve recorrido por los desarrollos fácticos y onto-epistemológicos de la idea de "sociedad civil" en Japón

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Abstract: In the context of post-industrial societies, there are few resources left to ordinary citizens to respond to the totalizing logic of systemic dynamics characterized by the expansion of economic and formal subjectivity. Likewise, the damage done to the environment and the increasing incidence of natural disasters, both driven by anthropogenic action, make a more complex response from society necessary and, in turn, pose the need to find collective answers to transnational issues. This global situation leads us to consider how civil society can generate community cohesion, leverage common interest and respond to environmental problems. After several ethnographic investigations focused on social change in Japan, we identified some things that, together with the shocking initial images spread globally after the catastrophe of March 11, 2011 in Tōhoku, have helped us take the pulse of the associative Japanese world. These images highlighted some of the fundamental characteristics of Japanese civil society, contributing to the spread throughout the world of a series of constructs that are as typical of a society socially exemplary as they are culturally totalizing. It might seem the eleven years that have elapsed since the Triple Disaster of March 2011 in Japan have provided us with a broad perspective from which to interpret the dynamics of Japanese civil society and public administration in the face of these events. However, we consider that the analysis of socio-historical developments that embody Euro-Atlantic modernity, with indigenous cultural constructs and with globalization, is essential. For this reason, in this article, from the perspective of intellectual history and historical sociology, we will analyse the adaptability of the concept of civil society in Japan

and a whole series of social processes that have been gestating for decades and whose development is brought together in entities of great factual importance for the future.

Keywords: Japan, Triple Disaster, Civil society, State, NPO, Volunteer.

Resumen: *En el contexto de las sociedades posindustriales, quedan pocos recursos a los ciudadanos comunes para responder a la lógica totalizadora de las dinámicas sistémicas caracterizadas por la expansión de la subjetividad económica y formal. Asimismo, los daños que se están produciendo al medio ambiente y la creciente incidencia de los desastres naturales, ambos impulsados por la acción antrópica, hacen necesaria una respuesta más compleja por parte de la sociedad y, a su vez, plantean la necesidad de encontrar respuestas colectivas a cuestiones transnacionales. Esta situación global nos obliga a plantearnos cómo la sociedad civil puede generar cohesión comunitaria, potenciar el interés común y dar respuesta a los problemas ambientales. Tras varias investigaciones etnográficas centradas en el cambio social en Japón, identificamos algunas cosas que, junto con las impactantes imágenes iniciales difundidas globalmente tras la catástrofe del 11 de marzo de 2011 en Tōhoku, nos han ayudado a tomar el pulso al mundo asociativo japonés. Estas imágenes destacaron algunas de las características fundamentales de la sociedad civil japonesa, contribuyendo a la difusión por el mundo de una serie de constructos tan propios de la sociedad socialmente ejemplar como culturalmente totalizante. Podría parecer que los once años transcurridos desde el Triple Desastre de marzo de 2011 en Japón nos han brindado una amplia perspectiva desde la cual interpretar la dinámica de la sociedad civil y la administración pública japonesa frente a estos hechos. Sin embargo, consideramos que el análisis de los desarrollos socio históricos que encarnan la modernidad euroatlántica, con construcciones culturales exógenas y con la globalización, es esencial. Por ello, en este artículo, desde la perspectiva de la historia intelectual y la sociología histórica, analizaremos la adaptabilidad del concepto de sociedad civil en Japón y toda una serie de procesos sociales que se vienen gestando desde hace décadas y cuyo desarrollo se conjuga en entidades de gran importancia fáctica para el futuro.*

Palabras clave: *Japón, Triple Desastre, sociedad civil, Estado, OSAL, voluntariado.*

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I. **Introduction**

Koselleck highlighted the importance of the genealogical analysis of the changes in the chain of meanings and signifiers, and of the contextual transformation of the value systems of the sphere of ideas over time. Therefore, all historical reflection must begin with an understanding of cultural practices delimited by the sociopolitical particularity of their context and their evolution over time[1]. This type of perception has always guided my academic work, and therefore supports this critical approach to both the development of the concept of "civil society" and its subsequent factual developments. We speak about a form of social articulation that has been acquiring meaning in a specific Western context and whose load, in its meaning, has been projected from Antiquity to the present, its operation in Japan, sociologically speaking, being similar to what we observe in Euro-Atlantic societies.

In this sense, a critical approach to the idea of civil society requires fundamental work branching out into the socio-historical, intellectual and political analysis of various layers of complex reality. To carry out this objective, the development of a state of the art that understands the evolution of the concept of civil society in the West, the epistemological impact of Western modernity in Japan and, therefore, the adaptability of this concept for the future is a *sine qua non* condition analysis of the associative sphere dynamics in this context.

If we go back genealogically to the constitution of the concept of civil society, this concept is dialectically prefigured through a process that started when Aristotle[2] and Cicero[3] began to define the opposition of the binomial private public sphere, and continued in the Middle Ages with Saint Thomas Aquinas[4]. In this period, the idea of "civil society" gradually took shape through the differentiation of society from the State, and the separation of the spiritual and ideological from the temporal and political. The subsequent social fragmentation of the old feudal order, and the rise of

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[1] Reinhart Koselleck, *Futuro-pasado. Sobre una semántica de los tiempos históricos* (Barcelona: Paidós, 2003), 14-16.

[2] Christoph Horn, «Law, governance, and political obligation», in *The Cambridge Companion to Aristotle's Politics* ed. by Marguerite Deslauriers and Pierre Destrée (Cambridge: Blackwell, 2003), 223-244.

[3] Marco Tulio Cicerón, *Sobre la República,* trans. Álvaro D'Ors (Madrid: Editorial Gredos, 1991), 68-74.

[4] David Pavón Cuéllar and José Manuel Sabucedo, «El concepto de "sociedad civil: breve historia de su elaboración teórica», *Araucaria Revista Iberoamericana de Filosofía, Política y Humanidades* 11, nº 21 (2009): 63-92. https://www.redalyc.org/pdf/282/28211600004.pdf

some sectors of the bourgeoisie and the generation of new ties between the State and the development of modern individual subjectivity, will give rise to a progression of the concept along the lines of classical contractualism and early liberal theory. As heirs of their context, Hobbes[5] and Locke[6] generated a dialectical confrontation between traditional power and the new legitimacies and forms of authority that they themselves represented. Rousseau also understood in a contractual line that civil society is the political conception of the government as representative of the general will[7]. Outside the current of classical contractualism, illustrated as Montesquieu[8], in a pre-revolutionary context, conceived that civil society was based on a specific right that differentiated it from political society, while Ferguson, in its socio- history of industrial revolution, opposed the idea of economic society and military (understood as civil society) to the honor of the military world[9]. Years later, but in similar intellectual positions, Stuart Mill understood civil society as a form of resistance against different forms of political tyranny[10]. Tocqueville, from his side, in the post-revolutionary contexts of the 13 North American colonies and the French Revolution, extolled the voluntary associationism of civil society as opposed to permanent associations[11].

Up to this point, we have seen how the concept of "civil society" was eminently linked to the legal appearance of the citizen in Greco-Latin politics and its evolution associated with the strength of a liberal bourgeoisie that little by little made its way into Western modernity. In order to provide a certain structure of plausibility to the applicability of this term in the Japanese sphere, we have taken into account the origin factor as a starting point. The cross-cultural operation of a concept such as civil society in the Japanese world, whose core structure lies in very specific

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[5] Thomas Hobbes, *Leviathan,* ed. Bart Molesworth (UK: Penguin Classics, 2017), 129-144.

[6] John Locke, *Segundo Tratado sobre el Gobierno Civil: un ensayo acerca del verdadero origen, alcance y fin del gobierno civil*, trans. Carlos Mellizo (Madrid: Tecnos, 2006), 89-109.

[7] Jean-Jacques Rousseau, *The Major Political Writings of Jean-Jacques Rousseau: The Two "Discourses" and the "Social Contract"*, trans. John Scott (Chicago: The University of Chicago Press, 2012), 77-148.

[8] Montesquieu, *El espíritu de las leyes*, trans. Demetrio Castro (Madrid: Istmo, 2002), 603-645.

[9] Adam Ferguson, *Ensayo sobre la historia de la sociedad civil*, trans. María Isabel Wences Simon (Madrid: Akal, 2010), 44-77.

[10] John Stuart Mill, *Sobre la libertad*, ed. by César Ruiz Sanjuán (Madrid: Akal, 2014), 16-17.

[11] Alexis de Tocqueville. *La democracia en América*, trans. Héctor Ruiz Rivas (Ciudad de México: Fondo de Cultura Económica, 2019), 223-372.

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historical and sociopolitical developments in the European world, continues to be an object of open discussion. In this sense, the justification for its use must necessarily be given through a deep understanding of the phenomena of epistemological coloniality that the Euro-Atlantic world exercises through the political-cultural relations between the Japanese elites during the constitution of the nation-state in the Japanese archipelago. Hence, in this article, we devote a considerable part to four contexts in which fundamental changes of long duration take place. We will start with the Meiji Restoration and some developments that occurred in the interwar period, we will continue with the postwar period that includes the US occupation after 1945 and finally we will finish our ethnographic analysis of the transformations generated in the associative sphere after natural catastrophes and human lives occurring after 1995 and 2011.

II. **Euro-Atlantic modernity and the Meiji State**

Although there is a large volume of academic literature on what the different facets of modernity have represented for the rest of the world, we will situate ourselves in the orbit of the works of Emanuel Wallerstein, Stephen Toulmin, Ramón Grosfoguel, Hans Blumemberg and Enrique Dussel. Dussel presents us with modernity as a European age of the world, which has a centrifugal or *ad extra impact* on an important part of the planet and simultaneously a centripetal or *ad intra return* of the information that the world has about it. This means that the European elites could handle the information of the peripheral ecumenes[12]. As Dussel and Wallerstein[13] say, this process will allow, in its different stages, the management of the centrality of the "world system" through an exercise of domination of multiple dimensions of the life of the colonized through what they called Boas[14], Krotz[15], Demorgon[16]and Grosfoguel[17], as processes of transculturation, acculturation and colonization of being.

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[12] Enrique Dussel, *1492: El encubrimiento del otro: hacia el origen del mito de la modernidad* (Barcelona: Anthropos, 1992), 22-23.

[13] Immanuel Wallerstein, *Análisis de sistemas-mundo: Una introducción* (Ciudad de México: Siglo XXI, 2005).

[14] Franz Boas, *The Mind of Primitive Man* (New York: The Macmillan Company, 1991).

[15] Estaban Krotz, «Alteridad y pregunta antropológica», *Alteridades* 8, nº 4 (1994): 5-11.

[16] Jacques Demorgon, *Critique de l'interculturel. L'horizon de la sociologie* (París: Anthropos Economica, 2005).

[17] Ramon Grosfoguel, *Unsetling postcoloniality: coloniality, transmodernity and border thinking* (Durham: Duke University Press, 2007).

Modernity in the words of Toulmin was born from the bankruptcy of the ancient cosmopolis, from a decomposition of the classical natural and human order, whose harmony had to be replaced[18]. This replacement will come hand in hand with an early phase characterized by the opening of Spain and Portugal to the Atlantic in the 16th century and their expansion (thanks to the Portuguese technical-naval progress of the caravel) throughout South America and North Africa with the creation of an empire system. In the economic sphere, it was defined by non-industrial capitalist mercantile structures, while in the cultural plane the strength of humanistic paradigms is observed. Scholars and scientists such as Nicolaus Copernicus, Erasmus of Rotterdam, Rabelais, Montaigne, among others, who, in contrast to medieval scholasticism, advocated greater tolerance and a return to Greco-Latin culture as a means to restore human values, would mainly construct the Renaissance-humanist moment.

Such current would collide head on with reactionary Catholic cultural groups based on the ideology of the Council of Trent, and on the work of the Spanish Inquisition, as well as the Portuguese and Roman ones. This counter-reformist replica will be a fundamental motor for the religious worldviews linked to these groups of mendicant and Jesuit orders to penetrate Japan. This first impact comes from the hand of the Iberian powers with a first attempt at rapprochement from the economic, technical and spiritual spheres, and whose significance is relatively limited. The initial thrust of early modernity finds its scientific-economic continuity with Dejima's Dutch connection and Dutch studies. However, the real extent of the impact of such influences is difficult to measure.

III. *Bakufu* crisis and evolution of the associative sphere in Meiji

Although in the Tokugawa period, the penetration of European thought had been developed through Dutch studies or *rangaku*, the residue that these had left in the sphere of the intelligentsia as well as in social debate was limited. With the exception of some intellectuals (Sugita Seikei, Sakuma Shosan, Yoshida Shoin, etc), the long-term worldviews mediated by Confucian ethics had not been transcended either epistemologically or ontologically. However, the Meiji Restoration transformed this reality by widening the gateway to the new axiomatic systems of classical European modernity. The expansion and adoption of a vision of reality based on the

[18] Stephen Toulmin, *Cosmópolis. El trasfondo de la modernidad* (Península: Barcelona, 2001), 13-17.

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bunmei kaika[19] were made possible through the great efforts of scholars like Fukuzawa Yukichi, who introduced and spread the concepts of civilization and enlightenment. The cultural load of these concepts was given precisely by the ways of thinking of the liberal intellectuals of the European enlightenment and their visions of linear positivist progression. This conception, based on the achievements of the technology and social sciences of Western powers, generated a perception of inferiority that caused the processes of intellectual self -colonization and transculturation to leave a very deep residue in the mentalities of scholars and politicians. Western civilization was becoming a *de facto* horizon to aspire to, at least until a similar technical development was achieved.

The analysis of sociopolitical and intellectual developments indicates that these final decades of the 19th century, both the members of the Iwakura mission and other intellectuals[20] managed to establish the structural bases of a cultural hegemony —which we understand in a Gramsci-Bordieu line of thought — based on the ideological precepts of progress, science and rationality from classical European modernity. This meant that in the initial process of creating the modern Japanese nation-state, all the scaffolding had its origin in the political-administrative developments of the Western powers. On the one hand, the creation of a recruitment system (in which Nishi Amane and Mori Arinori were fundamental) and a modern centralized army, which was based on a Franco-Prussian base, passing completely to the model of the German Empire after 1885[21]. Second, the educational model, as Lincicome points

[19] The old catchphrase *fukoku kyōhei*, enrich the nation and strengthen the army disappeared in favor of new discursive rhetoric represented by the *bunmei maxim kaika* (文明開化) or "civilization and enlightenment". *Bunmei kaika* in these years it became part of official and popular use (we are talking about the wealthy classes), being representative of the orientation taken by the political forces and the general mood of the 1870s.

[20] Nakae Chōmin (translator and defender of Rousseau's libertarian positions); Nakamura Masanao (promoter of Humanism and the thought of Mill and Smiles); Kanda Takahira (great connoisseur and applicator of Ellis's economic postulates in Hokkaidō); Tanaka Fujimaro (excellent expert on the American educational system); Tsuda Sen (driver of equal educational opportunities for women and a great connoisseur of European agricultural techniques); or Kato Hiroyuki (driver of European law and the division of powers in Japan), among many others.

[21] Nishi Amane at this time was also introducing an exegetical, if not hermeneutical, understanding of spheres of modern Western political-philosophical thought, especially Comte's positivism and John Stuart Mill's utilitarianism. This generated several very important dynamics, on the one hand, it helped the introduction of Anglo-European political philosophy both in the political sphere and in educational plans, to the detriment of Neo-Confucian ways of thinking. On the other hand, appropriating Western philosophy meant modeling the written language of Japan, as evidenced by the appearance of a new conceptual field of European origin – extensively worked on by Maraldo (1995) – such as *ideorogī* (ideology),

out, had been evolving from of 1871, moving from a Franco-American model to an increasingly British one after the Iwakura mission, arriving at an Anglo-Prussian model in the 1980s[22]. Thirdly, the bureaucratic-administrative structures, which using Weber's typology[23], used elements of contemporary European instrumental rationality imported by Soejima Taneomi and Fukuoka Takachika, mixed according to Kornicki, with the organizational reminiscences of the *Daijō kan* (太政官) of the Nara- Heian period , known in Meiji as "State Department"[24]. In turn, the legal system was adapting depending on the mobility and weight of the political forces of the system. A more or less sharp dichotomy is observed in the political thought of the liberal-democratic tendencies of the periphery and the reactionary-statist tendencies of the center.[25] Despite the primacy of the latter over the former, spaces of social pressure were being created that prefigured de *facto —although* not de *jure—*, the germ of what would later be called civil society. The intellectual ideology of the early years of Fukuzawa, Chōmin and in general of many of the *Meirokusha intellectuals* was promoted by grassroots social movements such as *Risshisha* or *Jijosha,* crystallizing in the 1980s with Itagaki Taisuke, in the creation of the *Jiyūtō* or "Liberal party". These movements —essentially made up of former *samurai* and peasants who remained outside the Meiji elite—, together with others that appeared later such as the *Daidō Danketsu Undo,* the *Kyūshū Dōshikai* or the more conservative *Sandaijiken Kempaku Undō*, did not

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tōtorojī (tautology) or *tēma* (theme) that, among many other concepts, ended up forming an important part of the intellectual spectrum used in higher education.

Arinori for his part, through his publications in *Meirokusha*, had promoted and introduced in Japan the ideas he had taken from European liberalism, such as liberal democracy, egalitarianism between men and women (except political participation and voting) and freedom of religion.

[22] Mark Elwood Lincicome, *Principle, Praxis and the Politics of Educational Reform in Meiji Japan*, (Honolulu: University of Hawai'i Press, 1995), 17-18.

[23] Max Weber, *La ética protestante y el "espíritu" del capitalismo* (Madrid: Alianza editorial, 2001).

[24] Peter Kornicki, *Meiji Japan: Political, Economic and Social History 1868-1912* (Routledge: London, 1998).

[25] Although perhaps, in a certain way, a different approach could lead us to the conclusion that the paradoxes might not be so deep. Given the alleged sharp dichotomy between liberal-democratic and reactionary-statist tendencies in political thought, a type of epochal intellectual coherence is observed, which identifies "Meiji conservatism" as a dominant ideology shared by a number of allegedly divided camps, defining it as a particularly modern mode of political understanding, required by a highly fluid world, where unthinking traditionalism is no longer a viable operation. Neither statically Confucian nor radically individualistic, Meiji conservatism permeated even the political thinking of a number of *Meirokusha* firmly committed to enlightening their members, as well as leaders of avowed nationalist associations such as the *Seikyosha*.

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achieve the constitution of a liberal democracy based on a national assembly. However, they were able to achieve the creation of a Diet and a Constitution, diversifying the political spectrum[26]. This shows that regardless of the final triumph of the discourse on national corporatism, the constitutional system was elaborated through a process of encounter, negotiation, and linkage with the principles of Western civilization resulting in its acceptance and assimilation. The entry into force of the *Dai Nippon Teikoku Kenpō* (大日本帝國憲法) or "Constitution of the Great Japanese Empire" in 1890 and together with the Imperial Education Edict of the same year, reflected the aforementioned and closed the constitutive structure of the modern Japanese nation-state-empire, according to Paine[27].

In summary, the understanding of the construction process and the achievements of the Meiji State contribute several fundamental elements to our investigation. On the one hand, the conditions of epistemological possibility were generated so that the worldviews of the Enlightenment and European bourgeois liberalism would penetrate Japan and, with it, the conceptions of social evolution associated with these lines of thought. This led to the creation of a new conceptual corpus that radiated to all spheres of intellectual life and gradually settled in the collective consciousness of part of the popular classes. A corpus that transformed the foundation of the normative orientation of social action, which, in turn, would crystallize in the socio-cultural dynamics that we will see in the Taishō era and the early years of Shōwa. This phenomenon would be generated with the assumption of certain liberal assumptions of the Enlightenment, such as: citizenship, society, justice, freedom, "civil" movement, universal reason and social right, which, among others, gave dimension to a new socio-political reality that operated at new levels through the colonization of cultural codes of Sinic origin.[28] These plot developments have their visible face first with the

[26] Although the opening of the Imperial Diet in 1890 led to the re-establishment of the *Jiyūto party* under the name *Rikken Jiyūto* his operability did not last long, Itagaki like other occidentalists would end up being assimilated by the *Genrō* (元老) becoming interior minister in 1896.

[27] Sarah Paine, *The Sino-Japanese War of 1894–1895: Perception, Power, and Primacy* (Cambridge: Cambridge University Press, 2003), 47.

[28] The intellectuals of the Iwakura mission (1871) came into contact with a reality whose organizational forms of the social substratum considered as a third state were eminently different in their country of origin. Upon returning to Japan with all the knowledge acquired for the construction of the incipient Meiji Nation-State, the "civilian" concept would end up being omitted (Iwakura *et al*., 1878, p. 82-97). Given that with the Restoration the ideals around the emperor promoted (among other ideological forces) by the *mitogaku* current triumphed, the sociopolitical concept of a Western citizen is seen as something illegitimate. The most widespread idea and assumed by the popular classes was that everyone is subject to the Emperor. In this sense, the Meiji monarchy will establish a monarchical absolutism that will last until 1945.

appearance of grassroots social movements such as *Risshisha* and *Jijosha*, and second with the use of terms such as *Jiyū Minken Undō* or "Free Civil Rights Movement" in the constitution of the Itagaki Taisuke Liberal Party in whose semantic load the basis of European and American liberal law is observed. I consider that this perfectly reflected the nature of the social and political proposals that will underpin both the intellectual debate and the subsequent factual dynamics of civil society in Japan. Despite the fact that the figure of the Emperor and the expansion and prevalence of national corporatism thought would limit the possibility of a public discourse in which civil society was discussed, —since legally everyone was a subject of the Emperor— there was a reality latent liberal, used both by interest groups and their social movements and by opposition parties. These impulses, despite being constantly blocked and sometimes repressed by the central power, would crystallize in the "democracy" of the Taishō era.

IV. **Evolution of "civil society" during the interwar period**

The internal dynamics in the socio-political and economic sphere, together with the relocation of Japan in an international context monopolized by Western powers in the factual-ideological and adding Russia in the latter, shaped the public sphere of the Taishō era. In the Taishō era, referring to the typology of McAdams, McCarthy and Zald[29], the structure of political opportunities, mobilization and cultural frameworks were strongly transformed[30]. Especially after 1918, the identity repertoire associated with the class had expanded, giving rise to a multitude of new groups under the umbrella of common interest. The factor of ascription to a socioeconomic stratum had a certain importance, but it no longer had anything to do with the remnants associated with the status that passed from the Tokugawa to Meiji period and that acted as a limiting factor in the development of civil society at this time. Individuals from the Taishō period and the early Shōwa period came together freely to promote common goals, such as the right to unionize or universal suffrage. The initial uncritical assumption of a historical experience based on the cultural forms of Euro-American modernity —forms of thought, art, fashion,

[29] Doug McAdam, John D. McCarthy and Mayer Zald, C*omparative Perspectives on Social Movements Political Opportunities, Mobilizing Structures, and Cultural Framings* (Cambridge: Cambridge University Press, 2012.

[30] Mayer Zald, «Epilogue: Social Movements and Political Sociology in the Analysis of Organizations and Markets», *Administrative Science Quarterly* 53, no. 3 (2008): 568-574, doi.org/10.2189/asqu.53.3.568

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architecture and individualistic consumerist lifestyles associated with a materialistic perception of life, etc. — endowed it with a certain triviality to the incipient Japanese mass culture. However, the confluence and reinforcement of new and old ideologies such as liberal democracy and the currents of libertarian socialism which, together with Marxism, promoted the labor movement, allowed new emancipatory discourses for the civil society of the moment.

Sociopolitical analysis tells us that the proliferation of the ideals of democracy are linked to the expansion of civil society and the emergence of new social movements. For this, the existence of an intellectual base that elaborates, supports the discourse and expands it, as well as a context that legitimizes it, is fundamental. The dynamics of negotiation and the increase in the agency capacity of other more rebellious groups between 1918 and 1930 gave rise to the appearance of new academics and professionals who functioned as intermediaries of modernity. Somehow, they were representatives of neither the State nor part of the popular layers. Therefore, these people were educated elites who became spokespersons and shapers of new social realities, which we could synthesize in a pre-war "middle class" society. Moves like the *Shinjin Kai* or "Modern People's Association", composed of students from the University of Tokyo and also Keio University, or the *Reimeikai* group or "Sunrise Society" Yoshino Sakuzō, Fukuda Tokuzō, Kitazawa Shinjiro and other professors —in total more than forty— from universities such as Hitotsubashi, Keio and Waseda, expanded the message about certain perceptions of democracy —and, therefore, surreptitiously, of the implications of "citizen" participation in it— based on a sense of liberalism adapted to the Japanese historical trajectory. As Yoshino Sakuzō indicate, these groups understood democracy through *minshu shugi* "popular sovereignty" and *minpon shōgi* concepts, in the sense that the people are the base and end of the government[31]. The relevance of these lines of thought lies in the fact that until well into the 1920s, the majority parties organized the cabinet without hardly counting on other social forces. Social pressure generated a temporary change in this area, fundamental to which was the impact of these movements on the proposals for universal male suffrage between 1925 and 1927[32].

To the perceptions about what civil society represented, also different intellectuals of the previous groups ascribed to the statist tradition of the

[31] Sakuzō Yoshin, *Hakushi minshu shugi ronshū* (Tōkyō: Shin Kigensha, 1948), 37-38.

[32] Sheldon Garon, *Molding Japanese Minds* (New Jersey: Princeton University Press, 1997).

Hegel[33] and Marx[34] lines in which civil society is embedded in the world of struggle of classes and is dominated by the bourgeois class that acts hegemonically within the conformation of the State. Hence, they considered that the corporations of the socialist State had the obligation to control it. This ideological position, together with the proposals of marxians such as Gramsci[35], penetrated fully into the Marxist debates called *Kōza ha* or "Academic Faction" and *Rōnō ha* or "Agricultural and Labor Faction"[36].

The muscle and resources of various interest groups complemented the discursive and intellectual substratum of the previous groups. On the one hand, *Shinjikai* established synergies with the *Dai Nihon Rōdō Sōdōmei Yūaikai* or "Great Japan Labor Friendship Club Union Alliance" a labor union group that had evolved from Suzuki Bunji´s Christian self-help group of 1912, —supported by Shibusawa Eiichi — through the incorporation of structural elements obtained from the United States Labor Union. In 1919, this group was made up of a wing of social democratic tendencies and another of communist tendencies, which due to different methods of struggle and ideology would separate after 1925[37].

On the other hand, the members of *Kensetsusha Domei* as Miyake Shōichi who, through his work defending human rights and small farmers in Kisaki and Fuseishi, joined and gave discursive force to the *Nihon payroll Kumiai* or *Nichinō* a peasant union led by Sugiyama Motojirō and Toyohiko Kagawa. *Nichinō*, in the words of Smethurst[38], represented the first national agrarian union of small farmers. This group had originated through the grievances suffered by agrarian tenants regarding the tax claims of landowners in a time of high inflation. The first, as Vanoverbeke[39] mentions, conceived the landed, political and judicial elite as the enemy,

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[33] Georg Wilhelm Friedrich Hegel, *Grundlinien der Philosophie des Rechts* (Hamburg: Felix Meiner, 1955).

[34] Karl Marx, *Introducción a la Crítica a la filosofía del derecho de Hegel* (Murcia: Biblioteca Nueva, 2002).

[35] Gramsci on the theoretical basis of Marxism, developed a critical reflection on the class nature of state power and the profound role of civil society in the construction of hegemonic power.

[36] These two large groups clashed in a dialectical discussion between 1932 and 1937 that would lead to two lines of thought with Marxist roots, which, lasted in the post-war period and for decades had great significance in the field of social science.

[37] Dorothy Sue Cobble, «Japan and the 1919 ILO Debates», in *The ILO from Geneva to the Pacific Rim: West Meets East* ed. by Jill M. Jensen, Nelson Lichtenstein (Hampshire: International Labour Organization and Palgrave Macmillan), 59-65.

[38] Richard Smethurst, *Agricultural Development and Tenancy Disputes in Japan, 1870-1940* (New Jersey: Princeton University Press, 1986), 72-73.

[39] Dimitri Vanoverbeke, *Community and State in the Japanese Farm Village: Farm Tenancy Conciliation (1924-1938)* (Leuven: Leuven University Press, 2004), 121-122.

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because the economic situation of 1917 had undermined the prestige of the elites, who had generally acted as a placating element of the demands on economic justice of the tenant farmers. Hence that struggle for survival that we see in 1918 with the aforementioned *kome sodō* [40] or "rice riots", which in turn mark a turning point in the organization of popular political protests from this time. Due to the coexistence of various ideologies, ranging from the most conservative spectrum to the acceptance of the new socialist and communist currents, this group would also end up dividing, with the left wing remaining more mobile until 1928.

The study of the creation and symbiotic relationships of these groups offers us information on how some of the forms of Japanese civil society were taking shape, and how they were projected outside the sphere of State control thanks to the permeability or conscious assumption of European, American and Russian historical experience in the different strata of the popular layers. We observed that the ideological residue of Meiji liberalism had been developing in the universities, reproducing among the cultural elites, and projecting itself to other strata, giving rise with its expansion to a new culture of masses and consumption that crystallized between 1918 and the beginning of 1930. To the search for political representation pursued by members of the liberal professions, less favored socioeconomic groups were added, such as workers in large factories (we cannot forget that Japan was becoming a highly industrialized country). They fought with the elements that the new currents of Marxist and socialist ideology gave them, against the collusion between political society —represented by the State and the big bureaucracy— and the world of big industrial capital, embodied in the *zaibatsu* (財閥) or "big corporations". While the post-war context had impoverished small farmers —who were fighting for reduced income—, the economic boom emboldened precarious urban workers, who, through joining unions and the development of strikes. They pressed to achieve from the simple improvement of working conditions in the most moderate groups, to political and structural changes proposed by the most combative wings such as the communist union group *Hyōgikai*.

However, the militarization of the regime intensified between 1937 and 1940, when all spheres of associative life, the groups and unions that still remained, were forced to dissolve and join those created by the State. For example, Watanabe[41] indicates that all women's youth organizations were

[40] The 1918 rice riots had nationally known repercussions, strongly demonstrating how popular sentiment could manifest itself.

[41] Yoko Watanabe. «Women, Work, and Education in Modern Japan. An observation of the career life and the social role of Yayoi Yoshioka», *Kurenai*, n.º 11, (2011): 25-46. http://id.ndl.go.jp/bib/027211505

forced to merge into the *Joshiseinendan* or "Group of young women", while in the male field the young people were integrated into the *Yokusan Seinendan* or "Youth Support Corps" (to the Imperial Regime of Greater Japan). The housewives' associations and other women's groups that were still operating ended up agglutinating in the main group of patriotic women, the *Dai Nippon Aikoku Fujinkai* or "Greater Japan Women's Patriotic Association", which according to Wilson[42] had 27 million members throughout the empire.

In conclusion, by 1940, most non-governmental associations, farmer' leagues, teachers' and writers' guilds, business federations or women's groups were forced to dissolve and join official patriotic associations. As a trend that would reach its greatest projection at the end of the 1930s, the *Naimushō bureaucrats* managed to impose a command structure on local life, which meant the homogenization of the pre-existing associative mosaic. In addition, the organizational monopolization that occurred under the patriotic and nationalist umbrella of the *Taisei Yokusankai* or "Imperial Rule Assistance Association" almost completely obliterated the autonomy of the public initiative. As we will see in the next section, the defeat of Japan in World War II would represent a new stage for Japanese civil society.

Thus, broadly speaking, up to 1945 we can synthesize the organizational typology of the associative sphere in three main forms. In the first place, in a variant closer to the developments that today we consider to be the ideal aspirational form, that is, a quasi-apolitical conception of civil society, established in small niches based on ethics and morals, mainly charity, care, the education. On the other hand, a second form, whose democratic and/or social liberation expectations produced an important rejection of the State philosophical-political justification of the imperial system and whose positioning would quickly end up placing them as an element of opposition to the State. This provision would lead these movements to end up buried under the State sanctions (prohibition, control and censorship regime) of the last interwar period. And finally, thirdly, a form characterized by the ramifications subsumed and absorbed by the State, which act as a gloomy instrumental counterpoint and represent the totalizing homogenization and absolute control of the State over the public sphere, especially visible after 1937.

Despite the above, regardless of the type of general guidelines in which civil society developed, it always faced an ideological-structural problem that derived from the way in which power was conceived both by government elites and by a very important part of the population. The problem was that the various proponents of the State, regardless of their ideological positions

[42] Sandra Wilson, «Family or state?: Nation, war, and gender in Japan, 1937–45», *Critical Asian Studies* 2, n.º 38 (2006): 209-238.

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whether they were conservative, Marxist, or liberal, assumed that there was a single, easily identifiable *locus* of authority—the state-empire—that was clearly discernible in the larger field of political practice. As a point of view inherited from the Meiji State, the public good was necessarily inextricably linked to everything that conformed in harmony with the objectives of the State. Only the State was capable of defining both the public interest and its nature with sufficient legitimacy, hence the general perception of spontaneous groups, regardless of their purpose, always generated a high degree of suspicion. With different levels of laxity or closure —depending on the evolution of the sociopolitical context of the time—, everything that went against the will of the government or that it did not legitimize, was not attributed a public value. In other words, what was considered good for society was so insofar as it had been shown to be in harmony with the interests of the State. The thought pattern inherited from the Edo period, synthesized in the concept of *kanson minpi,* which literally meant respect or exaltation of authority and denigration (or at the expense) of the common citizen, was so deeply ingrained that not even all the small qualitative and quantitative leaps that occurred in the civil society of the Taishō period and part of Shōwa were able to change it. In fact, if I may excurse, we can venture that the privileged place occupied by the bureaucracy as a fundamental political actor allows us to recognize a long-term pattern characterized by "soft" authoritarianism. This type of structural slab constantly conditioned the development of the public sphere, whose initial drives and original proposals always ended up being absorbed or influenced by its relationship with the State. However, although during the interwar period civil society had different moments of greater or lesser autonomy, with a tendency of the State towards the end of the period to erase any heterodox elements obstructing its expansionist and imperial project, the Japanese society of the end of the 1930s was much more heterogeneous and politically literate than it had been at the beginning of the Taishō period. Therefore, the repression exerted by State dynamics would not fully subsume the critical drives of pre-existing emancipating social action, as we will see after the Second World War.

V. **Civil society and social movements in postwar Japan**

In the previous section, on the one hand, we have analyzed the conditioning factors and the historical-factual developments both in the socioeconomic plane and in that of political philosophy, which gave rise to the creation of an incipient civil society in Japan. However, the forms of articulation society-state did not allow for the necessary conditions of possibility for the appearance of a sustainable public discourse on the social

category that now concerns us. The space that allowed for the development of the public sphere after the defeat of Japan after the Second World War enables us to glimpse, a priori, new social dynamics and discursive margins. Thus, we will dedicate the beginning of this chapter to the elaboration of a reconstruction of the context and later an analysis of the transformations of the theoretical aspect of the term.

In the summer of 1945, Imperial Japan unconditionally surrendered to the Allies, in compliance with the Potsdam Declaration. The radio broadcast of the event, carried out by the emperor himself, had fundamental consequences for the development of civil society. The desecration of the figure of the *Tennō* meant the decomposition of imperial subjectivity and therefore the political use of its coercive symbolic value. With this, the delegitimization of the *Tennōsei* or "Imperial Regime" and the imposition of a democratic system by the *Supreme Commander of the Allied Powers in Japan* (SCAP) after the defeat in World War II enabled a legal space in which the subject no longer existed, if not the citizen, the civilian. We understand that this "liberation", although limited by different barriers, now gave the possibility of an ontological reconfiguration of the individual as an autonomous entity, capable of generating *shutaisei* in the sense of self-subjectivity, something that post-war thinkers like Maruyama Masao[43] and Ōtsuka Hisao[44], among others, considered a fundamental element of any true democratization.

It is essential to understand how, on an intellectual level, the idea of civil society began to develop in this period. In the European case, Khilani (2001) briefly mentions that the concept of "civil society" did not play any organic role, at least during the 1960s. The analyses carried out by representatives of the Frankfurt School with a clear disposition to theorize about social emancipation and associationism, such as Herbert Marcuse, or the arguments of liberal political theorists of the magnitude of Jacob Talmon, Isaiah Berlin, Karl Popper, etc. suggest the same. All of them are committed to individual freedom and liberal values, and their theoretical bases observe a project of specification of the individual sphere and the limits of the political authority. However, it was precisely at this time that in Japan, anticipating the Prague Spring of 68, *Solidarność* and contemporary Western intellectuals, the theses of the old continent on civil society were taken up again. Although they did not carry any weight at that time outside of a very small academic

[43] Masao Maruyama, *Senchū to sengo no ma: 1936-1957* (Tōkyō, Misuzu Shobo, 2018), 174.

[44] Kazuhiki Kondo, «The Modernist Inheritance in Japanese Social Studies: Fukuzawa, Marxists and Otsuka Hisao» in *The History of Anglo-Japanese Relations, 1600–2000: Volume II: The Political–Diplomatic Dimension, 1931–2000* ed. by Ian Nish y Yoichi Kibata (London: Palgrave Mcmillan, 2002), 173-188.

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environment in Japan, Marxist and liberal thinkers of the caliber of Uchida Yoshihiko, Maruyama Masao or Hirata Kiyoaki generated a discourse that we value here.

As Barshay[45], Matsumoto[46] and Yamada[47] mention, the debate on *shimin shakai* or "Civil Society" reached its peak in Japan during the second half of the 1960s, especially with the work of Marxians like Uchida Yoshihiko and Hirata Kiyoaki. Indeed, Avenell[48] and Keane[49] point out that the discourse we observe in Japan in the 1960s probably represents the archetypal renewal of language about civil society and the State. We understand that it is precisely at this moment that it exercises an active category in Japanese social thought, since it was only after the post-war period that the necessary moral power and capacity for analysis were generated so that it made sense as something more than the translation of an allochthonous term.

Both Uchida[50] and Hirata[51] introduced significant advances in the epistemological constitution of the *shimin shakai* as a social category.[52] In the first place, giving a positive charge to the concept itself within the orthodox Hegelian-Marxist conception, in addition to reviving the reviled idea of individuality and property. They also introduced a fundamental idea, the consideration that civil society was not merely a historical phase. It was an ideal pan-historical social formation, latent in different socio-political systems that was based on human relations mediated by ethical-economic principles tending to prudence and equity. In addition, as an element that could serve as the very center of Marxist ethics, they introduced a fundamental idea: despite being intimately related, the link between capitalism and civil society could be extended, providing a critical

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[45] Andrew Barshay, *The Social Sciences in Modern Japan: The Marxian and Modernist Traditions* (California: University of California Press, 2007).

[46] Reiji Matsumoto, «A historical repraissal of civil society discourse in postwar Japan» in *Globality, Democracy and Civil Society* ed. by Terrell Carver and Jens Bartelson, (Abingdon: Routledge, 2010), 31-46.

[47] Toshio Yamada, *Contemporary Capitalism and Civil Society: The Japanese Experience* (Singapore, Springer, 2018).

[48] Simon Avenell, «Japan and the global revival of the "civil society" idea: contemporaneity and the retreat of criticality», *Japan Forum* 3, n.º 23 (2011): 311-338, doi.org/10.1080/09555803.2011.597510.

[49] John Keane. *Civil Society: Old Images, New Visions*, (Hoboken: John Wiley & Sons, 2013).

[50] Yoshihiko Uchida. *Keizaku no seitan* (Tōkyō: Iwanami Shoten, 1989)

[51] Kiyoaki Hirata, *Shimin shakai to shakaishugi*, (Tōkyō: Iwanami Shoten, 1969).
Kiyoaki Hirata, *Keizaigaku to Rekishi Ninshiki* (Tōkyō: Iwanami Shoten, 1971).

[52] We cannot forget either the contributions of Takashima Zen'ya, Ōtsuka Hisao, Kawashima Takeyoshi, Mochizuki Seiji and especially also outside the orbit of Marxism, Maruyama Masao contributed from a perspective relative to the analysis of democracy and the state.

perspective to the social sphere so that it could exercise ethical-moral guide of the economic sphere.

Lastly, Uchida and Hirata as inheritors of the *Kōza ha* and *Rōnō ha interwar debate*, as well as the confluence with other *kindaishugisha thinkers*, such as Maruyama Masao, Ōtsuka Hisao or Kawashima Takeyoshi, also deeply analyzed the forms of engagement of civil society with the State. Civil society was formed as a suppressive or limiting element of State control over society. For Uchida[53], the Japanese semi- feudal State before 1945, its paternalism and the traditional bureaucratic consideration of the members of society as if they were "minor", had to be overcome by the proliferation of a type of "new man" that promoted equitable ethical relations between autonomous individuals, understood as civil society. For Hirata[54], the context to dissolve was that of the authoritarian regimes of the Soviet bloc. Both thinkers would end up transcending the somewhat simplistic tones of their first visions, which were based on the assumption of the idea of Western linear positivism by the first of the group of liberal democratic theorists. Thus, in this way, they envisioned a more local struggle to make civil society exist in postwar Japan. They believed that the post-war struggle for civil society could be well organized within a libertarian socialism coupled with Japan's traditional communal political culture, and even wagered on the need to try to harness the potential within communal cultures in order to create civil society.

Traditionally, the Eurocentric narrative represented by a considerable number of major civil society theorists, such as Habermas[55], Cohen and Arato[56], Pérez[57], Bobbio[58], Brito[59], Kocka[60], Ehremberg[61], Elias[62] or Giner[63], to cite some of the referents assumed to be fundamental, has

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[53] Uchida, *Keizaku*…162.

[54] Hirata, *Keizaigaku*, 205.

[55] Jürgen Habermas, *Strukturwandel der Öffentlichkeit: Untersuchungen zu einer Kategorie der bürgerlichen Gesellschaft* (Frankfurt: Suhrkamp Verlag, 1990).

[56] Jean Cohen and Andrew Arato, *Civil Society and Political Theory* (Massachusetts: The MIT Press, 1994).

[57] Víctor Pérez, «Sociedad civil: una interpretación y una trayectoria», *Isegoría*, n.º 13 (1996): 19-38, doi.org/10.3989/isegoria.1996.i13.224

[58] Norbeto Bobbio, *Gramsci y la concepción de la sociedad civil* (Barcelona: Avance, 1977).

[59] Enrique Brito, «Sociedad civil en México: análisis y debates», *Sociedad civil* 1, n.º 2 (1997): 190-213.

[60] Jürgen Kocka, «Zivilgesellschaft in historischer Perspektive» in *Zivilgesellschaft als Geschichte: Borgergesellschaft und Demokratie*, ed. by Ralph Jessen, Sven Reichardt and Ansga Klein (Heidelberg: Verlag Für Sozialwissenschaften, 2004), 29-42.

[61] John Ehremberg, «The History of Civil Society Ideas» in *The Oxford Handbook of Civil Society*, ed. by Michael Edwards (Oxford: Oxford University Press, 2014), 15-25.

[62] Norbert Elias, *El proceso civilizador* (Madrid: Fondo de Cultura Económica de España, 2011).

[63] Salvador Giner, *Teoría sociológica clásica* (Barcelona: Ariel Ciencias sociales, 2011).

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pointed out that the roots of contemporary post-war interest in civil society lay in the disquisitions and discussions of some dissident intellectuals in Eastern Europe in the late 1960s and early 1970s. However, a more holistic perspective provides a different view.

On the other hand, as regards the factual developments of the associative world during the second half of the 20th century, we see important grassroots movements The Korean War (1950-1953) as well as The Vietnam War (1955-1975) brought with them peace movements that integrated the previous groups. As Yamamoto[64] and Carlile[65] point out, groups of academics and intellectuals organized themselves in the *Heiwa Monday Danwaka*. Moreover, a collective made up of renowned intellectuals such as Maruyama Masao, Yoshino Genzaburō, Uehara Senrokyū, Shimizu Ikutarō, Nanbara Shigeru or Nakano Yoshio, among others, played a pioneering and fundamental role in drawing society's attention to cardinal issues such as peace and security. In addition, these peace movements established important synergies with the anti-nuclear movement in Japan formed after the 1954 event known as *Daigo fukuryū maru jiken* in which several fishermen suffered the consequences of the nuclear tests carried out by the Americans in Bikini Atoll. The event triggered the convergence of multiple civil society groups, which gave rise to the creation of a large national movement in pursuit of the prohibition of atomic bombs, the *Nihon no Gensuikin Undo*. Once again, multiple civil society groups appeared, organically constituting themselves through a large grassroots movement, and creating a turning point in the relationship between the de facto power and the ordinary citizen. This produced a task of disseminating knowledge that allowed the rest of the population to see more clearly the consequences of radioactivity on living beings in the short and medium term; taboo issues were also brought to the table, such as the suffering and stigmatization of the *hibakusha* of Hiroshima and Nagasaki.

The 1960s and 1970s witnessed the extension of previous movements and the appearance of new typologies. The Treaty of Cooperation and Mutual Security between Japan and the US known *as Anpo jōyaku*, led different groups in defense of peace to come together against the use of US military bases in Japanese territory for the Vietnam War and the reintegration of Okinawa under national sovereignty. The shelter for dissident US soldiers served as a catalyst for social change and for the collectives that made up *Beheiren —three* hundred at the time of greatest

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[64] Mari Yamamoto, *Grassroots Pacifism in Post-war Japan: The Rebirth of a Nation* (Abingdon: Routledge Curzon, 2004), 121.

[65] Lonny Carlile, «The labor movement» in *The Routledge Handbook of Japanese Politics*, ed. by Alisa Gaunder (Abingdon: Routledge, 2011), 162-175.

heyday—*Beheiren* integrases, by defining themselves in relation to their American counterparts, concretized and promoted new conceptions for the formation of an autonomous Japanese subject[6667]. Since the organization did not have a membership system and participation was voluntary, we see that these new dynamics of collaboration and affiliation constituted a new form of citizenship and activism called *Shimin Undō* that will be fundamental for the configuration of subsequent movements and a civil society with greater autonomy and civic commitment in Japan.

Coincidentally, many of the trade union, consumer, and homemaker groups that had participated in the movements of the 1950s, and other new women's movements like *Tatakau Fujin* joined *Beheiren* in the protests strongly opposing Japan's role in the Vietnam War and in defense of the aforementioned proclamation[68]. The main contribution of this group to the configuration of the popular imaginary about civil society was, mainly, the conception that the defense of civil liberties should be carried out by conscientious citizens who were critical of both the State and the political parties, established trade union sectarianism and the different private interest groups. The autonomy of the citizens had to be acquired due to their own movement and be separated from the political sphere to avoid its distortion.

To all this dynamism and social problems was added a set of actions called *Yakugai Soshō*, a series of lawsuits brought by victims of dumping waste from the 1950s up to the 1970s. Some of the most alarming cases of industrial pollution during the 20th century occurred in Japan within these years. The then strong Japanese developmental State gave carte blanche to an industrial advance that did not take into account the consequences of its economic activity. What is commonly known as "The Big Four" arose from this type of dynamics. The two cases of Minamata Disease originated due to poisoning caused by methyl -mercury waste dumped by the Chisso company in the Minamata area. *Itai Itai* disease in Toyama was generated by cadmium-containing chemical waste that was dumped into the Jinzu River Basin due to Mitsui's mining activity Kinzōku. Lastly, Yokkaichi Asthma was caused by sulfur dioxide and nitrogen dioxide emissions from the *Shōwa petrochemical industry Yokkaichi Sekiyu* and *Shell Oil*

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[66] Miyume Tanji, *Myth, Protest and Struggle in Okinawa* (Abingdon: Routledge, 2006), 94.

[67] William Marotti, «Japan 1968: The Performance of Violence and the Theater of Protest», *The American Historical Review* 1, n.º 114 (2009): 97-135, http://www.jstor.org/stable/30223645

[68] Roman Rosembaum, «Oda Makoto and grassroots citizenship movement- Behiren» in *Civil Society and Postwar Pacific Basin Reconciliation: Wounds, Scars, and Healing* ed.by Yasuko Claremont (Abingdon: Routledge, 2018), 143-144.

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Company. The groups of homemakers, the demonstrations of angry fishermen, and the activists of the Fukuoka area, integrated the demands of those affected in their movements, managing to generate a kind of dynamics of direct democracy that led the government to take action on the matter, creating pioneering anti- pollution control laws in the world. After those affected received the first compensation for the problem, activism faded, so it was not possible to create an environmental movement at the national level.

Although the oil crisis between 1973 and 1979 meant a break in protest activity, as we have seen, for this decade, new social movements called *Josei Kaiho Undō* dedicated to women's liberation[69]. The great difference between these groups resided in their specificity around gender issues. During the sixties, many of the feminist women's groups had participated in the anti-pollution movements and in pursuit of peace, and the gender discourse had ended up fading. New women's liberation movements were now being created along the lines of the second international wave, such as the *Ūmanribu Katsudō*, *Chūpiren* or the collective *Tatakau Onna* that included proclamations of sexual liberation, a strong questioning of motherhood, and also the struggle for an attempt to make visible the oppression of women by women[70]. In the following decade, during the 1980s, the last of the quantitatively important grassroots mobilizations in Japan took place, the *Not in my back yard movement* (Nimby). After the Chernobyl disaster in 1986, the movement was reactivated and groups of homemakers from all over Japan joined in capitalizing on the anti-nuclear initiative together with primary sector producers and unions in 1988. This led to the 1988 demonstrations. It was a brief though powerful popular explosion; it did not have a transcendent impact and projection in time. The main contribution of this group to the configuration of the popular imaginary about civil society was mainly the conception that the defense of civil liberties should be carried out by citizens who were aware and critical of both the State and the political parties, established trade union sectarianism and the different private interest groups.

It is at this time that the concept of civil society began to operate in Japan in line with the proposals of Habermas. This, from a phenomenological perspective, through the concept *Lebenswelt* or "World of life" begins to define civil society as an entity separate from the family

[69] Barbara Molony, Janet Theiss and y Choi Hyaeweol, *Gender in Modern East Asia* (London: Routledge, 2018), 61-68.

[70] Beate Sirota Gordon, Susan Pharr, Barbara Molony and Sally Hastings, «Celebrating Women's Rights in the Japanese Constitution», *U.S. Japan Women's Journal*, n.º14 (1998): 64-83, jstor.org/stable/42772126

and the State in which social actors do not seek profit within the market or power within the State[7172]. An interpretation in which, deep down, a very heavy weight is given to some supposed automatisms of the bureaucracy and capital. Therefore, it generates a problem that resides, from our perspective, in the excessive delimitation of a space that eliminates a good part of the social movements and of counter-cultural networks, a vision that would be enriched after the events of 2011 in Fukushima.

Although, all the efforts that we have analyzed were significant and contributed to enriching democracy and generating a more solid civil society, we must bear in mind that the country had gone through World War II and subsequently through poverty and social dislocation. This context had generated the necessary conditions of possibility for the development discourse to penetrate deeply among the majority of the population. Until the 1990s, a large part of the Japanese shared the opinion of the government and the bureaucracy that economic growth was the most important national objective. If we analyze the political opportunity structure of time and the forms of the resource mobilization, we observe that these, due to their structural nature, generate a limiting context that would end up burying the projection to the medium and long term of a large part of the initiatives of civil society. Much of this "barrier to entry" for civil society developments resided in the synergies established between three important factual forces in a dynamic known as *Tetsu no Sankaku* (鉄の三角) or "Iron Triangle". It was a triad composed of: the bureaucrats of the *Tsūsanshō* (通商産業省) "MITI", the *keiretsu* (系列) "Corporate Conglomerates" and political groups such as the *Jiyū Minshutō* (自由民主党) or PLD[7374]. Until the 1990s, the State enjoyed strong public support for policies oriented towards a neoliberal model, which is why everything that remained outside the economic sphere, such as the expansion of citizens' rights or respect for the environment took a backseat[7576]. Hence, these

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[71] Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (Cambridge: MIT Press, 1999), 73-79.

[72] Rosa Sierra, *Kulturelle Lebenswelt: Eine Studie des Lebensweltbegriffs in Anschluss an Jürgen Habermas, Alfred Schütz und Edmund Husserl* (Würzburg, Königshausen and Neumann, 2013), 177-196.

[73] Martin Collcut, Isao Kumakura and Marius Jansen, *Japón: el imperio del sol naciente* (Barcelona, Ediciones del Prado, 1992), 210-212.

[74] Michael Brannigan, *Japan's March 2011 Disaster and Moral Grit: Our Inescapable In between*, (Lexington Books, London, 2015), 192-194.

[75] Frank Schwartz and Susan Pharr, *The State of Civil Society in Japan* (Cambridge: Cambridge University Press, 2003), 28-39.

[76] Mark Mullins and Koichi Nakano, *Disasters and Social Crisis in Contemporary Japan: Political, Religious, and Sociocultural Responses* (London: Palgrave MacMillan, 2016), 23-41.

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political or civic movements, while significant in their own capacity, did not last beyond their particular campaigns and hence their long-term impact on Japanese civil society was relatively limited.

VI. **Civil society and the great earthquake of 1995**

In the previous section, we have identified what were the main structural limitations that restricted the growth and projection of the proposals of the associative sphere. These conditions were transformed at the end of the 1980s and, in accordance with the contingent events that we observed in 1995, they would cause a profound change in the evolutionary dynamics of Japanese civil society. There were several actors, both endogenous and exogenous, who overlapped to shape this transformation. In the first place, the bursting of these bubbles triggered the severe crashes of 1989 and 1991. These events had a direct causal relationship with the model crisis that would occur in the 1990s; which would dismantle the famous iron triangle, thereby generating an enabling context for new spaces for civil society. To this situation, two other factors of a social nature were added in second place, again, with an extrinsic and an autochthonous aspect. Regarding the first, the academic literature tells us that the 1992 UN Conference on Environment and Development in Rio de Janeiro is one of the driving milestones of the non-governmental organization (NGO) movement in Japan. Through successive UN conferences, such as the 1993 World Conference on Human Rights in Vienna, the 1994 International Conference on Population and Development in Cairo, the 1995 Fourth World Conference on Women in Beijing, and the World Summit on Social Development in Copenhagen in the same year[77][78].

Likewise, regarding social phenomena of an autochthonous nature, we find the birth of the social germ of volunteering. Although, some "paid volunteer" groups had already been operating in collaboration with private enterprise since the mid-1970s, it is with the *Hanshin Awaji Daishinsai* or "Great Awaji or Kōbe Earthquake" of 1995 with which volunteering reaches a new status.

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[77] Robert Mason, «Whither Japan's Environmental Movement? An Assessment of Problems and Prospects at the National Level», *Pacific Affairs* 2, n.º 72, (1999): 187-207, doi.org/10.2307/2672119

[78] Yasuko Kameyama, «Can Japan Be an Environmental Leader? Japanese Environmental Diplomacy since the Earth Summit». *Politics and the Life Sciences* 2, n.º 21 (2002): 66-71, www.jstor.org/stable/4236676.

As we well know, natural catastrophes, like armed conflicts, generate multiple adverse effects on society, and, as Ember and Ember[79] propose, on the one hand, they can fragment it (mainly because the labor force assumes the weight of reconstruction costs). It is convenient to recover here, Durkheim's theses on anomie and the different forms of solidarity that occur in the event of a war, despite having been formulated between the end of the 19th century and the 20th century, we consider that they are fully valid in the understanding of the phenomena that we are trying. As Durkheim[80] proposed, armed conflicts can improve social cohesion by reducing levels of anomie and also restore forms of mechanical solidarity that put past forms of cohesion into operation. Following these proposals, and adding the theories of the growth of civic engagement in situations of war catastrophe, in line with the lines of psychosociological thought of Gottfredson[81], Rothstein[82]and Brenner[83], we readapt them for use applied to natural disaster contexts. Natural disasters produce a social mobilization that could be spontaneous, in the case of the Great Kōbe Earthquake of 1995 and the phenomenon of volunteering. Nonetheless, recovering elements of Weber's thought, a part of the mobilization can be oriented by the State through a strategic articulation of the subjectivity of total war, as occurred after the debacle suffered by the Japanese with the tsunami of 2011. Regardless of the forms of mobilization, a fundamental context is generated so that the affected population acquire the necessary civic skills, thus generating an increase in civic engagement. In turn, the application of the analyses that Evans[84] and Kage[85] make on war contexts, also show in natural disaster contexts to what extent the associative activities prior to

[79] Carol Ember and Melvin Ember, «War, Socialization, and Interpersonal Violence: A Cross-Cultural Study», *Journal of Conflict Resolution* 4, n.º 38, (1994): 620-646, doi. org/10.1177/0022002794038004002

[80] Emile Durkheim. *Le suicide: Étude de sociologie* (Paris: Presses Universitaires de France, 2012), 289-303.

[81] Linda Gottfredson, «Circumscription and Compromise: A Developmental Theory of Occupational Aspirations», *Journal of Counseling Psychology* 6, n.º 28 (1981): 545-579, https://doi.org/10.1037/0022-0167.28.6.545

[82] Arnold Rothstein, «Compromise Formation Theory: An Intersubjective Dimension», *Psychoanalytic Dialogues: The International Journal of Relational Perspectives* 3, n.º 15 (2008): 1-18.

[83] Charles Brenner, «Conflict, Compromise Formation, and Structural Theory», *The Psychoanalytic Quarterly* 3, n.º 17 (2017): 397-417, http://doi.org/10.1002/j.2167-4086.2002.

[84] Peter Evans, «Government action, social capital and development: Reviewing the evidence on synergy» in *State-Society Synergy: Government and Social Capital in Development* ed. by Peter Evans (California: Berkeley University Press, 1997), 178-206.

[85] Rieko Kage, *Civic Engagement in Postwar Japan: The Revival of a Defeated Society* (New York: Cambridge University Press, 2011).

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these events function as accumulator elements of social and cultural capital. Moreover, although the new legal context has modified its functioning, its legacy makes it easier for them to reorganize themselves more quickly after the natural disaster.

In addition to the fact that the Japanese State was characterized in 1995 by significant centralization, there was the sociocultural and political factor that decision-making had to go inexorably through all the hierarchical steps. This in turn conditioned bureaucratic processes that became excessively slow and cumbersome, and incapable of adapting to contextual needs. Finally, from this causal derivation came the limited reaction capacity of the emergency response teams of the police, fire departments and the Japanese Self-Defense Forces. Hence, neighborhood networks, known as *chōnaikai*[86], were the first to act, often being the main forces to arrive on the scene. These groups of civilians organized themselves into sections for firefighting, as well as debris removal and neighborhood rescue corps, and were the first to deal with the fires[87]. In this situation, an unprecedented phenomenon occurred in the previous stages: the influx of large numbers of volunteers —estimated at more than one million— from different parts of Japan to the Kobe[88]. Although volunteering existed before[89], this overwhelming number of volunteers converging in a disaster situation had never been experienced before[90]. As a result of this new dynamic, the social subject known as *borantia* (ボランティア) "volunteer"[91], settles at this time a new type of fundamental identity in the configuration of the philanthropic component of civil

[86] This type of organization is a traditional community-based organization that traditionally functioned as a municipal-based administrative arm, whose functions included organizing the national census, organizing local festivals, and helping the neighborhood community in emergencies.

is important in the administrative tasks of the community such as collecting garbage and helping to carry out the national census.

[87] Umeeda, M, Hatakenaka, T and Yoshida, M, interviewed by M. Malo, September 21, 2017.

[88] Ichiro Yatsuzuka, «The Activity of Disaster Relief Volunteers from the Viewpoint of Social Presentations: Social Construction of "Borantia" (voluntarism) as a New Social Reality After the 1995 Great Hanshin Earthquake in Japan», *Progress in Asian Social Psychology* 2, n.º 47 (2008): 275-290. https://doi.org/frm6s2

[89] Imada (1999) calls 1990 the year of the renaissance of philanthropy, but historical analysis tells us that we do not only see it from the last third of the 20th century, since there has always been a long tradition of community assistance through associations of neighbors and other civic typologies.

[90] Hence, in the academic literature, 1995 is known as "the year of the renaissance of volunteerism".

[91] The concept comes from the English word "volunteer" and generally refers to an individual who on their own initiative helps others in a spirit of goodwill.

society and of the structural conformation in NPO's and NGO's[92]. The considerable initial influx of volunteers from all over Japan generated a large – highly contextual – projection of social expectation, [93] a situation that produced a knock-on effect and the consequent arrival of numerous groups of volunteers throughout the Hyōgo area. This fact would highlight the significant shortcomings in the capacity of government management and the relational nature of the State with other forms of civil society. Many of these groups, instead of being articulated by the government in reconstruction, rescue or aid tasks, remained semi -inactive for a long time or helped the *chōnaikai* in the area on their own initiative[94].

As time went by, many of the emerging entities that were not part of the community environment prior to the disaster disappeared. However, some groups with more solid projects like *Shimin Katsudō or Sasaeru Seido or Tsukuru Kai* or "Coalition to create a support system for civic activities" known under the *Shīzu synthesis,* endured. This network of experts was in charge of legally conforming the proposals of the associative world at that time. This organization with liaison in Tōkyō, had wide support from the non-profit sector and sought to achieve its goal of shaping the government's agenda for NPOs by working with political parties, such as the Shintō Sakigake, the Uha Shakaito and Shinshintō[9596].

Thus, the official acknowledgment that both officials and civic groups were really ill-prepared to respond to a crisis of this magnitude led the Japanese government to initiate policy reform in 1998 to improve the disaster management system. As Shaw and Goda[97] (2004) indicate, these policies were generally oriented towards the decentralization of State power and the promotion of the growth of civil society through civic groups such

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[92] The great nuance that can be made here is that volunteering before 1995 in general came from shared sociopolitical and cultural convictions in which group orientation was very strong and that is now configured as an individual identity form.

[93] Social expectation is the general mood of a society about what people should do. It is a kind of spirit of the times or *kuuki* (空気) "Air" in the sense of atmosphere.

[94] Initially there was no procedure or protocol for the coordination of volunteers. The volunteers, therefore, were coordinating according to their own daily experiences; some introduced techniques used in warehouse management, others were based on procedures that came from their experience in the Boy Scouts or in general improvised to provide rapid support to those affected.

[95] Yasuo Takao, *Reinventing Japan: From Merchant Nation to Civic Nation* (New York: Palgrave MacMillan, 2007).

[96] Sandra Schu, *Gemeinnützige Rechtsträger in Japan und Deutschland* (Heidelberg: Mohr Siebeck, 2014), 270.

[97] Rajib Shaw and Katsuihciro Goda, «From Disaster to Sustainable Civil Society: The Kobe Experience». *Disasters* 1, n.º 28 (2004): 16-40, http://doi.org/fjtncj

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as NGO's and NPO's[98]. With this, a law enacted in March 1998 marks a milestone in the *Tokutei associative field*. *Hieiri Katsudo Sokushin Hō* or "Law to Promote Specific Non-Profit Activities". These types of negotiations were fundamental in the drafting of the NPO law, whose proposals still play a central role in shaping modern civil society today.

From this moment on, the concept operates both intellectually, socially and legally in the same way as it does in the Euro-Atlantic world. Here we recover here the postulates of already mentioned authors such as Cohen and Arato and Diamond, who consider civil society as a space of associationism that consists of a sustained and organized social activity that is not state, religious or market and it is distinct from the family or the individual.

VII. **Civil society and the triple Fukushima disaster of 2011**

The previous sections have helped us to understand the delicate balance of power relationship between the State, civil society, and the private world, and its fit into historically fluctuating socio-cultural and political-economic dynamics. During the beginning of the first decade of the 21st century, social movements in Japan suffered some processes of slowdown, as well as stagnation and regression. However, what happened in March 2011, together with the expansion of the Internet and the appearance of social networks, helped to generate new synergies in the creation of networks and forms of mobilization of resources necessary for the development and projection of civil society after 2011.

On March 11, 2011, at a depth of about 24 km and a distance of 72 km from the northern coast of Japan, a trench-type earthquake of magnitude 7 on the Shindo scale and 9 on the Richter scale occurred, the largest recorded in the country. The earthquake generated a tsunami of colossal proportions almost at the same time whose impact on the coast of Sanriku was devastating, reaching the prefectures of Iwate and Miyagi. It is estimated that it penetrated around 6 km into the ground, generating direct

[98] The acronym NPO refers to *Non-Profit Organization*, in Japanese they use katakana for this, calling it *enupīō* (エヌピーオー). The Japanese nonprofit world can currently be divided into four categories: 1) NPOs created under the NPO Law, 2) public interest corporations, 3) neighborhood associations, and 4) citizen groups. The first two entities, NPOs created under the 1998 law and public interest companies, are officially registered as non-profit entities with the government. In contrast, neighborhood associations and citizen groups are not considered legal entities, yet they are the main forces in the sector, in terms of their number and influence (Ogawa, 2009). Normally the difference between an NPO and an NGO is their range of action, being, in general, more national-local in the case of the former and more national-international in the case of the latter.

casualties of 15,899 dead, 2,526 missing, 6,177 wounded and approximately 470,00 displaced. Added to this, 122,000 buildings were completely destroyed and 283,117 heavily damaged[99][100]. Added to this catastrophe was the human factor represented by the accident at the Fukushima Daiichi nuclear power plant, which aggravated and ended up prolonging its consequences until today.

Until now, we have seen the forms of expression and pressure that some configurations of the associative plane practiced in the first years that preceded the disaster, which indicates a first level of commitment to social change. The next step was to legitimize the arguments with action, hence a large number of volunteers came from all parts of Japan, and especially from the Kantō area to the Tōhōku region. According to *Kokusai Shakai Fukushi Kyōgi Kai* or "National Social Welfare Council", between March and June approximately half a million people traveled to different areas of the Tōhōku area, especially areas of Fukushima, Miyagi and Iwate with the aim of helping the locals to deal with the disaster[101]. As we can see, it was about half of those who had initially traveled to Kobe after the 1995 earthquake, among other issues due to the danger and the difficulty of access that the area posed. Added to the problem of radioactivity was the partial and complete destruction of infrastructure, accounted for in 4,198 roads, 116 bridges and 29 railways[102]. Many of these communication arteries were essential to reach the affected area,[103] so it should be noted as one of the fundamental factors of the problem. We have to consider also, that the difficulty in obtaining fuel at that time also acted as a restrictive element for the arrival of volunteers. Despite these limitations, international support was important at that time. 128 countries and 33 international non-governmental organizations offered their support to Japan, with the *International Medical Corps,* a world leader in disaster response, being one of the first to respond to the call of help, beginning the first stages of coordination with the Japanese government, Japanese non-profit organizations and local communities. In the immediate first weeks, the International Medical Corps worked together with local partners such as the Kesennuma and Kamaishi Emergency Response Centers, the Tokyo NGO

[99] Kokudo Kōtsūshō, «*Kishōchō: Heisei 23 nen Tōhoku chihō Taiheiyō oki jishin ni tsuite 7nen kan no jishin katsudō*». Accessed on January 21, 2021. http://shorturl.at/ktMV6.

[100] Keisatsuchō, «*Higaijōkyō*». Accesed on January 22, 2021. http://shorturl.at/ozFGV.

[101] Daniel Aldrich, «Rethinking Civil Society–State Relations in Japan after the Fukushima Accident». *Polity*, n.º 45 (2013): 249–264, http://doi.org/10.1057/pol.2013.2

[102] "Kokudo Kōtsūshō" and "Keisatsuchō"…

[103] In Kōbe it was possible to approach from the outskirts, however, in the case of Fukushima many affected sites could not be reached, neither by train nor by road.

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PeaceBoat , the *Sekando* Food Bank *Haavesuto* or " Second Harvest "[104], to deliver food, psychosocial support, medical supplies, and communications equipment to disaster-affected areas[105][106]. In addition, in the preceding days, two semi-governmental organizations were in charge of coordinating all the volunteers who were arriving. First the *Zenkoku Shakai Fukushi Kyōgikai* "National Social Welfare Council"[107] and the *Akai Hane Kyodo Bokin* "Red Feather Community Chest"[108] under the premise of "*kensetsutekina kyōdō* "[109] acted as a node or backbone in the incardination of government institutions and medical services, and of these in turn with NPOs, NGOs and unincorporated volunteer groups[110][111]. They were especially relevant in successfully managing what Pekkanen[112] calls "invisible civil society"[113]. Initially, together with the aforementioned groups, they managed to coordinate almost 14,000 volunteers from around the world and organized projects that provided psychological support to residents of temporary housing. Besides, in addition to carrying out awareness campaigns about the tragedy, they helped in the search for job

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[104] This organization operated for quite some time in Ishinomaki and closely cooperated with the local government in the area, with the self-defense forces, the Social Welfare Council, the Japan Youth Chamber.

[105] Eric Anthony Des Marais, Subhasis Bhadra and Allen Dyer, «In the Wake of Japan's Triple Disaster: Rebuilding Capacity through International Collaboration», *Advances in Social Work* 2, n.º 13 (2012): 340-357, http://doi.org/10.18060/1964

[106] Jeff Kingston, *Natural Disaster and Nuclear Crisis in Japan: Response and Recovery after Japan's 3/11* (Abingdon: Routledge, 2012).

[107] We are talking about an organization that was already operating at the end of the 1980s, managing volunteer centers in various prefectures. It was in charge of offering centers and training to volunteers to improve their coordination. To get an idea of its importance among unincorporated groups, in 1989 only 39% of the groups were attached to this type of center. By 2005 the percentage had increased to 96%, which numerically represented a step from 1.6 million to 7.4 million people. Especially after 1995 they became more active as a node linking government institutions with medical services, and these in turn with NPOs and unincorporated volunteer groups (Zensakyō, 2008; Kingston, 2012).

[108] It is a group that manages donation funds, which are used in cases of national emergency. In recent years, when some kind of natural disaster occurs, they support the disaster volunteer centers through the "red feather welfare fund". Apart from doing a great job supporting the victims of the Great East Japan Earthquake, they also created projects to support the area affected by the 2016 Kumamoto earthquake (Akaihane, 2021).

[109] *Kensetsutekina kyōdō* (建設的な共同) or "Constructive collaboration".

[110] Akaihane. «*Chūō kyōdō bokinkai ni tsuite*». Accessed on March 14, 2021. http://shorturl.at/fhsI4.

[111] "Keisatsuchō"

[112] Robert Pekkanen, *Japan's Dual Civil Society: Members Without Advocates* (Standford: Stanford University Press, 2006), 103.

[113] That is to say, a sphere formed by small groups of volunteers, informal and non-hierarchical that are easily formed and dissolved once the primary needs of those affected are met.

opportunities for farmers and fishermen in the area who had lost their traditional way of life[114][115].

Although the context in 2011 was considerably more dangerous than that of 1995, the social and technical capital accumulated during this period of sixteen years served so that in this case the mechanisms of the State also acted quickly after the earthquake. As recounted by Ogata (2016), Prime Minister Kan Naoto, after convening the National Emergency Management Committee, declared a national emergency in Tōhōku and dispatched self-defense forces and disaster medical assistance teams for medical and emergency operations rescue. Within hours, the first detachments were on the scene and around 11,000 arrived during the preceding three days. On this occasion, both the medical aid teams and the self-defense forces actively cooperated with NGOs and volunteers to help with the rescue and relief of the victims, also avoiding the ineffective overlapping that occurred in Kobe.

The influx of volunteers is estimated to have peaked around the summer of 2011, varying in concentrations of 140,000 to 180,000 between Miyagi, Iwate and Fukushima prefectures. As usual, by the same dates the following year, once the primary needs of those affected had been covered, the number of volunteers on the ground had already been reduced to about 20,000[116]. A large part of these volunteers had been groups that were created and disappeared, so, despite their very important work, they were supported by highly contextual expectations. In other words, these were not groups with sufficient strength and potential to develop a long-term project. It should be remembered here that one of the elements for the development of a strong civil society, or what we understand as an aspirational form, is to ensure the durability of the project to be developed and the ideas associated with it, after the initial euphoria has ended. Hence, it is important to highlight the work of NPOs, such as *Fukushima Saisei no Kai* or "Rebuild Fukushima", in charge of rearticulating the entire area, and Iitatemura or *Magokoro Netto* operating in the Iwate area, and whose convoluted mechanisms of articulation and proposals are the object of past (and future) research addressed by the author of the present article[117].

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[114] Rachel Leng, «Japan's Civil Society from Kobe to Tohoku. Impact of Policy Changes on Government NGO Relationship and Effectiveness of Post Disaster», *EJCJS* 1, n.º 15 (2015): 1-9.

[115] Joanna Guzik, «New Japanese Civil Society: Kobe Earthquake of 1995 and Fukushima Accident of 2011 as Focal Points in the Development of the Japanese Civil Society After WW II», *Rocznik Orientalistyczny* 2, n.º 20 (2017): 145–160.

[116] "Zensakyō"…

[117] Mario Malo, «Breve recorrido por el emprendimiento social en Japón: Del Japón premoderno hasta el Tōhoku post Fukushima», *Mirai. Estudios Japoneses*, n.º 4 (2020): 75-85, https://doi.org/h5qg .

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Nowadays, regarding the state of the arts in the development of the concept of "civil society", it is worth mentioning contemporary authors specializing in civil society studies in the Japanese sphere, such as Yamamoto[118], Swartz and Pharr[119], Nakano[120], Pekkanen[121], Takao[122], Ogawa[123], Gill, Steger and David[124], Kingston[125], Brannigan[126], Slater, Kindstrand and Nishimura[127] or Wiemann[128], among others. They add or eliminate new social actors depending on the context, and provide semantic changes in the definition of the concept. In any case, they do so from the same interpretative basis of the Illustration-Gramsci line, together with the currents of the 90s contemplated by Gouldner, Habermas, Cohen and Arato or Diamond.

VIII. **Conclusion**

In the synthesis of these conceptions, and through the bibliographic study and the application of qualitative analysis techniques and field research with Japanese civil society groups, evidence shows that we are facing a concept with a wide variety of facets. In fact, its dynamism and historical transformation have been substantially modified depending on the characteristics of the context in which they were articulated, economic interests, the State, movements and organizations of civil society. The adaptation of this concept of the discursive tradition of the European illustration, essentially *emic,* assimilating and transforming into an *etic*

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118 Tadashi Yamamoto. *Deciding the Public Good: Governance and Civil Society in Japan* (Tōkyō: Japan Center for International Exchange Press, 1999).

119 Schwartz and Pharr, *The State of Civil Society in Japan*….

120 Lynn Nakano, *Community Volunteers in Japan: Everyday Stories of Social Change* (New York: Routledge Curzon, 2005).

121 Pekkanen, *Japan's Dual*….

122 Takao, *Reinventing Japan: From*….

123 Akihiro Ogawa, *The Failure of Civil Society?: The Third Sector and the State in Contemporary Japan* (New York: State University of New York Press, 2010).

124 Tom Gill, Brigitte Steger and David Slater, *Japan Copes with Calamity: Ethnographies of the Earthquake, Tsunami and Nuclear Disasters of March 2011* (Swiss, Peter Lang, 2013).

125 Jeff Kingston, *Critical Issues in Contemporary Japan* (London: Routledge, 2014).

126 Brannigan, *Japan's March*….

127 David Slater, Love Kindstrand and Keiko, «Crisis and Opportunity: Social Media in Kōbe, Tōhoku, and Tōkyō» in *Disasters and Social Crisis in Contemporary Japan* ed. by Mark Mullins y Koichi Nakano (Hampshire: Pallgrave MacMillan, 2016), 209-238.

128 Anna Wiemann, «Zivilgesellschaft in Japan: Schlaglichter auf ein bewegtes Forschungsfeld», *ASIEN*, n.º 144 (2017): 105–118. https://doi.org/10.11588/asien.2017.144.14779.

concept, has been applied to Japanese society in a transnational and national context, from a perspective halfway between ethnocentrism and cultural relativism. We can affirm that the Japanese academic world in the field of social sciences, in general, works with a wide variety of non-native concepts *without* any type of methodological inconvenience, such as: *vorantia* (ヴォランティア)、 *fashizumu* (ファシズム), *sōsharizumu* (ソーシャリム), etc. For this reason, *de facto*, the translation of the concept of civil society into Japanese, analytically, at socio-structural levels, operates in a very similar way, which is why it has been secularly functional.

As we see through this article, the idea of civil society in Japan has been enriched through the epistemological irradiation of the Euro-Atlantic world. It has had its own internal developments and adaptations during the second half of the 20th century. Furthermore, it has ended up being part of the global interpretations, understanding it as an organized social drive, or at least partially, trying, basically, to provide services to communities in areas where the State does not reach or is not effective. In addition, as a guarantor of substantive subjectivity, it has the dialectical function of counteracting the formal subjectivities of State power and economic forces when they act through coercive dynamics, or when particular interests prevent a rapid response to a situation of social need or emergency. In addition, it functions as an entity separate from political society and from other regular and secular powers that run through it, and with which it coexists in competition. On the other hand, it has the function of giving legitimacy to any democratic State and in its aspirational form represents the social legality of the common interest, being the guarantor of shared welfare when what Michels[129]characterized as the "iron law" of the oligarchy is imposed. Likewise, its definition is based on concomitant concepts such as volunteering, non-profit, altruism and shared conventionalism, in a process in which civil society performs fundamental tasks for the strengthening of the plural values of democratic citizenship and the articulation, aggregation and grassroots interest representation. In addition, especially after March 2011, we include new forms of socioeconomic action such as certain types of social entrepreneurship that have operated as the backbone of the territory in contexts such as the Fukushima Triple Disaster[130].

[129] Robert Michels, *Political Parties: A Sociological Study of the Oligarchical Tendencies of Modern Democracy* (New York: Free Press Paperback Edition, 1966), 21.

[130] Malo, "Breve"…

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The Modernization Resolution of Vietnam's Education System by the Francophone Road in the East-West Cultural Conflict of the Late Nineteenth Century and the Early Twentieth Century

La resolución de la modernización del sistema educativo de Vietnam por la vía francófona en el conflicto cultural Este-Oeste de finales del siglo XIX y principios del XX

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Summary: I. Introduction.—II. The francophone road in the integration of Vietnamese education into the modern world one in the late nineteenth and early twentieth century. 1. The introduction and development of the francophone education system in Vietnam. 2. Impacts of the francophone education model on the contemporary Vietnamese education system. 3. The future and prospects of educational relationship between Vietnam and francophone education.—III. Conclusion.

Abstract: Even though the colonial authorities tried to use education as a political tool to serve their ruling purposes, the francophone education system was an important bridge between Vietnam's traditional Confucian education and mankind's modern one. One of the greatest achievements of the francophone education system in Vietnam was the training of a modern westernized intelligentsia different from traditional Confucian intellectuals. Although the Soviet and other socialist educational models later replaced the francophone education system, the cornerstones of all existing modern educational models of Vietnam have originated from the very first settlements of the francophone education in the Far East Country. The fundamental elements of the francophone education therefore play an important role in the integration and development of the Vietnamese education into the modern world education system. The modernization of the Vietnamese education system in the colonial period under the decisive influences of the francophone model could, to some extent, be seen as a historical resolution to modernity of Vietnam's schools in the circumstances of the East-West dispute that nearly all Asian countries experienced in the second half of the nineteenth century and the first half of the twentieth century.

Keywords: modernization, education system, francophone road, Franco-Vietnamese education, modern westernized intelligentsia.

Resumen: *Aunque las autoridades coloniales intentaron utilizar la educación como una herramienta política para servir a sus propósitos, el sistema educativo francófono fue un puente importante entre la educación confuciana tradicional de Vietnam y la educación moderna de la humanidad. Uno de los mayores logros del sistema educativo francófono en Vietnam fue la formación de una intelectualidad moderna occidentalizada diferente de los intelectuales confucianos tradicionales. Aunque el sistema educativo francófono fue reemplazado más tarde por el soviético y otros modelos educativos socialistas, las piedras angulares de todos los modelos educativos modernos existentes en Vietnam se originaron desde los primeros asentamientos de la educación francófona en el país del Lejano Oriente. Por lo tanto, los elementos fundamentales de la educación francófona juegan un papel importante en la integración y el desarrollo de la educación vietnamita en el sistema educativo mundial moderno. La modernización del sistema educativo vietnamita en el período colonial bajo las influencias decisivas del modelo francófono podría verse en cierta medida como una resolución histórica a la modernidad de las escuelas de Vietnam en las circunstancias de la disputa Este-Oeste que experimentaron casi todos los países asiáticos en la segunda mitad del siglo XIX y la primera mitad del siglo XX.*

Palabras clave: *modernización, sistema educativo, vía francófona, educación franco-vietnamita, intelectualidad moderna occidentalizada.*

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I. **Introduction**

The dominance of the education model of the English-speaking countries in the current international academic activities often leads to thinking that the internationalization of Vietnam's education system is the process of operation, development, and integration into the educational world of the English-speaking ones. However, the history of formation and development of the modern Vietnamese education system has proved that before being immersed in the general flow of the English-speaking education model, which is usually considered as one of the most preeminent standards of mankind's current education, Vietnam's traditional education system with obvious characteristics of Eastern Asian Confucianism had been in strong contact with another Western education system. The francophone education model has been formed and developed in Vietnam since the French officially set foot on Vietnamese soils and has still been playing a certain part in the internationalization of Vietnam's current education system, but grew strongest in the colonial period from 1858 to 1954. Globally, Vietnamese scholars have often considered the francophone education system as an integral part of the Western education model in difference from and in contrast to the inherent Eastern Asian education system of their own one. Although Western education does not mean the francophone education only, the francophone education system shares, in general, a lot of similarities that are difficult to recognize in comparison with other Western education systems in the eyes of the traditional Vietnamese intellectuals.

It means that prior to the appearance of the French colonialists in Indochina, Vietnamese people had successfully built their own model of education. In such a circumstance, the arrival and presence of the francophone education in Vietnam not only provided the native residents with an entirely different model of development, but also opened a new chapter in the integration of the Vietnamese education into the world's modern one. However, this process did not take place as easily and simply as it has been described in the available literature. This is on the one hand because the Eastern Asian feudal dynasties never wanted to give up their dominance in the field of education in particular and in all other aspects of life in general. On the other hand, the new comers and the western colonialists would like to impose a new form of education on the conquered groups according to their own model of training. How did the Vietnamese education system react to such an East-West conflicting situation of the colonial period and choose the way to keep moving forward? How did the francophone education system affect the modernization of Vietnam's traditional Eastern Asian education system

in the late nineteenth and early twentieth century? What elements of the francophone education system should be preserved, promoted, and developed in the international integration of the Vietnamese education in the coming time? These issues have been basically addressed by several Vietnamese researchers and foreign scholars in various forms and degrees. However, none of them has fully focused on analyzing the impacts of the francophone education model on the modernization and internationalization of Vietnam's traditional educational system and the historical resolution of Vietnam's schools to the East-West cultural conflict in the second half of the nineteenth century and the first half of the twentieth century. This paper therefore studies specific contributions of the francophone education system to the formation and development of Vietnam's modern education model in comparison with other multilingual education systems. Using qualitative and quantitative methods, it confirms that although the English-speaking education model has currently been demonstrating its practical quality and effectiveness in global academic activities in general and its superiority in Vietnam's education system in particular, it was the francophone education model that established the first bases for the appearance and development of a modern Vietnamese education system and, at the same time, contributed significantly to the introduction of the Vietnamese education to the external world. The modernization of the Vietnamese education system by the francophone road could therefore be seen as a historical choice and alternative resolution of Vietnam's schools to the East-West cultural dispute in the Indochinese colonial period. Based on the aforementioned research results, the study offers some suggestions to maximize the inherent advantages that the francophone education system can contribute to the international integration of Vietnam's education in the decades to come.

II. **The francophone road in the integration of Vietnamese education into the modern world one in the late nineteenth and early twentieth century**

1. *The introduction and development of the francophone education system in Vietnam*

The establishment and development of the francophone education system in Vietnam was closely linked to the French presence in Indochina and can be divided into three phases (1861-1906-1919-1945) and several periods. The first period took place in the years of 1861-

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1868. On September 21, 1861, the Évêque d'Adran interpretation school (Bá Đa Lộc) was established to train interpreters for the colonial government[1] due to language barrier[2]. This is considered as one of the first steps for the emergence and growth of the francophone education system in Vietnam later[3]. Although this school was also a teacher training ground for other schools, its size was still too modest and although the colonial administration intended to increase the number of scholarships for the school of Bá Đa Lộc[4], the Confucian education of Nguyễn Dynasty was still maintained in the three newly occupied provinces (Biên Hòa, Gia Định, Định Tường). The maintenance of this traditional education system did not find favor from many French, as it would contribute to creating the seeds of resistance to the newly established colonial administration[5].

Facing such a situation, on July 16, 1864, the French government opened a number of primary schools in the occupied provinces to teach Vietnamese national scripts and mathematics. By 1866, the French established 47 primary schools with 1,238 pupils[6] and began sending

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[1] Phan Ngọc Liên, *Giáo dục và thi cử Việt Nam (Trước Cách mạng tháng Tám)* (Hà Nội: Nhà xuất bản Từ điển bách khoa, 2006), 111. (Phan Ngoc Lien, *Education and Exams in Vietnam (Before the August Revolution)* (Hanoi: Encyclopedia Publishing House, 2006), 111).

[2] Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại* (Hà Nội: Nhà xuất bản Giáo dục, 2006), 35-36. (Phan Trong Bau, *Modern Vietnamese Education* (Hanoi: Education Publishing House, 2006), 35-36).

[3] One of the Vietnamese figures of the time who contributed greatly to the establishment and development of this school is the scholar, namely Trương Vĩnh Ký. In the year of 1851, Trương Vĩnh Ký or sometimes called as Petrus Ký was taught French language by a French priest. In the year of 1858, Trương Vĩnh Ký took the role of an interpreter for the French cononialists in Vietnam. In the year of 1860, he accepted to be an interpreter for Jauréguiberry. On May 8th, 1862, Trương Vĩnh Ký was invited to occupy an official position as a teacher at the interpretation school of Bá Đa Lộc. In the year of 1866, Trương Vĩnh Ký participated in the management of the Newspaper of Gia Định. Together with Huỳnh Tịnh Của, H ồ Văn Nghi and other colleagues, he tried to promote the study of the national script (chữ quốc ngữ) and encourage the spread of modernized Western studies into Vietnam. Activities of this intelligentsia are thought to have played an important role in the process of transforming the quốc ngữ into the official writing system of the colonial government apparatus. On April 1st, 1871, the Pedagogical School of Cochinchina was established. Trương Vĩnh Ký was invited to take the managerial job at one of the first specialized schools for education which was built according to Western criteria in Vietnam.

[4] Bá Đa Lộc is the Vietnamse name of Pierre Joseph Georges Pigneau de Behaine which is often shortened to Pigneau de Behaine (1741-1799). His name in Chinese characters are 百多祿 which are translated from the French nam of *Pierre* and similar to the name of *Petrus* in Latin.

[5] Phan Trọng Báu (2006), *Giáo dục Việt Nam thời cận đại*, 37.

[6] Phan Ngọc Liên, *Giáo dục và thi cử Việt Nam*, 111.

Vietnamese children of the colonial officials to France for study[7]. The situation seemed to be better in Christian communities, as the Bible was often more accessible than the Newspaper of Gia Định. On that basis, the French were extremely optimistic about their "*spiritual conquest*"[8], but they could not immediately spread this educational model to all 2,000 Cochinchina's villages. Therefore, village schools still taught Chinese characters, while Vietnamese and French teaching schools were only allowed to open to the extent permitted[9]. After taking over the whole area of Cochinchina in 1867, Admiral Lagrandière opened a primary school in each provincial town with the help of a number of interpreters as teachers to train students how to read and write. These learners then went to the villages to open new schools for rural residents[10].

In addition to the opening of colonial schools, the French colonialists in Indochina also began to send Vietnamese people in the colonial system to study in France. In the early year of 1867, they began to send 12 Vietnamese students to France for this mission. At the end of that year, 15 more ones were sent to France for further education and training[11]. The number of French-trained students in Vietnam was hence gradually increasing in the following decades. This number was continuously added by a rising number of children of landlords, children of affluent families, and some scholarship holders from a wide variety of sources for study in France or other Western countries. These Westernized or western educated people later became modernized intelligentsia who could both speak French and use the quốc ngữ (the Vietnamese national language script) as native speakers.

Nevertheless, *in the years of 1868-1885*, the francophone education was only rooted in Cochinchina[12] and was still unable to become a stable model as a whole, while there was basically nothing significant in Tonkin and Annam. Although nearly 10 years of efforts had been over and traditional Confucian education in Cochinchina existed only with sporadic classes in the countryside[13]. The francophone education did not become a stable and

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[7] Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ* (Sài Gòn: Nhà xuất bản Lửa Thiêng, 1970), 241. (Nguyen The Anh, *Vietnam under French domination* (Saigon: Lua Thien Publishing House, 1970), 241).

[8] Taboulet, G., *La geste Francaise en Indochine* (Paris: Andrien, 1955), 600, in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại* (Hà Nội: Nhà xuất bản Giáo dục, 2006), 47.

[9] Luro, *Cours d'administration annamite* (Sài Gòn), 783, in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 39.

[10] Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại,* 40.

[11] Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 241.

[12] Nguyễn Thế Long, *Nho học ở Việt Nam - Giáo dục và thi cử* (Hà Nội: Nhà xuất bản Giáo dục, 1995), 40. (Long Nguyen The Long, *Confucianism in Vietnam - Education and Exams* (Hanoi: Education Publishing House, 1995), 40).

[13] Nguyễn Thế Long, *Nho học ở Việt Nam - Giáo dục và thi cử*, 40.

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systematic model for the newly conquered inhabitants. In 1868, Admiral Lagrandière built a primary school for French children at elementary level, primary college, and French and Vietnamese interpreters, which were taught according to the curricula of the French high school[14]. However, it was until 1868 that the French colonialists were only able to open a total number of 58 schools in Cochinchina. This included two schools of the Church with 1,368 students[15].

On July 10, 1871, Admiral Dupré established *the Colonial Pedagogical School* in Saigon to train teachers and official staffs with 60 students[16]. In 1873, the French administration opened a series of schools to teach the national language script, some primary levels of French language, and some scientific knowledge to replace the Confucian schools, but the number of people attending was not as numerous as expected. Therefore, the education conference of the whole Cochinchina in early 1873 concluded that the francophone education had not been successful over the past 10 years. Chinese characters were still regularly studied in the countryside, while the French and Vietnamese national languages were still very limited to a small number of urban inhabitants. A sudden change in education was therefore completely impossible in the short term[17].

Facing such a challenging situation, in 1874 the French established the Cochinchina Agency for Education and issued the Regulation on Education to divide the francophone education system into two levels: primary (3 years) and high school (3 years). While more people were given more opportunities to attend primary schools in Saigon, Chợ Lớn, Mỹ Tho, Vĩnh Long, Bến Tre, Sóc Trăng, they could only attend high schools in Saigon[18].

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[14] Luro, *Cours d'administration annamite,* 783, in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại,* 41.

[15] Vial, P., *L'instruction Pulique en Cochinchine* (Paris, 1872), 14, in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 39.

[16] In 1874, the first graduates of this school were allocated to 20 different primary schools in Cochinchina.

[17] Luro, *Cours d'administration annamite,* 783, in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 41.

[18] On November 14, 1874, the first high school was established in Saigon, the Chasseloup Laubat High School (Collège Chasseloup Laubat) or the Indigenous School (Native School). This school was not only the gathering place for the large part of the most outstanding pupils of Cochinchina at that time, but it also attracted a lot of famous teachers. The most typical on the side of learners are Trần Ngọc Án, Nguyễn Bính, Phan Văn Hùm, Hồ Văn Ngà, Tân Hàm Nghiệp, Nguyễn Văn Sâm, Vương Hồng Sển, Trần Văn Thạch, Nguyễn Văn Thinh… On the teacher side are Diệp Văn Cương, Cao Hữu Đinh, Nguyễn Văn Mai… At the beginning of the twentieth century, the school offered all levels of education from primary to baccalaureate education according to the French program. The school was renamed to *Lycée Jean Jacques Rousseau* in 1920 and Lê Quý Đông School in 1966.

Nevertheless, the results achieved in practice were still insignificant[19], because the French colonialists were reported to be too hasty in the early years of colonization in Cochinchina. However, after implementing the policy of teaching what the Vietnamese people had hitherto learned with their own script, the Chinese characters gradually lost their prestige in Southern Vietnam[20]. Meanwhile, the Vietnamese national language script and French language became increasingly popular.

After a number of tireless efforts, in 1878[21], the quốc ngữ and French eventually replaced the Chinese characters in the colonial administration system of Cochinchina[22]. Anyone who would like to work for the colonial administration system of Cochinchina since then needed to prove their ability to use their Vietnamese national language script for their job[23]. French and Vietnamese national languages became a compulsory part of local examinations (các kỳ thi Hương) from 1903. In similarity to Vietnamese, only those who could use French for work were recruited into the colonial state system. From 1906, candidates of the local, central, and court examinations, which were organized for every 3 years, had to pass French and mathematic quizzes (primary arithmetic)[24]. In 1932, this provision was also applied for Tonkin and Annam[25].

Overall, in spite of granting a wide variety of scholarships, the newly established francophone education system did not attract the expected number of native learners. In 1879, a three-level education system: the communal school (3 years), the district school (3 years), and the secondary school (4 years) were established under the *New Regulation*. This plan was hoped to "*eliminate Chinese characters*"[26] from the education system in

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[19] Luro, *Cours d'administration annamite,* 746, in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại,* 45.

[20] Taboulet, *La geste Francaise en Indochine,* 595, in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 47.

[21] According to the famous researcher in Vietnam's education history, Phan Trọng Báu, the landmark to abolish the quốc ngữ (the national language script) in Cochinchina was in 1882. "*Along with the plan to open schools, the authorities issued decrees that forced the people to use national language (quốc ngữ) in all state documents since 1882,* in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại,* 51. The dara here is taken from Lê Văn Giạng, *Lịch sử giản lược hơn 1000 năm nền giáo dục Việt Nam (Sách tham khảo)* (Hà Nội: Nhà xuất bản Chính trị Quốc gia, 2003), 78. (Le Van Giang, *A Brief History of More than 1000 Years of Education in Vietnam (Reference Book)* (Hanoi: National Political Publishing House, 2003), 78).

[22] Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 52.

[23] *Ibidem,* 52.

[24] Nguyễn Thế Long, *Nho học ở Việt Nam - Giáo dục và thi cử,* 41.

[25] Lê Văn Giạng, *Lịch sử giản lược hơn 1000 năm nền giáo dục Việt Nam*, 79.

[26] *L'Ère nouvelle* (Kỷ nguyên mới) (Sài Gòn, September 1879), 2, in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 42.

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Cochinchina. Developing the national language script was also considered as a measure to limit the influence of Chinese characters[27]. Under this new decision, a primary school would be built in each district. A total number of 20 primary schools would be opened in the whole Cochinchina apart from 6 secondary schools. Chasseloup Laubat High School was designed to offer high school curricula, but elementary school courses were still temporarily provided, while the school of Bá Đa Lộc was the educational institution for all three levels of training. All of them were under the management of the Cochinchina Department of Education, which were established on March 17, 1879.

However, as the village communities and the communal bases were largely ignored and the manpower and facilities of the colonial state were in shortages, the plan proposed on March 19, 1879 ended up only on paper. In such a context, Lemyra de Viler intended to build an education system resembling exactly the French content, but taught in the Vietnamese national language script. Within the framework of this plan, on June 14, 1880, Chasseloup Laubat High School was allowed to teach all three levels of education, while a new high school was opened in Mỹ Tho, and a school dedicated to overseas Chinese children and Chinese half-children was opened in Chợ Lớn. On July 2, 1880, a new school was opened in Saigon for both boys and girls from 6 to 12 years of age. Of the 12 pre-existing district schools, 3 of them were boarding schools and served by French teachers, 2 schools were given to missionaries and became Catholic schools, 7 other schools were merged with communal schools. The remaining communal schools were still fully autonomous. Although the plan of Lafont and Lemyre de Viler could not be successfully implemented due to lack of facilities and personnel[28], a francophone education system was formed in Cochinchina. According to this model, provincial schools usually offered courses in all 3 levels of education, district schools only provided 2 levels of education, and communal schools only served primary learners.

Despite a wide range of efforts, after nearly 20 years of domination in the colonial Cochinchina (1867-1886), the entire francophone education system in Vietnam could only include 17 schools managed by the European colonialists. Of these, 10 schools were designed for boys and 7 schools for girls. Only 48 French teachers and 78 Vietnamese ones who were responsible for teaching 1,829 pupils from 10 boy schools served the whole newly established education system. In addition, there were 25 French

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[27] *Ibidem*, 43.

[28] Cultru, *L'histoire de la Cochinchine francaise des origines à 1883* (Paris, 1910), 400, in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 51.

female teachers and 13 Vietnamese teachers who were in charge of the teaching for 992 pupils from girl schools. Furthermore, 24 French teachers and 51 Vietnamese ones worked for 16 district schools with 1,553 pupils. Moreover, 270 Vietnamese teachers served at 219 inter-communal schools with 10,441 pupils. At the same time, 91 Vietnamese were teachers of 3,416 pupils in 91 communal schools across Cochinchina. The whole education system of Cochinchina in 1885 consisted of a total number of 343 educational institutions, 600 teachers (97 French and 503 Vietnamese ones), and 18,231 pupils. By 1885, Chochinchina was home to three schools for consultant training, while schools for interpreters and legal judges were also opened in Hanoi. However, Tonkin had only two French and Vietnamese national language schools founded in 1885 by General Brière De Lisle[29]. Overall, the French failed to realize their goals of eliminating Chinese characters and the influences of Confucian scholars to build the totally novel francophone education in Cochinchina.

More specifically, the proportion of learners in the francophone education system in Vietnam at that moment was less than 1% of native inhabitants, while the school system, which was instructed in Chinese characters, still existed with nearly 9,000 students and 426 teachers. Inter-communal schools and communal schools accounted for a very high proportion with 316 out of 503 schools (71.5%), but education quality was still problematic[30]. Therefore, the francophone education system in Cochinchina was only able to train a few Vietnamese to speak French, but most of them were not standardized[31]. At the same time, locally run schools fundamentally failed to meet the expectations to the extent that their existence and disappearance was not different[32]. That means the French colonial governors tried to use various methods to train interpreters and state staff for the colonial apparatus as well as to build a francophone education for the replacement of the traditional methods of education in Cochinchina. However, after nearly 25 years of attempt they were still unable to replace the Chinese characters by the French and Vietnamese national language script. The French colonial administrators in Indochina therefore showed more caution in the process of building the francophone education in Tonkin and Annam afterwards. Nevertheless, *the French laid the first bricks for a completely new education in the direction of*

[29] Marc, H. and Cony, P., *Indochine francaise (Đông Dương thuộc Pháp)* (Paris, 1946),12, in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 58.

[30] Cultru, *L'histoire de la Cochinchine francaise des origines à 1883* (Paris, 1910), 400, in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 54.

[31] *Ibidem*, 54.

[32] *Ibidem*, 54.

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integration with the world in Vietnam. In general, although the percentage of learners in the francophone education system in Vietnam was less than 1% of the population[33], *a completely new education system was established in Vietnam towards integration into the modern world education*.

In the years of 1886-1906, the education in Vietnam turned to a new page with the appearance of Paul Bert as general ambassador to Tonkin and Annam in June 1886. In addition to the establishment of the Academic Committee for native scholars, Paul Bert also reformed the educational apparatus and opened many new schools, but training programs were much more simplified[34]. This was the foundation of the French-Vietnamese school system in the later decades. Administrative centers were encouraged to open new schools and invite interpreters, civil servants, and even non-commissioned officers in the French army to work as teachers at schools. At the same time, the colonial administration also sponsored the missionaries to open more private schools for children from all lifestyles. Two vocational schools were also established during this period. One school was designed to train carpenters and blacksmith workers, another was constructed for the training of native handicraft workers[35]. It was also during this period, a special high school to teach French language for royal members and the children of high-ranking mandarins in the court was opened in the former capital city of Hue[36], while Tonkin Academy of Northern knowledgeable men was also established on July 3, 1886[37]. As a result, a school for interpreters, 9 elementary schools for boys, 4 elementary schools for girls with the same curriculum as that of Cochinchina's elementary schools, one drawing schools, and 117 national language schools[38] were set up within around a year. However, Paul Bert's death at the end of 1886 brought his educational reform plans to an essential halt[39].

In 1889, the French colonial administrators in Cochinchina erected a few of new schools in Cao Bằng, Đ`ồng Đăng, Lạng Sơn, Na S`âm, Thất Khê... In 1892, they opened night French classes for some Vietnamese and

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[33] Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại,* 2-3, 54.

[34] Marc, H. and Cony, P., *Indochine francaise (Đông Dương thuộc Pháp)* (Paris, 1946), 12, in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 58.

[35] Dumoutier, G., *Les débuts de lenseignement francaise au Tonkin* (Hà Nội, 1905), in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 59.

[36] Nguyễn Thế Long, *Nho học ở Việt Nam - Giáo dục và thi cử,* 41.

[37] Phong Nguyen, "The Vietnamese Scholarship at the Turn of the Millennium: A Study of the Pioneering Works of Gustave Emile Dumoutier (1850-1904)," *ASIANetwork Exchange*, Vol. 25, Issue 1 (2018), 101 (96-114).

[38] Dumoutier, G., *Les débuts de lenseignement francaise au Tonkin* (Hà Nội, 1905), in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 59.

[39] Nguyễn Thế Long, *Nho học ở Việt Nam - Giáo dục và thi cử,* 41.

Chinese civil servants in Đông Hưng and Móng Cái. Paul Bert's ambition to build a francophone education system in Tonkin and Annam was then partly followed by Governor General De Lanessan from 1894, when he restored the classes, which were instructed in Vietnamese and Chinese characters for French officials, opened printing houses, and founded the *Gazette* in Chinese characters. The francophone education system in Vietnam continued to be expanded with the establishment of Hue's School of Quốc học (Hue National High School), which was managed by Annam Governor under General Governor Rousseau. Following the civilized career of the predecessors, in 1898, Paul Doumer founded the French School of the Far East (École française d'Extrême-Orient, EFEO). One of the first missions of this school was to do research and propose an educational reform program[40] for the colonies in Indochina[41].

However, nearly 10 years after Paul Bert's death in 1886, the educational career of the French colonialists in Tonkin and Annam was still assessed not to achieve significant results[42]. It means that the expensive lessons from hastily building the francophone education system in Cochinchina forced the French to accept the existence of the Confucian education system in Tonkin and Annam for a longer time[43]. Nevertheless, it was in essence nothing more than a strategy to buy time, as it was difficult for the French administrators in Chochinchia to accept the existence of an educational system that was contrary to their own governing philosophy[44].

In 1900, the number of French-Vietnamese schools was distributed to the following provinces: Hanoi 15, Hải Phòng 5, Nam Định 4, Thanh Hóa 2, Vinh 2, Huế 2, Hội An 1, Nha Trang 1. Furthermore, there were two more high schools in Hanoi and Hue as well as 16 evening classes taught by interpreters in Hanoi. It was until 1905 that Vietnam's education system existed in three different forms. In Cochinchina, most communes were home to French-Vietnamese primary schools that taught French and national languages to native learners. Chinese characters were almost completely abolished or were only a minor subject at the elementary

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[40] Professor C.L.E. Maitre, a member of the school, had a research work in the service of the educational reform in 1906.

[41] Nguyễn Thế Long, *Nho học ở Việt Nam - Giáo dục và thi cử,* 41.

[42] *Ibidem,* 41.

[43] Nguyễn Văn Kiệm, *Lịch sử Việt Nam đầu thế kỷ 20-1918* (Hà Nội : Nhà xuất bản Giáo dục, 1979), 30. (Nguyen Van Kiem, *History of Vietnam in the early 20th century-1918* (Hanoi: Education Publishing House, 1979), 30).

[44] Hồ Sơn Diệp, *Trí thức Nam Bộ trong kháng chiến chống Pháp (1945-1954)* (Thành phố Hồ Chí Minh: Nhà xuất bản Đại học Quốc gia Thành phố Hồ Chí Minh, 2003), 24. (Ho Son Diep, *Southern intellectuals in the resistance war against the French (1945-1954)* (Ho Chi Minh City: Ho Chi Minh City National University Press, 2003), 24).

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schools. Additionally, Cochinchina at this time also had a number of famous high schools such as Chasaloup Laubat and Bá Đa Lộc. In Tonkin and Annam, the number of French and Vietnamese national language teaching schools was still relatively modest. In Annam, Chinese characters teaching schools were still fairly popular[45].

That means in the early years of the twentieth century, traditional Chinese education still prevailed in Tonkin and Annam. A few of new Franco-Vietnamese schools were established mainly to train interpreters and low-ranking officials for the colonial government. The francophone education system was still unable to compete with Chinese education in the rural areas. There were 407 private schools teaching Chinese characters in the rural areas of the province of Bắc Ninh, while there were only 15 public French schools organized and managed by the colonial state[46]. Those who graduated from the francophone education system were basically still relatively inferior compared to the former Confucian school graduates on the road to power promotion[47]. The fact shows that although Tonkin, Annam, and Cochinchina possessed different educational systems, the basic premises for a comprehensive education reform began to appear.

In 1905, Governor-General Paul Beau established the Education Reform Council for the whole Indochina Federation. In 1906, the French colonialists established the Indochina Department of Education[48], which was in charge of carrying out educational reform, revising and supplementing the traditional education system[49]. The Decree of May 31, 1906 divided the old education into 3 levels of education: Preschools (*Ấu học)* in communal schools and village schools to obtain admissions degrees (*Tuyển sinh*), Primary schools (*Tiểu* học) at district schools for the *Khóa sinh*, and High schools in provincial schools to prepare for local exams and central exams[50]. In addition, the francophone model of education was also used by the Church to spread religion, but they were not owned by the state and used to serve the entire community.

In the period of 1906-1918, although the number of pupils and teachers was believed to be limited by the colonization, it gradually increased as a

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[45] Dumoutier, *L'Enseignement Francaise – Annamite* (Hà Nội, 1900), 33, in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 60.

[46] Maitre, C. L. E., *L'enseignement indigène dans L'Indochine Annamite,* (Hà Nội, 1907), 6, in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 62-63.

[47] Gourdon, *L'enseignement des indigènes en Indochine* (Paris, 1910), 17, in: Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 63.

[48] H`ồSơn Diệp, *Trí thức Nam Bộ trong kháng chiến chống Pháp (1945-1954),* 24.

[49] Phan Ngọc Liên, *Giáo dục và thi cử Việt Nam (Trước Cách mạng tháng Tám),* 116.

[50] Nguyễn Thế Long, *Nho học ở Việt Nam - Giáo dục và thi cử,* 41.

rule to modernity. In 1906, Vietnam had a total number of 26 secondary schools taught in French[51]. In 1913, Vietnam had 19,399 pupils at primary school and 12,103 pupils at primary colleges[52]. According to another source, in the same year of 1913, the number of primary pupils in public schools in Tonkin was 34,292 ones, in Annam was 15,051 ones, and in Cochinchina was 48,131 ones, but only 502 Vietnamese teachers were in charge of the teaching for these students[53].

However, after having fully prepared the necessary conditions for the birth of the Franco-Vietnamese education, the French colonial administrators in Indochina officially abolished the Confucian education in Tonkin in 1915 and this was applied for Annam in 1919[54], but they still had to admit the existence of some part of Hue court education[55]. In 1915, the local exam was eliminated in the North and in 1917 in the Central Vietnam[56]. On December 21, 1917, the colonial government issued new regulations on the organizational structure of the educational apparatus to facilitate further developments of the francophone education system[57]. This policy brought the francophone education system to the forefront to replace the traditional education system in Vietnam[58].

After the First World War (1914-1918), Governor General Albert Sarraut issued a new educational regulation that emphasized the higher status of the French language. The teaching of French had to begin at the elementary level[59]. In other words, Governor-General Albert Sarraut introduced the teaching of French language to the primary schools in Indochina following the First World War (1914-1918)[60]. By 1924, after sixty years of 'being civilized,' there were only 72,709 pupils in Cochinchina[61]. In the years of 1936-1937, there were only 2,322 primary schools in the entire Vietnam, including the North (Tonkin), Central (Annam), and South (Cochinchina) Vietnam. That is one school for every

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[51] Nguyễn Văn Kiệm, *Lịch sử Việt Nam đầu thế kỷ 20-1918* (Hà Nội: Nhà xuất bản Giáo dục, 1979), 30.

[52] Furnival, J. S., *Educational progress in Southeast Asia* (New York, 1943), 82, in: Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 239.

[53] H`ồSơn Diệp, *Trí thức Nam Bộ trong kháng chiến chống Pháp (1945-1954),* 24.

[54] Nguyễn Văn Kiệm, *Lịch sử Việt Nam đầu thế kỷ 20-1918,* 30.

[55] *Ibidem,* 30.

[56] Vũ Ngọc Khánh, *Tìm hiểu nền giáo dục Việt Nam trước 1945* (Hà Nội: Nhà xuất bản Giáo dục, 1985), 168. (Vu Ngoc Khanh, *Understanding Vietnamese education before 1945* (Hanoi: Education Publishing House, 1985), 168).

[57] *Ibidem*, 168.

[58] *Ibidem*, 168.

[59] Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 239.

[60] *Ibidem*, 239.

[61] H`ồSơn Diệp, *Trí thức Nam Bộ trong kháng chiến chống Pháp (1945-1954),* 24.

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3,000 people with the rate of 2% of the population going to school[62]. If the total number of Vietnam's primary school pupils were rated as 100% in the years of 1941-1942, that of primary school was 15%, that of primary college was 2%, and that of secondary school was only 0.4%[63]. In 1943, Vietnam's population was around 20 million people[64]. It means that all the attempts of the French colonialists in Indochina were basically only significant to the general education system, as the biggest changes in the francophone higher education system in Vietnam mainly occurred during the Second World War (1939-1945).

For higher education and vocational education, on July 10, 1871, Admiral Dupré established the *Colonial Pedagogy School* in Saigon to train teachers and administration staff. To serve the purposes of the colonial exploitation, France's Indochinese colonialists built the Institute of Microbiology in Saigon in 1891. In 1898, the Saigon Agricultural and Industrial Research Institute was established[65]. In 1898, Paul Doumer established the French School for Far East Studies (*École française d'Extrême-Orient*)[66]. In 1901, the French authorities agreed to open the School of Fine Arts and then Institute for Plant Seed Research in Thủ D`ầu Một[67]. In 1902, the University of Medicine[68] or Medical University[69] was founded in Hanoi[70]. In 1903, Biên Hòa School for the Practice of Fine Arts came into existence[71].

In the atmosphere of educational reform of 1906, a number of professional schools, colleges, and universities were also formed[72]. Right after the promulgation of the policy of education reform, Governor-General Paul Beau opened the *Pedagogical schools* to train teachers in Hanoi, Nam Định, Hue and Gia Định. Additionally, vocational education was also a sphere of interest from the colonial state. In 1906, Asian Mechanical School came into being in Saigon. In 1907, Indochina University was established, but only had the Faculty of Medicine and Faculty of Law[73]. This university had to be closed in 1908 due to the revolutionary

62 Vũ Ngọc Khánh, *Tìm hiểu nền giáo dục Việt Nam trước 1945,* 161.
63 *Ibidem*, 161.
64 Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 230.
65 H`ồSơn Diệp, *Trí thức Nam Bộ trong kháng chiến chống Pháp (1945-1954),* 24.
66 Nguyễn Thế Long, *Nho học ở Việt Nam - Giáo dục và thi cử*, 41.
67 H`ồSơn Diệp, *Trí thức Nam Bộ trong kháng chiến chống Pháp (1945-1954),* 24.
68 Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 240.
69 Phan Ngọc Liên, *Giáo dục và thi cử Việt Nam (Trước Cách mạng tháng Tám),* 116.
70 *Ibidem,* 116.
71 H`ồSơn Diệp, *Trí thức Nam Bộ trong kháng chiến chống Pháp (1945-1954),* 24.
72 Vũ Ngọc Khánh, *Tìm hiểu nền giáo dục Việt Nam trước 1945,* 168.
73 Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 240.

movements of students that sometimes went beyond the control of the colonial government and was reopened in 1917 under Governor General Albert Sarraut[74], but with new faculties of Science and College of Fine Arts[75]. However, the University of Indochina (Université Indochine) only really operated from 1939[76]. In 1913, the birth of Gia Định Fine Arts School was recorded[77]. That means in the years 1886-1918, the French colonialists tried their best to carry out educational reform, but encountered fierce resistances from several sides[78].

In 1941, the College of Medicine and Pharmacy (École de Plein Exercise de Médecine et de Pharmacie) was changed to the University of Medicine and Pharmacy of Indochina (École de Médecine et de Pharmacie de l'Indochine) and the College of Law was lifted to the University of Law. These two universities, along with the College of Science, the College of Fine Arts, the College of Agriculture and Forestry, the College of Veterinary Medicine, the College of Public Works, and the College of Pedagogy, belonged to the Indochina University. All of these higher education institutions were organized and operated in similar ways to the French universities at that time. In the academic year of 1941-1942, the Indochina University was home to a total number of 834 students (628 Vietnamese ones). After the August Revolution of 1945, the universities and colleges in Hanoi were operated according to the educational model of the Democratic Republic of Vietnam[79].

In the South of Vietnam in the years of 1954-1975, there were nominally 18 institutes of higher education (7 public and 11 private) with a total number of 166,475 students. Around 80% of them were students of public universities. While Saigon University was structured by 8 member schools, the Universities of Huế, Cần Thơ, Đà Lạt, and Vạn Hạnh all had 5 member schools (faculties), but other universities usually had only 2-3 faculties with around 500 students. All higher education institutions of Southern Vietnam in the years of 1954-1975 were operated according to the French and the US model of higher education[80].

In terms of organizational structure, the colonialist authorities took direct control over the francophone education system in Indochina. In

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[74] Phan Ngọc Liên, *Giáo dục và thi cử Việt Nam (Trước Cách mạng tháng Tám)*, 116.

[75] Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 240.

[76] See: http://www.binhthuan.gov.vn/khtt/Giaoduc/sukien/sukien-idx.htm (acccessed on 21 October 2019).

[77] Phan Ngọc Liên, *Giáo dục và thi cử Việt Nam (Trước Cách mạng tháng Tám)*, 116.

[78] *Ibidem*, 116.

[79] See: http://www.binhthuan.gov.vn/khtt/Giaoduc/sukien/sukien-idx.htm (accessed on 21 October 2009).

[80] See: *Ibidem*.

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charge of the education of three divided regions of Vietnam were three departments of education for indigenous people (*service de l'enseignement local*) headed by the French authorities (*chef de service*). These departments of education were under the control of the French Embassies[81]. In 1874, the French colonialists established the Office for Education of Cochinchina. On March 17, 1879, the Department for Education of Cochinchina was created. In 1886, Paul Bert formed the Board for Education of Tonkin and Annam[82]. In 1906, the French established the Indochina Department of Education[83]. In 1933, the colonial government founded the Ministry of Education and assigned Phạm Qùynh to the seat of minister to manage primary schools in Central Vietnam (Annam), but it must be under the control of the French Ambassador to Huế. When the Indochina Federation was formed, the Indochina Department of Education was headed by the French in charge of the education section of the whole federation[84] until the day the French totally withdrew from Vietnam in 1956. Nevertheless, the influences of the francophone education system in Vietnam have still lasted until later and even today.

In conclusion, the history of formation and development of the francophone education system in Vietnam can be divided into 3 different stages. *The first phase* was associated with the emergence and rising of the first francophone education institutions in Vietnam until the traditional education system was basically officially terminated by the colonial government. The greatest achievement of francophone education in Vietnam in this period was the establishment of a number of schools for interpreters in Saigon in 1864 and in Hanoi in 1905, a school for mandarins in Hanoi in 1903[85] and a school for mandarins in Hue in 1911[86], a number of technical schools for elementary or secondary vocational learners, three core schools for the general education system, including: the Chasseloup-Laubat School in Saigon in 1874, the National High School (Trường Quốc học) in Huế in 1896, the Protectorate School in Hanoi in 1908. *The second*

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[81] Lê Văn Giạng, *Lịch sử giản lược hơn 1000 năm nền giáo dục Việt Nam*, 81.

[82] Phan Trọng Báu, *Giáo dục Việt Nam thời cận đại*, 58.

[83] H`ồSơn Diệp, *Trí thức Nam Bộ trong kháng chiến chống Pháp (1945-1954)*, 24.

[84] Lê Văn Giạng, *Lịch sử giản lược hơn 1000 năm nền giáo dục Việt Nam*, 81-81.

[85] In Vietnamese, it is called Trường hậu bổ. In French, it is written as École des aspirants-mandarins (School of Mandarin Aspirants), École d'Apprentis Mandarins (Mandarin Apprentice School) or École des fonctionnaires indigènes (Native Officials School or school of indigenous functionaries). A type of school which is similar to today's *l'École nationale d'administration (National School of Administration)*.

[86] In Vietnamese, it is called Trường hậu bổ. In French, it is named as École d'Administration à Hué (School of Administration in Hue).

phase (1906-1919) witnessed the collapse of the traditional education system and the systematic confirmation of the francophone education throughout Vietnam. *The third period (1919-1945)* was the time the francophone education system in Vietnam was operated according to western principles of modern education in the historical context of an Eastern Asian colonial society.

2. *Impacts of the francophone education model on the contemporary Vietnamese education system*

In spite of being introduced into Vietnam by colonialist foreigners, the francophone education system in Vietnam gradually proved its scientific nature and superiority in comparison to the traditional education models. The preeminent nature of the francophone education system in Vietnam was sometimes beyond the subjective desires of both the colonial authorities and indigenous forces against the colonial dominance to become one of the orienting flows and guide the international integration of Vietnam's contemporary education system. The influence of the francophone education system on the internationalization of Vietnam's current education system was not limited to the period of time when the colonial system was still in power in Vietnam (1884-1954), but expanded to some extent to later decades and even in Vietnam's current education system in nearly every aspect. This process took place in many different forms and degrees and in nearly all aspects. However, the most important impacts of the francophone education on the modernization of Vietnam's contemporary higher education system mainly occurred in the areas of *educational philosophy, organizational structure, governance model, operating mechanism, participants in the education system, contents of educational programs, and educational methods as well as materials and technical facilities for teaching and learning*.

Educational philosophy: it is necessary to distinguish the differences between the goals of the colonial education that some colonial officials wanted to impose on the Vietnamese people and the liberal nature of the orthodox francophone education. It is not everything that the French colonial education in Indochina offered could represent the whole nature of the orthodox francophone education. Part of the French colonialists in Vietnam would like to use education as a political tool to entice the Vietnamese to side with them. However, the orthodox francophone education is in essence to liberate people and create conditions for everyone to have the opportunity to develop themselves to the best possible extent. The influence of the francophone educational philosophy on Vietnam's

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education system was therefore not all that some colonial officials wanted to do in the discriminatory fashion.

Instead, the long-term effects and the most profound impacts of the francophone education system on the modern Vietnamese education in terms of development philosophy is the soul of a liberal education and the aspiration to free people from all forms of dependence. That philosophy is embodied via the slogan of *Freedom - Equality - Fraternity*, which inspired several generations of Vietnam's patriotic youth in the early twentieth century to find ways for saving their country. It was in this regard not the political publications and propaganda system of the colonial regime that nurtured the patriotic spirit and incubated the revolutionary ideals for national movements of the Vietnamese youth in the early twentieth century.

In preference, the francophone education system somehow brought the revolutionary spirit and ideals of liberating people to Vietnam through true French revolutionaries. It was those spirits and ideals, which equipped several Vietnamese patriotic generations with a sharply struggling weapon and the way to go for those who shaped the future and the fate of the whole nation later. The humanistic and modern education philosophy of the francophone education system therefore not only oriented the integration road of the Vietnamese modern education, but also contributed significantly to the fighting for national liberation of the twentieth-century Vietnamese people through the liberal products created by that system itself.

Organizational structure, governance model, and operating mechanism: the francophone education system has left deep imprints in the internationalization of the Vietnamese modern education. In the traditional Confucian education system, most of Vietnam's educational institutions were locally private and had distinct class characters. Most of the educational activities under this model took place according to personal relationships and aimed at the purpose of passing examinations to become officials in the state administration. However, the French brought to Vietnam a completely novel and unprecedented model of modern education which had never existed in the Vietnamese history. That was the francophone education model organized and managed by the colonial administration.

Although there was still a system of private educational institutions, they were all instructed by the modern model of the Western world. Public francophone educational institutions were not only a part of the state apparatus, but the people working in these public educational institutions were also members of the state. Education has since then ceased to be the private work of the people only, but has become a regular and ongoing task of the state. On the contrary, to a certain extent the public education system had also to serve certain tasks of the state in specific cases and certain

circumstances. That means the French colonialists were entitled to establish new educational institutions following their own model, but at the same time were authorized to close the educational institutions under their charge. It was an operating mechanism that was still relatively administratively burdensome, but seemed quite modern compared to the traditional spontaneously private education system.

This organizational structure, operating mechanism, and governance model of the francophone education system was applied for Vietnam from the lowest to the highest level of education. It was an educational model according to Western standards with well-organized schools and classes, clear training programs, conducted by a number of qualified professionals, and managed by a system of functional agencies of the state apparatus. Vietnam's current education system has inherited several modern elements from this francophone education model since the early days of its birth after the August Revolution of 1945. A typical example for this matter occurred on the area of personnel. Teachers at comprehensive francophone schools such as Chasseloup-Laubat in Saigon and Albert Sarraut in Hanoi were mainly French[87], but in the remaining francophone school system were mainly French-using Vietnamese. French teachers were sometimes included in some primary and baccalaureate colleges.

Professionally, teachers for elementary level had to graduate from primary schools. Those who worked for the primary schools had to earn at least a degree from elementary colleges. Teachers of primary colleges had to graduate from Hanoi Pedagogical College. Teachers of baccalaureate level had to earn the bachelor degree in France or a higher degree such as master degrees. All teachers had to qualify pedagogical skill examinations, except for the cases who had graduated from official pedagogical schools. Of the approximately 4,700 French colonial government officials in Vietnam in 1937, the education sector had 590 ones[88]. The francophone education system had not only trained a considerable number of human resources for Vietnam's colonial administration according to modern standards, but also provided the majority of teachers and staffs for Vietnam's national education system from the August Revolution of 1945 until the first Vietnamese education officials completed their training courses according to Soviet model in the 1950s.

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[87] Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 265.

[88] The number of the overseas French in Vietnam is not very large. There were only around 30,000 French people in the year of 1937. However, nearly half of them served in the colonial army. See: Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 265-266. It means only approximately 15,000 French people worked in the whole colonial administration system for Tonkin, Annam, and Cochinchina.

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More importantly, those who had been trained in the francophone education system often possessed a number of elements of integration with the modern education. Therefore, whether they were used in the public education system of the state or in the private system, their capacity to internationalize and modernize was still higher than those of the human resources trained in the remaining education systems in Vietnam. This reality confirms that the francophone education system has had an enormous impact on the modernization of Vietnam's national education system regarding *personnel structure, governance model, and operational mechanism*.

The participants in the education system: class and discrimination from the owners of power and properties characterize the feudal Confucian education. Although children of non-aristocratic families were also able to study and become mandarins in certain cases, most of them grew up in private village schools. Formal state educational institutions were usually reserved only for the feudal nobility. The francophone education system in Indochina was not really more advanced than the traditional Confucian education in this respect. Although learners in the francophone education system in Vietnam were not always children of mandarins or pro-French people, they were required to side with the French colonial administration. The nature of these class-based educations deprived a large number of people's rights to study with real needs and abilities in the field of science.

However, it is necessary to distinguish the instrumental function of class education systems from the apolitical nature of normal educational systems. Both the feudal Confucian education system and the francophone education system in Indochina had to prioritize the training of human resources for their government apparatus. It is an inevitable law of class societies and class struggles. However, the nature of the formal francophone education system is open to all learners who wish to access educational services under permissible conditions and possible circumstances. Therefore, although the francophone education system in Indochina were unable to be open to everyone, it was not the real function of the formal francophone education system. The essence of the colonial education system was to become an effective tool for the foreign state apparatus. In such a complex social context, even though the francophone education system in Indochina was capable of paving the way to everyone, it was impossible for it to welcome the enemies of its own fatherland.

In addition, it should be noted that in the context of a colonial society with many difficulties, the ability to meet the learning needs of everyone was unthinkable. Furthermore, although more people attended Confucian schools in the countryside than in the francophone education system, the recruitment for the francophone education system in Indochina was

described as somehow similar to violent obligations in many cases. For this reason, many people were granted scholarships to study abroad, but they deliberately refused or offered the chances to others to avoid being implicated later. Several communities had become familiar with the bamboo of villages and they did not intend to change themselves by the educational path of a strange world. Psychological factors, economic circumstances, and political contexts also played a certain role in determining the size of the educational objects of the francophone system in Vietnam at that time.

However, while traditional indigenous educational institutions often accepted learners of their own nationalities only, both the francophone education in Indochina and formal francophone education around the world were sometimes open to learners of all ethnic origins and social strata. In 1927, only 341 out of 731 pupils of Albert Sarraut High School in Hanoi were Vietnamese[89]. In 1944, francophone primary schools had around 90,000 pupils (3.6% of the population) and secondary schools had approximately 4,000 pupils. Only 77% of the Indochinese University's 1,500 students were indigenous people. About 80% of the population was illiterate[90].

It means that while the francophone education system in Vietnam usually accepted learners from different backgrounds, but this number was only limited to those who were obligated to take the side of the colonial government, the formal francophone education system often promoted multicultural factors and international integration rather than merely political factors. In this respect, the internationalization of Vietnam's education system has benefited greatly from the westernized intelligentsia, which were trained in the formal francophone education environment based on the concept of liberalism and the multicultural integration policy of the modern world.

The content of the educational programs: although the content of the educational programs of the French colonialists in Vietnam often emphasized the superiority of Western civilization and underestimated the local cultures[91], a part of Vietnamese advanced intellectuals who had been in touch with innovative ideas and bourgeois democracies organized speeches and debates, opened schools, wrote books in the Vietnamese national language and published newspapers in order to build a new academic background for the nation. Therefore, although the nature of the

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[89] Thompson, V., *French Indochina* (London, 1937), 295, in: Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 239-240.

[90] Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 241-242.

[91] Vũ Ngọc Khánh, *Tìm hiểu nền giáo dục Việt Nam trước 1945,* 164-165.

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francophone education system in Indochina was to train human resources for the colonial government, the training program and learning content of the modern model of the francophone education system were sometimes full of scientific knowledge and documentary information.

It means that even though the colonial authorities wanted to use education as a tool of governance, they could not prevent the Vietnamese from the acquisition of human knowledge. Historical practice has proven that although some parts of the colonial officials in Indochina might not always really be interested in the liberation of indigenous peoples by the road of the truly francophone education, the superior nature and scientific spirit of the formal francophone education contributed to changing the nature of learning content and training program of Vietnam's traditional education system. It also changed the whole educational background of the twentieth-century Vietnamese people in practice.

At the same time, a large number of French revolutionaries working in the francophone education system were also ready to revolutionize the natives and share scientific experiences to the Vietnamese by all possible means. However, the most decisive factor was the progressive spirit and the ability to absorb human knowledge of generations of Vietnamese students in the francophone education system. All of these factors contributed to the changing of the nature of learning contents and training programs of the traditional Vietnamese education system and in fact changed the education of Vietnamese people in the 20th century.

For example, in the traditional Confucian education, people usually only learned the painting skills, the human characters, the wisdom, and the faith, but natural sciences, life sciences, and applied technologies partly began to be taught in a systematic way in the Indochinese francophone education. It was an educational program that was considered more comprehensive, because in addition to the traditional social sciences this education was supplemented by natural sciences, engineering issues, and foreign languages[92] thanks to the francophone education system[93].

More specifically, during the first two decades of the twentieth century, Confucian education was still maintained in Annam and Tonkin. The French colonial administrators began to make several changes in studying and taking exams from 1906 onwards. Local examinations and central examinations were still held regularly in Tonkin and Annam, but the traditional Confucian subjects were somewhat reduced, while life sciences

[92] Ngô Minh Oanh, "Importation of the Western education to South Vietnam under the French domination (1861-1945)," *Ho Chi Minh City University of Education Journal of Science*, No. 28 (2011), 21 (13-22).

[93] *Ibidem*, 21 (13-22).

were increased. In such a general context, the training programs of schools for mandarins, supervisory schools, schools of instructors, and schools of teachers were also changed for more application in practice[94].

Meanwhile, the last local examination (thi Hương) in Cochinchina was held in 1864, in Nam Định in 1916 and in Thanh Hóa in 1918. The central examination (thi Hội) at the Hue court was officially abolished in 1919. At the same time, the emergence of French documents enabled Vietnamese to access a larger number of human civilized achievements through school road. Many new scientific subjects were introduced into the curriculum of the francophone education system to replace the traditional Confucian education. Although modernized intellectuals such as Nguyễn Trường Tộ and Nguyễn Lộ Trạch had sometimes proposed these learning contents and training programs, it had to wait until the French established their own education system to be implemented in reality. It proves that the francophone education system not only gradually eliminated the traditional influences of Confucian education, but also step by step integrated Vietnamese education into the common system of the modern world education.

A very progressive feature of the francophone education system in Vietnam is that although the training program was regulated by the state and was compulsory for both teachers and learners, textbooks were often provided by experiencing teachers who compiled and published the textbooks privately for reference. Similarly, even though in the humanities and social sciences, colonial officials deliberately propagated the superiority of Western civilization to draw the Vietnamese closer to the side of the colonialists, the francophone education still equipped the Vietnamese who were fortunate enough to study in this system, with a very scientific, logical, and dialectical way of thinking and working style. On the basis of this logical thinking and dialectical working method of the francophone education, it was the Vietnamese who discovered which were the propaganda elements and which were the real sciences of the francophone education? Critical thinking and the ability to think independently are the most important products that the francophone education brought to the Vietnamese education in the process of modernisation over the past century, but that is not all.

Prior to the arrival of the francophone education in Indochina, Vietnamese people mainly had known the world through their Chinese-language education with a preference to militarism and Eastern morality, but the French educational system brought to Vietnam a system of scientific concepts and unprecedented sources of information which had

[94] Vũ Ngọc Khánh, *Tìm hiểu nền giáo dục Việt Nam trước 1945,* 168.

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never been recorded in Vietnam's previously educational history. The most typical of these was the French-style system of measurement units and formulas that Vietnamese people have still employed in almost all areas of life in difference from the English education system or those of other countries.

Meanwhile, the appearance and development of the national language script (*chữ quốc ngữ*) was also thanks in no small part to the francophone education system in Vietnam. From 1919 to the August Revolution of 1945, the national language script became a vital weapon of spiritual liberation and a tool to popularize French culture in Vietnam[95]. The tireless efforts of famous cultural figures of the late 19th century and the early 20th century, such as Trương Vĩnh Ký (1837-1898), Nguyễn Văn Vĩnh (1882-1936), Phan Kế Bính (1857-1921), Phạm Quỳnh (1892-1945) and Nguyễn Khắc Hiếu (1989-1939), have contributed to making the national language script not only overcome the scope of the Catholic churches, but have also gradually become a modern common language of academic literature and superior sciences[96].

Although the national language script was spread throughout Vietnam for native speakers, French was still the main language in the education system as well as the state administrative apparatus. The education programs were basically designed according to French models rather than the Vietnamese one. Even after the August Revolution of 1945, Vietnam's undergraduate education program was still heavily imprinted by the francophone education. Courses were still conducted in both French and Vietnamese, while training programs were translated from French into the Vietnamese national language to suit local practices[97].

Even though the French language was gradually replaced by Vietnamese in the education system in Northern Vietnam after 1954, it was still used alongside English in South Vietnam until 1956[98]. It means that with the changes in the development philosophy and governance model, the francophone education system made a true revolution in terms of learning contents and training programs to Vietnam's traditional education system towards gradual integration and approach to the standards of the modern education of the world.

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[95] Huard, P. et Durand, M. *Connaissance du Vietnam* (Paris-Hanoi, 1954), 33, in: Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 242.

[96] Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 242.

[97] Anh Ngoc Trinh, "Local Insights from the Vietnamese Education System: the impacts of imperialism, colonialism, and neo-liberalism of globalization," *The International Education Journal: Comparative Perspectives,* Vol. 17, No. 3 (2018), 69-71 (67-79).

[98] *Ibidem*, 69-71 (67-79).

The educational method: on the basis of the Eastern autocratic monarchies which were often operated according to the hierarchical rules in social relations, traditional Confucian education usually emphasized the role of the teachers in educational activities. The most important task of learners in this educational system was to memorize as much as possible all of what is written in the holy books and to follow everything the teacher said as eternal laws and undoubtable truth. It is an authoritarian educational method to train the people who were only able to obey orders, but they were not capable of independent thinking nor critical thinking. The inevitable consequence of this one-way imposed education is that there were a large number of learners, but very few scientific and technological creations. In many cases, creativity was considered a sin, because creativity often goes beyond the scope of ordinary laws, while the people who only follow ordinary laws are rarely able to be meaningfully creative. However, the francophone education system blew a new flow of wind to Vietnam's educational methodology. After the First World War (1914-1918), Governor General Albert Sarraut promulgated a new educational regulation, which promoted the status of the French language. Western-style teaching methods as well as scientific research were introduced more systematically into francophone schools in Indochina[99].

Although obedience and strict compliance had been traditionally inherent and essential attributes of Vietnamese learners according to the social principles of feudal dynasties, the critical thinking and academic discussions began to appear in the training processes of modern educational institutions. One of the most critical thinking products of the francophone education system in Vietnam was Nguyễn Tất Thành. Since the time of attending the National School of Huế, Nguyễn Tất Thành not only challenged the education system that was training him, but he also posed a big question to the worldwide colonial system. As for the francophone education system in Vietnam, why did the French administrators come to Vietnam to preach freedom, equality, and charity at schools according to their own beautiful ideals, but they treated the natives differently in reality? As for the worldwide colonial system, why were some people born in this world just to be happy on the pain and sweat of others, while the miserable nations had to sacrifices day and night for the futile purposes of bottomless ambitions?

This kind of critical thinking was not only restricted to the people's mind, but it also turned into practical motivation and actions through Hồ Chí Minh's journey to find the truth of time for the people of Vietnam as well as for the needy humanity around the world in the 1920s. This critical

[99] Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 239.

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thinking was not only conceived by Hồ Chí Minh, but it was also acquired by several generations of Vietnamese younger patriotic people through the francophone education in various forms and degrees. It means critical thinking and the ability to think independently are a human attribute. Basically, everybody is able to think independently and to conceive critically in a number of ways. However, how is that kind of thinking formed and how far can it develop depends entirely on the nature of the educational systems as well as the practical operating mode of social relations. This reality proves that the francophone education system in Vietnam not only utilized a system of teaching methods based on modern pedagogical principles in educational processes[100], but also truly created an important turning point in the international integration of the Vietnamese education regarding educational methods.

Facilities and equipment for teaching and learning: the traditional Vietnamese wordy and literary education system often emphasized the elements of courtesy in social relations rather than science and technology. Therefore, the conditions of facilities and technical equipment for teaching and learning were usually not too complicated and fussy. In contrast, the francophone liberal education in particular and the West education in general highly stressed practical, applied, and precise elements. Likewise, the traditional Confucian education system discouraged criticism, but the francophone education emphasized independent and creative thinking. The investment in scientific research of traditional education was therefore not really urgent.

However, research and innovation are integral parts of the francophone education system. This fact shows that the francophone education requires a corresponding system of facilities and equipment for teaching and learning. The true goals of the colonial administrators in Indochina were not always to develop a modern education on par with the metropolitan for the indigenous peoples. However, the practical pressures of revolutionary struggles and the increasing need to study of the people in reality forced the French administration in Vietnam to sometimes accept investment in building material foundations and technical equipment for the native education system. Even though the proportion of investment in education by the colonial government was still well under the actual needs of the francophone education system in Indochina at that time, historical practices have proved that it was the first time in the Vietnamese history that Vietnamese people were trained in a completely

[100] Nguyễn Ái Quốc, *Đây! Công lý của thực dân Pháp ở Đông Dương* (Hà Nội: Nhà xuất bản Sự thật, 1962), 77. (Nguyen Ai Quoc, *Here! Justice of the French colonialists in Indochina* (Hanoi: Truth Publishing House, 1962), 77).

new school system, from facilities and technical equipment to architectural models and building materials.

Although the number of schools of the francophone education model in Vietnam was not really noticeable, it was clearly a type of school that had never appeared in the previous education history of Vietnam. The structure of schools and classes at the high school level of the francophone education system was built according to the French general education model, which was formed in the 18th century and was completed in the 20th century. Most importantly, this model of schools not only contributed to making Vietnam's school architecture style more diverse and richer, but it also to a certain extent helped improve the physical conditions and technical equipment of the Vietnamese education system to get closer to advanced educational models in the world.

In 1930, there were totally only 4,806 schools in Indochina. As of 1941, the colonial government opened 850 new schools more. Averagely, every 3,245 people could study at a school in 1941[101]. At the same time, a system of research institutes, higher education institutions, scientific journals, laboratories, and modern libraries were also gradually introduced to serve educational activities in accordance with the modern model of the francophone education[102]. School structures of the francophone education system were constructed according to the French model. Some new schools were built according to Western architecture. Classrooms were equipped with tables and chairs, blackboards, learning tools, libraries, laboratories... Learning was then also classified by age according to birth certificate, while learning results were recorded in the school profiles... These phenomena had never appeared in the history of education in Vietnam[103]. Simultaneously, a system of modern research institutes, higher education institutions, scientific journals, laboratories, and libraries were also established to serve education activities according to the standard model of the francophone system[104].

In 1939, Vietnam was in possession of totally 48 daily newspapers, 68 journals, and 292 works of all genres published in the national language script[105]. That is considered as an important foundation in the process of formation and development of the national education in the direction of

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[101] Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 242.

[102] See: Lê Thanh Huyền, *Thư viện Việt Nam thời Pháp thuộc*, Luận án tiến sỹ, Chuyên ngành: Khoa học Thông tin - Thư viện, Mã số: 62 32 02 03 (Hà Nội: Trường Đại học Văn hóa Hà Nội, 2014), 49-121. (Le Thanh Huyen, *Library of Vietnam during the French colonial period*, Doctoral thesis, Major: Information Science - Library, Code: 62 32 02 03 (Hanoi: Hanoi University of Culture, 2014), 49-121).

[103] Nguyễn Ái Quốc, *Đây! Công lý của thực dân Pháp ở Đông Dương*, 77.

[104] Lê Thanh Huyền, *Thư viện Việt Nam thời Pháp thuộc*, 49-121.

[105] Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 242.

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modernity[106]. All of these elements are indispensable parts of advanced education systems in the present-day world. In this respect, the francophone education system contributed to equipping the Vietnamese with a large volume of material foundations and technical equipment for teaching and learning during the colonial period. A large part of these has still been preserved to the present day and has even worked in some specific cases. Many universities and research institutes in Vietnam today are the successors of the francophone education system. It means the francophone education model played a prerequisite role in the modernization and internationalization of the teaching facilities and research equipment for the Vietnamese contemporary education system.

In summary, in spite of being brought to Vietnam by the conquerors and aiming to serve the colonial administration, the essence of the formal francophone education was still given the opportunity to take effects in the traditional studious environment of the Vietnamese culture. It is the long-standing academic tradition and the liberal nature of a modern education that helped the francophone education system in Indochina overcome psychological, ideological, and politics-oriented objective barriers to provide the Vietnamese people with a completely new education system following the modern model of the mankind. The appearance of the francophone education system in Vietnam on the one hand gradually eliminated the Confucian traditional education model and on the other hand contributed to the modernization of Vietnam's national education system in different forms and levels. Although several institutions of the francophone education system have not played the dominant role in training human resources for Vietnam since the French withdrawal from Indochina in 1956, Vietnam's education system was heavily been influenced by the francophone education system at the end of the nineteenth century and the beginning of the twentieth century. This fact is most clearly shown in the aspects of *educational philosophy, organizational structure, governance model, operating mechanism, participants in the educational system, contents of educational programs, and educational methods as well as material and technical facilities for teaching and learning*. It means that even if Vietnam's national education system has developed according to several other models since 1954, the turning point which has been crucial for the international integration of Vietnam's education system took place with the introduction of the francophone education system in Indochina in the second half of the nineteenth-century. Although the francophone

[106] Dương Quảng Hàm, *Việt Nam văn học sử yếu* (Sài Gòn, 1968), 404, in: Nguyễn Thế Anh, *Việt Nam thời Pháp đô hộ*, 242.

education system was not always absolutely dominant in Vietnam, it pulled the education of the indigenous peoples of Indochina out of the traditional educational context of the region and paved the way for the process of deeper integration with the modern educations of the world. The francophone education system therefore laid the first foundations for the modernization and internationalization of Vietnam's contemporary education system in accordance with the introduction of the French culture into Indochina by colonialists from 1858 to 1954. This process took place in the historical context of a severe conflict between Confucian-dominated cultural traditions and French-newly imported elements in Vietnam at the end of the nineteenth and early twentieth century. In such a very conflicting circumstance, the Vietnamese schools chose to preserve positive factors of the traditional education, but simultaneously did not refuse advanced elements of the western civilization to build a new national education system according to the francophone model for the indigenous people. This choice of the Vietnamese education system could be viewed as an alternative resolution to the combination of the national traditions and international civilizations for a new one, which does not entirely give up its origin, but is also not left behind too far by the advanced education system in the colonial background of the East-West cultural conflict.

3. *The future and prospects of educational relationship between Vietnam and francophone education*

The francophone education system has experienced many vicissitudes along with the history of political relations between Vietnam and France. Although it contributed to removing the traditional Confucian education system from the academic life of the Vietnamese people and integrating the Vietnamese education into the general flow of the modern world education, the role of the francophone education system in Vietnam has changed in nature. The development of the English-speaking education system and Vietnam's process of diversification and multilateralization of international relations have no longer allowed the national education system of this country to follow any specific single model. Instead, Vietnam's national education system is becoming a potential market to many advanced education systems in the world. In such a quickly changing context, although the francophone education system has no longer played a leading role in Vietnam's national education system since 1956, the future and prospects of the educational relationship between Vietnam and the francophone educations are still very extensive. This can be seen in several specific aspects as follow:

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Firstly, although the English-speaking countries' education model is predominant in the current world education, the francophone education is still one of the most attractive addresses to developing countries' learners around the world[107]. French is not only one of the languages of the United Nations and the arts, but it is also a language of science. French is both widely used in international relations and in academia. Most of the world's most important scientific and political documents are translated into French[108]. At the same time, a wide range of globally scientific concepts have been originated from French in the fields of social sciences and humanities as well as natural sciences and technology. Many of these concepts have become defining standards of the modern world for which no more rational modes of explanation have been found so far[109]. Mastering the French language is therefore a great advantage to all of those who desire to conquer new peaks of human knowledge in the age of the Industrial Revolution 4.0. This is clearly a very attractive option for the international integration process of the current Vietnamese national education system.

Secondly, France is one of the world's leading countries in science and advanced technologies. This science has produced prominent names for international scientific communities, but it is also the place to nurture potential talents for the future. Ngô Bảo Châu of Vietnam is one of them that the contemporary Vietnamese education is fortunate to have the opportunity to share the nurturing responsibility, but the potential and prospects of this leading European science and technology are still much more than what could have been seen. France is one of the places that has been mastering many of the most modern scientific and technological achievements of mankind for centuries. Among these, a number of scientific inventions and technological achievements are exclusive to the French. These advanced scientific achievements, together with leading experts of the world, will be the inspiration and motivation for the promising scientific talents to advance in the coming time[110]. More

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[107] The Crown in Right of Alberta, the Minister of Learning, *Affirming Francophone Education - Foundations and Directions,* A Framework for French First Language Education in Alberta, French Language Services Branch (Alberta: Alberta Learning, 2001), 15-20.

[108] See: Wright, Sue, "French as a lingua franca," *Annual Review of Applied Linguistics*, Vol. 26 (2006), 35-60.

[109] Love, Susan, *French and Tây Bồi in Vietnam: A study of language policy, practice, and perceptions*, Thesis submitted for the degree of Masters of Arts in the Centre for European Studies and General Linguistics (Adelaide: University of Adelaide, 2000), 43.

[110] See: Trần Nguyên Khang, *Sức mệnh mềm của Pháp giai đoạn 1991-2012*, Luận án tiến sỹ, Chuyên ngành: Quan hệ quốc tế, Mã số: 62 31 02 06 (Hà Nội: Học viện Ngoại giao, 2017). (Tran Nguyen Khang, *The soft power of France in the period 1991-2012*, Doctoral thesis, Major: International relations, Code: 62 31 02 06 (Hanoi: Diplomatic Academy, 2017).

importantly, France's advanced science and technology has not only served this nation, but has also distributed to the developing world in many cases[111]. Accessing advanced scientific and technological achievements with preferential conditions of France is clearly a significant advantage for the education systems in difficult situations such as that of Vietnam. The francophone education system is therefore not only a model to follow, but it is also a priority partner in the process of internationalizing the contemporary national higher education system in Vietnam.

Additionally, the francophone education system has not long been able to keep itself within the borders of France. Instead, the francophone education system has become a world system that stretches from North America to Africa and Asia-Pacific. In 2008, there were about 200 million people speaking French as their first language in 70 countries around the world. This number accounted for 11% of global population and 12% of human budget at the time[112]. In addition to the spreading across a relatively wide areas and territories on the global scale, the francophone education system has also been preferred to be used as the official education system of many French-speaking countries. This fact shows that the francophone education system has become an international model of education and has played a vital part in the education system of the member countries of the francophone community. The francophone community is not only one of the largest cultural and educational alliances of the advanced world, but it has also been linked historically and culturally in several aspects to member states. In addition to the usage of the French language as a medium of communication in daily life and historical relations, member states of the francophone community share a vast number of similarities brought about by the influences of French culture during the colonial period[113]. The similarity in culture, constituent factors of the national education system, and especially the language is obviously a huge advantage for the international integration of the member states' education systems of the francophone community. In reality, although French is no longer the dominant language in daily life of Vietnamese people, the traditional cultural and educational relations between the two countries have still been maintained and developed regularly over the last decades. The francophone path is therefore an advantage and opportunity for the modernization of the contemporary Vietnamese education system.

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[111] See: La Francophonie, *The French Language worldwide 2018* (Paris: Éditions Gallimard, 2019), 3-23.

[112] Wright, Sue, "Allegiance, influence and language: The case of Francophonie and Vietnam," *Synergies Europe* n° 3 (2008), 51-67.

[113] See: Bagayoko, Niagalé and Ramel, Frédéric, "Francophonie and strategic depth," *Étude de l'IRSEM*, n°26 (2015), 12-103.

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Furthermore, Vietnam and other member countries of the francophone community not only have had several traditional bilateral relations, but these relations have also continuously been developed more in recent decades[114]. The francophone education system was once a bridge for the Vietnamese education to connect with the modern world. Although this education system no longer plays the pivotal role today, its influences and impacts on the contemporary Vietnamese national education system are still very strong. At the same time, French cultural imprints in Vietnam have also become an indispensable part and important elements of Vietnam's modern national cultural identity[115]. Aside from the architectural system and fashion style, the organizational system of many local administrative units as well as the francophone academic background is an important link in the process of modernizing Vietnamese culture[116]. Similarly, the Vietnamese community in France is one of Vietnam's largest overseas groups on the earth. These communities have not only contributed to the preservation of a number of Vietnamese traditional elements in France, but also brought several French cultural achievements closer to Vietnam. This is one of the important bridges for Vietnam's educational relations with France in particular and other member countries of the francophone community in the coming time in general. All of these historical traditional elements are vital catalysts for the integration of Vietnam's education system into the francophone education system and the modern world ones.

Finally, although the francophone education has no longer played the leading role, it is still an important factor in the internationalization of the contemporary Vietnamese education system. The francophone education system is not only an ideal model for the Vietnamese one in several ways, but it is also a potential partner in the international integration. The number of Vietnamese who have searched for opportunities of learning and cultural exchanges with France has been increasing for decades[117].

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[114] Wright, Sue, "Allegiance, influence and language, 56-57 (51-67).

[115] Burlette, Julia Alayne Grenier, *French influence overseas: the rise and fall of colonial Indochina*, *LSU Master's Theses*, 1327, submitted to the Graduate Faculty of the Louisiana State University and Agricultural and Mechanical College in partial fulfillment of the requirements for the degree of Master of Arts in The Department of History (Louisiana: Louisiana State University, 2007), 7-84.

[116] *Ibidem*, 7-84.

[117] Nguyễn H`ồng Chi, *Dòng chảy của du học sinh Việt Nam,* Việt Nam học - Kỷ yếu Hội thảo quốc tế l`ần thứ tư (2012), 49, in: http://repository.vnu.edu.vn/bitstream/VNU_123/19918/1/KY_05622.pdf (accessed on 23 October 2019). (Nguyen Hong Chi, *The flow of Vietnamese international students*, Vietnamese studies - Proceedings of the fourth international conference (2012), 49, in: http://repository.vnu.edu.vn/bitstream/VNU_123/19918/1/KY_05622.pdf (accessed on 23 October 2019).

The influx of Vietnamese people to France to study and research has not been shortened in recent years[118]. In 2018, French universities were officially educational instructors for more than 6,000 Vietnamese students. Although this figure was an increase of 36% in comparison to that of the period of 2013-2018[119], France has increasingly been becoming one of the most attractive destinations for Vietnamese international students with good language skills and academic achievements[120]. The number of Vietnamese students enrolled in France's universities even rose to around 7,000 ones in 2019[121]. Most importantly, the number of Vietnamese who have become globally well-known thanks to the francophone education system is increasing day by day. Historical practice has proved that the francophone education system is one of the most fertile gardens for the Vietnamese modernized intelligentsia as well as the academic and research achievements of Vietnam's current students. The francophone education system is one of the producers that have provided many famous Vietnamese scientists to the world. This is on the one hand because right from the modern era, the francophone education system has been the main source of human resource supply and training for the Vietnamese modernized intellectuals. On the other hand, even though many other education models have also attracted a number of Vietnamese students, the training quality of the francophone education system is confirmed on a regular and continuous basis through the academic and research achievements of the Vietnamese candidates. Therefore, even though English education is taking the dominant position in the international academic life and is a preferred choice for Vietnamese learners, francophone education is still a very attractive option of many young people and Vietnamese scholars. This role of the francophone education system will certainly continue to grow in the future.

In summary, although the francophone education system is no longer the core element of the contemporary Vietnamese national education

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[118] *Ibidem*, 49 (44-58).

[119] Trọng Nhân, *Rộng cửa du học Pháp* (2018), in: https://tuoitre.vn/rong-cua-du-hoc-phap-20181221223726594.htm (accessed on 23 October 2019). (Trong Nhan, *Open doors to study in France* (2018), print: https://tuoitre.vn/rong-cua-du-hoc-phap-20181221223726594.htm (accessed on October 23, 2019)).

[120] *Ibidem*.

[121] Trọng Nhân and Thanh Yến, *Tăng gấp đôi số du học sinh Việt Nam đến Pháp* (2019), in: https://tuoitre.vn/tang-gap-doi-so-luong-du-hoc-sinh-viet-nam-den-phap-20190121144113777.htm (accessed on 23 October 2019). (Trong Nhan and Thanh Yen, *Double the number of Vietnamese students coming to France* (2019), in: https://tuoitre.vn/tang-gap-doi-so-luong-du-hoc-sinh-viet-nam -den-phap-20190121144113777.htm (accessed on October 23, 2019)).

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system, its influences and impacts on the internationalization of the current Vietnamese education system still remain relatively clear. The remaining legacy of the francophone education system in Indochina is one of the foundations for the international integration of Vietnam's education system in the coming time. However, it is the superiority of the francophone education system as well as the development level of the French science and technology that are the decisive factors for the future and prospects of the educational relationship between Vietnam and the francophone education. In addition, the recent growth of the francophone community is also an objective factor, which could be potential advantages for further developments of education relations among French-speaking countries. The similarity in the educational model that was strongly influenced by the francophone education system, the advantage of using French in communication, and the traditional historical relationships are the important catalysts for the prospect of cooperation between Vietnamese education and that of member countries of the francophone community. However, the academic and scientific achievements of Vietnamese people in the francophone education system is the central motive for younger generations. The ability of Vietnamese students to become famous in the francophone education system has not only been historically proven, but it has also become a remarkable phenomenon in the world's recent international academic communities. It is the foundation for the bright future and expected prospect of the educational relationship between Vietnam and the francophone education system in the coming time.

III. **Conclusion**

Although the francophone education has no longer been playing the pivotal part in the Vietnamese national education system[122] since 1954[123], its position in the modernization and internationalization of Vietnam's contemporary education system is not only extremely important, but also undeniable. This is most evidently manifested in the introduction of a completely new education system to Vietnam by the francophone education system[124] in the second half of the nineteenth and the first half

[122] Ngan Nguyen, "How English Has Displaced Russian and Other Foreign Languages in Vietnam Since "Doi Moi," *International Journal of Humanities and Social Science*, Vol. 2, No. 23 (2012), 259-266.

[123] *Ibidem*, 259-266.

[124] Lê Văn Giạng, *Lịch sử giản lược hơn 1000 năm nền giáo dục Việt Nam*, 80.

of the twentieth century. The construction of the francophone education system in Vietnam was not only basically done according to the model of France, but it has also contributed to bringing into Vietnam a completely new education system[125]. Although the colonial governors often used enough excuses to delay or limit the opening of new schools[126], a francophone education system was gradually formed in Vietnam in the late 19th century and the early 20th century. The most typical of these were Chasseloup-Laubat High School in Saigon (1874), Mỹ Tho High School in Cochinchina (1879), Hue National High School (1896), the Protectorat School in Hanoi (1908), Albert Sarraut High School in Hanoi (1918), Yersin School in Đà Lạt (1935). It means that although the scale of the francophone education system in Indochina was still extremely limited in terms of the proportion of learners in the population and the colonial authorities were not always ready for the systematic opening of new schools[127] according to the francophone model to serve the enormous demands of further learning for Vietnamese people, its influence on the modernization and internationalization of Vietnam's current educational system is substantial. Both the educational philosophy and governance model as well as the training program, objects of education, educational methods, and facilities of the current Vietnamese education system were fundamentally imprinted by the modern French education system. The Westernized higher education laid the foundation for the Vietnamese modern education system in both form and content[128]. The francophone education system in Vietnam not only gradually replaced the contents, pedagogic methods, school organizations, and writing systems of the traditional education, but it also trained a new intelligentsia for Vietnam with a variety of educational levels and professions[129]. All of these factors are the basic premises for an open future and long-term prospect of educational cooperation relations between Vietnam and other member states of the francophone community. In this respect, the francophone

[125] *Ibidem*, 80.

[126] Nguyễn Ái Quốc, *Đây! Công lý của thực dân Pháp ở Đông Dương*, 77.

[127] *Ibidem*, 77.

[128] Nguyễn Thị Thái Châu, "Giáo dục Trung Kỳ thời Pháp thuộc (1887-1945)," *Tạp chí Giáo dục (Số đặc biệt)*, Kỳ 3 (June 2016), 132 (130-132). (Nguyen Thi Thai Chau, "Education in Central Vietnam during the French colonial period (1887-1945)," *Education Magazine* (Special Issue), Issue 3 (June 2016), 132 (130-132).

[129] Trần Thị Thanh Thanh, "Nho học và giáo dục công lập ở Nam Kỳ thuộc Pháp thời kì 1867-1917," *Tạp chí KHOA HỌC ĐHSP TPHCM*, Số 60 (2014), 31 (19-33). (Tran Thi Thanh Thanh, "Confucianism and public education in French Cochinchina in the period 1867-1917," *Ho Chi Minh City University of Education Journal of Science*, No. 60 (2014), 31 (19-33)).

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education system has made a revolution in the area of education for modern Vietnam. This process happened in the historical circumstance that the Eastern Asian feudal dynasties were in momentum of declination and facing many reformative pressures from the Western colonialists. Some Asian feudal dynasties were successful in their attempts to renovate their countries according to the Western model such as the Meiji (1868-1912) in Japan and the Chulalongkorn (1868-1910) in Thailand, but the majority of Asian countries were not lucky enough to enjoy such achievements in the second half of the nineteenth century. The East-West cultural conflict in these countries occurred even more fiercely. Vietnam was one of the traditionally Confucian-dominated countries, which witnessed some attempts of reform from both the royal members and feudal mandarins, but all eventually ended in vain. The imposition of the French culture into the Confucian-based society was at first very difficult, but the intelligentsia became increasingly opener to the new comers as major military attempts against the unexpected visitors had mainly been defeated from 1858 to 1896. In such a conflicting situation, the Vietnamese education system was modernized according to the francophone model around the colonial administration of the upper classes, while the unofficial education system still existed within the non-westernized schools in the lower strata. Even though the colonial education system of Vietnam was small in number and basically served the purposes of training human resources for the colonial regime, it is the origin of Vietnam's current education system. This fateful escape of the Vietnamese education system from the historical background of the East-West cultural conflict was a proper choice and natural law of popular development resolutions of human history that the majority of Asian countries also experienced in the second half of the nineteenth and the first half of the twentieth century.

About the author

Nguyễn Mậu Hùng graduated from Hue University of Education in 2003 with a BA in History and became a lecturer for Vietnamese Studies and Oriental Studies at the University of Đà Lạt in the same year until May 2009. During that period of time, he was offered an extensive English course by Ford Foundation at Hanoi University in 2005 and finished his MA in History from Da Lat University in 2007. He was then awarded another academic English course by Australian Development Scholarships (ADS) at the Australian Center for Education and Training in Ho Chi Minh City in 2008 and a German course by the German Academic Exchange

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Sobre el Autor

Nguyễn Mậu Hùng se graduó en la Universidad de Educación de Hue en 2003 con una licenciatura en Historia y se convirtió en profesor de Estudios Vietnamitas y Estudios Orientales en la Universidad de Da Lat en el mismo año hasta mayo de 2009. Durante ese período de tiempo, recibió un curso de inglés extensivo de la Fundación Ford en la Universidad de Hanoi en 2005 y terminó su Máster en Historia en la Universidad de Da Lat en 2007. Después, se benefició de otro curso de inglés académico gracias a Australian Development Scholarships (ADS) en el Centro Australiano para la Educación y la Formación en Ho Chi Minh City en 2008 y de un curso de alemán impartido por el Servicio Alemán de Intercambio Académico (DAAD) en el Centro Vietnam-Alemán de la Universidad Tecnológica de Hanoi en 2009. A esto le siguió un curso de tres meses para el aprendizaje de alemán en el Centro Carl Duisberg en Colonia (Alemania), antes de unirse al equipo de investigación del Instituto para el Seminarios Histórico, en la Facultad de Filosofía y Ciencias Históricas de la Universidad Goethe-Frankfurt am Main, Alemania (octubre de 2009 - mayo de 2015). Asimismo, se desempeñó como profesor de Historia en la escuela secundaria Hung Vuong, Quang Binh (octubre de 2015 - diciembre de 2017). A esto le siguió el programa de doctorado en la Universidad de Ciencias, Universidad de Hue (2016 - 2020), y actualmente es profesor de relaciones internacionales en la Facultad de Ciencias Sociales y Humanidades de la Universidad Internacional Hong Bang. El Dr. Nguyễn

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Mậu Hùng ha publicado más de 160 obras en varios idiomas sobre una amplia gama de temas, pero sus investigaciones se han centrado sobre todo en cuestiones que versan sobre filosofía política, economía política internacional, relaciones internacionales, historia moderna mundial (con un fuerte enfoque en Vietnam y Alemania) y la cultura de Vietnam en contacto con el mundo exterior.

EU - Central Asian Civil Societal Relations: Unrealistic Expectations, Discouraging Results

Relaciones entre la UE y la sociedad civil de Asia Central: expectativas poco realistas, resultados desalentadores

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Abstract: Central Asia has endured three decades of multiple transitions. The political life of these post-Soviet states has witnessed an active phase of education and reform of the main vectors of development. The most important international actor that has supported and encouraged this process has been the European Union. From the outset, it must be stated that civil societal development has not met the expectations of the immediate post-Cold War period. Any society in transition must correlate its actions with its historical experience based not only on opportunities and flexibility related to the state but also on civil society, representing the quintessential spirit of the people, defining the contours of reform and the potential of society as a whole. One may assert that successful public change largely depends on the institutional matrix and socio-cultural features that can both drive change and create an environment of resistance. Therefore, this research aims to provide insight into the theoretical comprehension concerning Central Asian political reform expectations and to investigate the interaction between Central Asian civil society and the EU.

Keywords: Civil Society, European Union, Central Asia, Democratization, NGOs.

Resumen: *Asia Central ha soportado tres décadas de múltiples transiciones. La vida política de estos estados postsoviéticos ha sido testigo de una fase activa de educación y reforma de los principales vectores de desarrollo. El actor internacional más importante que ha apoyado y alentado este proceso ha sido la Unión Europea. Desde el principio, debe señalarse que el desarrollo de la sociedad civil no ha cumplido las expectativas del período inmediatamente posterior a la Guerra Fría. Toda sociedad en transición debe correlacionar sus acciones con su experiencia histórica basada no solo en las oportunidades y la flexibilidad relacionadas con el Estado sino también con la sociedad civil, que representa el espíritu por excelencia del pueblo, define los contornos de la reforma y el potencial de la sociedad en su conjunto. Se puede afirmar que el cambio público exitoso depende en gran medida de la matriz institucional y las características socioculturales que pueden impulsar el cambio y crear un entorno de resistencia. Por lo tanto, esta investigación tiene como objetivo proporcionar información sobre la comprensión teórica de las expectativas de reforma política de Asia Central e investigar la interacción entre la sociedad civil de Asia Central y la UE.*

Palabras clave: *Sociedad civil, Unión Europea, Asia Central, Democratización, ONGs.*

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I. **Introduction**

Central Asia is one of the cradles of civilization. Whereas many would correctly identify Athens as being the preeminent city of art, culture and ideas two and a half thousand years ago, it would be wrong to assert it as being the only city to possess such features. Samarkand, in the heart of Central Asia, was as magnificent and impressive as Athens more than two millennia ago. Knowledge flourished and art developed not only on the shores of the Aegean Sea but also on the banks of the Oxus River. Therefore, Central Asia is as much a region of historical significance as the Mediterranean. Over the centuries, the region witnessed waves of preponderances of power and influence as well as waning authority and impact. The twentieth century was a particularly dynamic time period when Turkic Central Asia came to be dominated by Russian authority under the guise of Czardom and Bolshevism, finally culminating in independence in the last decade of the century.

The transition from Soviet socialism, which the region had endured for seven decades to an economic free market alongside democratisation was a major challenge for all the newly independent countries. The Leviathan Soviet state wanted to leave no space for any independent or collective action to be organised or take place without its prior consent. There could be little chance of escaping the watchful eye of the state in terms of non-state action. Therefore, it was impossible for any grouping to be independent from the state, which included trade unions. Hence, one could not speak of any semblance of civil society until the dissolution of the Soviet Union.

Prior to and following this development, civil society had become a strong buzzword within political science, especially in development work where all donors and Non-Governmental Organisations (NGOs) incorporated a civil society component in their programmes with development partners worldwide agreeing on the concept's role and function. Nevertheless, civil society has not always been part of the more extensive development discussions. The concept has had different meanings and understandings since its origin in the Enlightenment era.

II. **Concept**

First of all, then, what is a concept? A general definition of the concept would be useful. By definition, concepts are general mental representations and abstractions of an object of knowledge which seek to

achieve a classification objective[1]. In connection with this, the concept as a mental category gathers, among other things, objects, experiences, and beings. Human beings must classify events, objects and phenomena surrounding them in specific categories according to their differences and similarities. The concept is characterised by the mental construction of a category of entities - events, ideas, attitudes - whose specific attributes are identical[2].

Moreover, a concept is analogous to an idea of the mind that makes possible the organisation of knowledge[3]. By sharing common characteristics distinct from them, certain elements are incorporated into the same conceptual class; therefore, conceptualisation is a process[4]. The meaning of the concept's categorisation, or classification, then depicts the first degree of definition of the concept. However, the broad definition of the concept cannot be complete without specifying its abstract character. From this point of view, a concept corresponds to a mental representation and is imagined by the spirit of a thing[5]. It perceives for its part this expression as a symbolic representation, which is usually verbal, used in the game of abstract thought and having a general meaning valid for a set of concrete representations in what they have in common[6].

It can be further asserted that the concept is usually objective. According to this idea, the representation of concepts would be required to be distinct from the thought of the person who expresses them since concepts differ from declarative knowledge that must be memorised. Their definitions are charged with meaning and specify specific properties, while their use contributes to the learning and improving of a common vocabulary[7].

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[2] De Houwer, Jan, Bertram Gawronski, and Dermot Barnes-Holmes. "A functional-cognitive framework for attitude research." European Review of Social Psychology 24, no. 1 (2013): 252-287.

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A concept comprises the attributes that constitute and specify it. The concept is presented according to its operational structure[8]. The concept consists of a denomination, that is to say, an appellation allowing a union between a precise term and this abstract representation. However, the representation that constitutes the basis for understanding the concept should not be reduced to the simple meaning of the name given to it[9].

The concept is in itself different from the label attached to it. Assuming the idea of mental representation, concepts are inherent structures of various models and phenomena related to each other[10]. In this respect, the concept has attributes and distinct characteristics that make possible its intellectual significance despite its name. These attributes result from individual perceptions and cross-cultural variables that influence cognitive processes[11].

Finally, one can affirm that the concept is represented above all by its abstract nature. It is inside the cognitive organisation of a person that it is structured. These are the attributes that allow its mental representation. Concepts serve as an anchor for the cognitive structure[12]. They are defined as abstractions that share a standard set of defining features or attributes unconstrained by the spatiotemporal framework, from which contextual examples and counter examples can be applied or excluded[13].

Historical concepts do not escape all these rules, but they have two specific characteristics. First, their framework of representation is subject to variations since it is context-dependent and constantly open to anachronistic possibilities[14]. Historical concepts do not belong to the

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[8] Ramezan, Majid. "Intellectual capital and organizational organic structure in knowledge society: How are these concepts related?." International Journal of Information Management 31, no. 1 (2011): 88-95.

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[13] Kwan, Mei-Po. "Space-time and integral measures of individual accessibility: a comparative analysis using a point-based framework." Geographical analysis 30, no. 3 (1998): 191-216.

[14] Podoksik, Efraim. "One Concept of Liberty: Towards Writing the History of a Political Concept." Journal of the History of Ideas 71, no. 2 (2010): 219-240.

historical discipline but several other disciplines such as sociology, geography, anthropology and psychology and are used extensively in the common language[15].

1. *Concept learning and the concept of democracy*

In a logical order of ideas, a reflection on the learning of general concepts is necessary. Learning is a cognitive process that makes knowledge acquisition possible by building conceptual representations distinct in the awareness of their value and their validity[16]. It is essential to read reality and following this line of thought, the properties of a concept become apparent as soon as it is put in parallel with other neighbouring concepts[17]. These desired comparisons allow the concepts to be used as tools. They allow the identification and the classification of various social phenomena by the recognition of their attributes but also the comparisons between societies of time and geographical contexts present[18].

Having a scope of mental representation and classification, the concept of civil society and democracy, and more particularly its representation, implies knowledge of its definition, but also the identification of some attributes allowing to determine if a situation is democratic or not. First of all, some clarifications are necessary for the concept under study. Originating from the Greek word dêmokratia, it links the expressions demos meaning people and kratos, having the sense of power and command[19]. Thus, even though this idea of power to the people originated in Antiquity and only reappeared in the Renaissance, with the French and American revolutions, it constitutes the foundations of our governments and influences the dynamics of history. Therefore, one must answer the question: what is democracy?

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[16] Novak, Joseph D. "Meaningful learning: The essential factor for conceptual change in limited or inappropriate propositional hierarchies leading to empowerment of learners." Science education 86, no. 4 (2002): 548-571.

[17] Redclift, Michael. "Sustainable development (1987–2005): an oxymoron comes of age." Sustainable development 13, no. 4 (2005): 212-227.

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A polysemous concept, it gives rise to several definitions. For some, a democracy requires a peaceful structure of political opposition so that power can be exercised[20]. For others, it is only valid if it has frequent free and fair elections[21]. In general, two principles stand out and form the basis of these reflections on democracy. First, that of people's control over the collective decision-making process through elections and then, that according to which all men have the same rights in applying this control. Democracy is in this context perceived as much more than a direct, parliamentary or representative political system. It also establishes a set of historical influences that persist in space and time[22].

The conception of the principles of institutions and a specific social environment implies that democracy is affiliated with a range of values, thus supporting, more or less, a saturation of meaning[23]. Democracy is a concept that allows popular control over decisions and common rights. It is therefore synonymous with participation in social and civil life. The academic literature on this theme demonstrates the primary standards of democracy and the characteristics of an environment. One can propose seven attributes of democracy: fair election, right of speech and association, equality, solidarity, public good, justice and transparency[24]. This may be reduced to three – equality, freedom and responsibility – but the same foundations are retained[25]. Democracy may also be considered a utopian idea, turning into a way of life, varying according to each society. History, economics and politics influence citizens' perceptions and attitudes towards democracy. The elements that make up a democratic system for a society at a specific time may constitute a dictatorship for another society at a different time[26]. The history of the 20th century testifies to this effect that democracy remains a fragile reality, mainly because of its requirements that must continually be

[20] Baehr, Peter. "The honored outsider: Raymond Aron as sociologist." Sociological Theory 31, no. 2 (2013): 93-115.

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adapted to the present world[27]. Therefore, it is clear that democracy is a complex concept that takes on a panoply of senses. It is also prone to different interpretations, thus marking its relevance as an object of representation. Faced with this polysemy, failing to specify its framework conceptually, one views democracy from a dynamic perspective, which considers the freedom, equality and sovereignty of the people.

Democracy requires citizens to believe in democratic values, such as freedom and equality, and know the peculiarities and significance of this political system. Understanding the concept of democracy does not only refer to knowing its definition but also to identifying specific attributes and examples that allow students to identify conceptual representations.

In the case of the construction of concepts, environmental or socio-cultural factors play a significant role[28]. The construction of the specific concept of democracy goes in the same direction since, by its cultural conditions, it goes far beyond the purely political arena[29]. The awareness of this character gives the person the possibility of using the same concept again in a different context[30].

Civil society has become one of the unique and debated concepts in the social sciences. The concept has been constructed, deconstructed, and reconstructed by a whole gamut of social scientists, and yet there is no consensus on either its intention or its extension[31]. Some assert that civil society is much talked about but rarely understood that that civil society is not a coherent theory or concept[32]. In order to engage in the discussion about the concept, it is necessary to understand the origins and development of the idea of civil society since then. This development can be categorised into three phases.

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[27] Stotzky, Irwin P. "The fragile bloom of democracy." U. Miami L. Rev. 44 (1989): 105.

[28] Abdullahi, Ahmad Isa, and Fakhrul Anwar Zainol. "The impact of socio-cultural business environment on entrepreneurial intention: A conceptual approach." International Journal of Academic Research in Business and Social Sciences 6, no. 2 (2016): 80-94.

[29] Tremblay, Manon. "Democracy, representation, and women: A comparative analysis." Democratization 14, no. 4 (2007): 533-553.

[30] Collier, David, and Steven Levitsky. "Democracy with adjectives: Conceptual innovation in comparative research." World politics 49, no. 3 (1997): 430-451.

[31] Holmén, Hans, and Magnus Jirström. "Look Who's Talking! Second Thoughts about NGOs as Representing Civil Society." Journal of Asian and African Studies 44, no. 4 (2009): 429-448.

[32] Somers, Margaret R. "Narrating and naturalizing civil society and citizenship theory: The place of political culture and the public sphere." Sociological theory (1995): 229-274.

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2. *Philosophical foundations and developments*

The idea of civil society emerged in the Enlightenment era with thinkers such as Rousseau and Kant, for whom civil society was synonymous with the state or political society. Civil society was a type of state governed by a social contract agreed upon among the individual members of the society[33]. With the Scottish Enlightenment thinkers, such as Ferguson and Hutcheson, a significant shift in conceptualising the idea occurred when civil society's role was to protect personal freedoms against state powers[34]. Civil society began to be separated from the state and was viewed as voluntary associations organised as part of a resistance against state intrusions on individual rights and freedoms[35]. With Hegel, civil society became the intermediate realm between the family and the state[36]. Civil society, according to Hegel, had to do with wildly differing representations of social reality and conceptions of the interaction with the state and the market. Civil societal actors were not always in harmony but rather in conflict, as citizens mainly followed their self-interest[37].

This theme was taken up by De Tocqueville who remains associated with the idea of a vibrant civil society as the foundation of a stable democratic polity[38]. The definition narrowed again in the twentieth century when civil society came to be understood as occupying the space outside the market, state, and family. In this way, civil society became the realm of culture, ideology, and political debate. Antonio Gramsci is the thinker most associated with such a definition and according to him civil society was part of the superstructure in addition to the state, but with a different function[39]. Here, the state served as an arena of force and coercion for capitalist domination. Civil society served as the field through which values and meanings were established, debated, and challenged[40]. Despite the changing content in the term, all these different definitions had an ordinary

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[33] McNair, David. "A new social contract?." Organisation for Economic Cooperation and Development. The OECD Observer 276/277 (2009): 32.

[34] Wiktorowicz, Quintan. "Civil society as social control: State power in Jordan." Comparative politics (2000): 43-61.

[35] Chambers, Simone. "A critical theory of civil society." Alternative conceptions of civil society (2002): 90-110.

[36] Hardt, Michael. "The withering of civil society." Social text 45 (1995): 27-44.

[37] Pietrzyk, Dorota I. "Democracy or civil society?." Politics 23, no. 1 (2003): 38-45.

[38] Woldring, Henk ES. "State and civil society in the political philosophy of Alexis de Tocqueville." Voluntas: International Journal of Voluntary and Nonprofit Organizations 9, no. 4 (1998): 363-373.

[39] Buttigieg, Joseph A. "Gramsci on civil society." boundary 2 22, no. 3 (1995): 1-32.

[40] Kumar, Krishan. "Civil society: An inquiry into the usefulness of an historical term." British Journal of Sociology (1993): 375-395.

core meaning; they were all about a rule-governed society based on a social contract among individuals[41]. From this time onwards, civil society was seen as oriented toward the state and acting on and counter to state powers[42].

The idea of civil society flourished again in the 1970s and 1980s in Latin America and Eastern Europe. The concept became widely used to describe social movements against military dictatorships and totalitarianism. People realised that overthrowing regimes from the top-down was not realistic. It was necessary to achieve changes in society from the bottom-up[43]. Civil society here refers to the potential for local people to change the relationship between state and society, striving for governments that are more democratic and a redistribution of power and economic wealth[44]. The new understanding of civil society represented a withdrawal from the state and a move towards global rules and institutions, where social movements were able to create political space through international links and appeals to international authorities[45]. As an outcome of these conflicts, the expectations of civil society grew high. As state institutions failed to provide security, accountability, and essential services to their citizens, civil society became more effective than governments in providing development needs[46]. The idea of civil society as a precondition for democracy thus spread during the 1990s.

With the end of the Cold War in 1991, the idea of civil society broadened significantly again and became understood in different ways. For social movements and activists concerned with human rights, climate change and Acquired Immune Deficiency Syndrome (AIDS) and Human Immunodeficiency Virus (HIV), the term civil society expressed their brand of non-party politics[47]. Civil society became interested in "good

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[41] Glasius, Marlies, David Lewis, and Hakan Seckinelgin. "Globalization and civil society." In Exploring Civil Society, pp. 164-170. Routledge, 2004.

[42] Cox, Robert W. "Civil society at the turn of the millenium: prospects for an alternative world order." Review of international studies 25, no. 1 (1999): 3-28.

[43] Scholtens, Joeri, and Maarten Bavinck. "Transforming conflicts from the bottom-up? Reflections on civil society efforts to empower marginalized fishers in postwar Sri Lanka." Ecology and Society 23, no. 3 (2018).

[44] Fröhlich, Christian. "Civil society and the state intertwined: the case of disability NGOs in Russia." East European Politics 28, no. 4 (2012): 371-389.

[45] Kidd, Bruce. "A new social movement: Sport for development and peace." Sport in society 11, no. 4 (2008): 370-380.

[46] Brinkerhoff, Derick W. "Exploring state–civil society collaboration: policy partnerships in developing countries." Nonprofit and Voluntary Sector Quarterly 28, no. 1_suppl (1999): 59-86.

[47] Kothari, Rajni. "The non-party political process." Economic and political weekly (1984): 216-224.

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governance" objectives within the neoliberal new policy agenda for Western governments and international institutions. International donors and governments were sure of the positive contribution civil society made to the promotion of democracy and facilitating market reforms. Here, civil society came to stand for NGOs, both international and local and the term came for many to be interchangeable with the concept of democracy itself[48]. Thus, many people today view civil society as a necessity for democracy everywhere, in all contexts[49]. They would agree with the neo-Tocquevillian belief that the solidity of liberal democracy depends on a vibrant and robust sphere of associational participation[50]. This view, however, has been criticised by social scientists, in particular anthropologists, who argue that the civil society concept is Eurocentric, something born out of the Western cultural context, and does therefore not apply to contexts that have more traditional organising structures[51]. In response to this critique, another trend in understanding the term was the notion of civil society as a form of organisation, often non-Western, representing a check on state power. These organisations included local traditional institutions and religious and ethnic movements[52]. Such developments of the concept influenced the contemporary discussions concerning civil society.

2.1. Civil society, public space, historical and conceptual anchors

The notion of civil society lends itself to a discussion, contradiction, and opposition. There is no single consensus concerning its definition and the meaning to be given to it. Becoming the " buzzword" of the last thirty years, it has enjoyed popular and global success without ever managing to acquire a precise and legitimate definition at the semantic level. This concept has been accused of ultimately being an empty label, which gives the impression of achieving consensus while ultimately designating different interpretations and perceptions[53].

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[48] Mercer, Claire. "NGOs, civil society and democratization: a critical review of the literature." Progress in development studies 2, no. 1 (2002): 5-22.

[49] Arato, Andrew. "Thinking the Present: Revolution in Eastern Europe. Revolution, Civil Society and Democracy." Praxis International 10, no. 1+ 2 (1990): 25-38.

[50] Chambers, Simone. "A critical theory of civil society." Alternative conceptions of civil society (2002): 90-110.

[51] Dutta-Bergman, Mohan J. "Civil society and public relations: Not so civil after all." Journal of public relations research 17, no. 3 (2005): 267-289.

[52] Minkoff, Debra C. "Producing social capital: National social movements and civil society." American Behavioral Scientist 40, no. 5 (1997): 606-619.

[53] Frolic, B. Michael. "State-led civil society." Civil society in China (1997): 46-67.

Civil society is one of the most ambiguous notions in the field of current socio-political debate. Some have defined it and still define it in opposition to the state, thus encompassing all the institutions - family, business, and associations with individuals pursuing common interests without interference from the state[54]. For others, civil society should not be perceived in opposition to the state but, on the contrary, as being the place where the private and the public interpenetrate, between the will and the perception of a universal civil society or a Western-style civil society leading to a view regarding it as Western exceptionalism[55].

The standardisation of the concepts of civil society and public space and a knowledge that is too technical or too semantic allows, of course, to reach a consensus but also sometimes has the consequence of keeping the citizen away from the understanding of reality and the actor in the centre of the analysis. The danger is then, consciously or unconsciously, to choose not to focus on the political, conflictual and ultimately participatory dynamics of popular and civic action. The purpose here is to draw attention to the complexity of civil society's emancipatory notion and the need to take into account and respect the diversity of contexts.

In the historical and conceptual continuity of what has been outlined and to approach more representative contemporary issues, one needs to isolate and compartmentalize civil society into a single dimension. Thus, civil society takes shape in the emancipation of individuals from their families and the private sphere. This dimension of civil society in keeping with the Tocquevilian tradition, is represented by the associative sphere. Associations whether they are networks, groups, organisations, institutions, NGOs produce social capital - understood as family, friends, professional relations, necessary for economic development and, therefore, for the functioning of a democratic society[56].

These associations produce a system and structures of social norms, values, opinions, representations, identities. This plurality and contradictions are projected into the public space, perceived as one or more areas of argumentation and deliberation, under the state's sphere of influences and arbitration. In effect, not all the associations are the same and the link between the liveliness of the associative world and democratic liveliness is not always so evident and apparent. Moreover, as will be demonstrated, this

[54] Chambers, Simone. "Civil Society." The Oxford handbook of political theory 1 (2006): 363.

[55] Kingsbury, Damien. "Universalism and exceptionalism in "Asia"." In Human Rights in Asia, pp. 19-39. Palgrave Macmillan, New York, 2008.

[56] Schuurman, Frans J. "Social capital: the politico-emancipatory potential of a disputed concept." Third World Quarterly 24, no. 6 (2003): 991-1010.

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definition is faithful and essential to remember concerning the (new) post-independence socio-political context that characterises the Central Asian states that are under scrutiny in this chapter.

In this perspective, one accepts public space, the space where a process of argumentation and deliberation takes place within a dense fabric of associations and institutions[57]. Thus, civil society is characterised by the associations, organisations and movements who condense, reverberate, by amplifying them in the public political space the resonance that social problems find in the spheres of private life[58]. The perception of a space opening between the state and civil society, especially associations, where citizens meet to discuss matters of general interest freely, becomes important as through public space people try to forge an identity by emancipating themselves through political discussion[59].

Habermas considers public space as the process during which the public made up of individuals using their reason appropriate the public sphere controlled by authority and transform it into a sphere where criticism is exercised against the state's power[60]. Therefore, what is essential is insisting on the capacity for resistance and, above all, the critical potential of a pluralist and differentiated mass public, which, in principle and theory, goes beyond national borders and class in its cultural and civic habits.

The concept of the public sphere or public space, therefore, also refers to the conditions of social possibility for forming a public opinion. Indeed, in Habermas, the perspective of the monopolisation of public space by a bourgeois elite and the question of legitimacy around the genuine general interest are also present. In Habermas' work, public space also appears as a distinction to distinguish modern societies may be called public societies as opposed to traditional societies or even a secret society, in these last types, where most of the words on which authority is based are secret or private and are therefore not based on dissemination or public debate about these words among the population[61].

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[57] Porta, Donatella. "Making the polis: social forums and democracy in the global justice movement." Mobilization: An International Quarterly 10, no. 1 (2005): 73-94.

[58] Ayres, Jeffrey M. "Global civil society and international protest: no swan song yet for the state." In Global Civil Society and Its Limits, pp. 25-42. Palgrave Macmillan, London, 2003.

[59] Papacharissi, Zizi. "The virtual sphere: The internet as a public sphere." New media & society 4, no. 1 (2002): 9-27.

[60] Fraser, Nancy. "Transnational public sphere: Transnationalizing the public sphere: On the legitimacy and efficacy of public opinion in a post-Westphalian world." Theory, culture & society 24, no. 4 (2007): 7-30.

[61] Boeder, Pieter. "Habermas' heritage: The future of the public sphere in the network society." First Monday (2005).

2.2. *Dominant civil society debates and foreign aid*

As civil society is a normative and descriptive concept, it is closely tied to the context in which each version of the concept was shaped. There are a variety of conceptualisations of civil society that influence the academic literature and debate. However, one can argue that it is the Tocqueville's ghost which prevails[62]. Notably there is a focus on associational activity, civility, and deepening democracy, which is often imagined through terms such as having a voice and activity[63]. Democracy for development for example is a white-hot topic in the development literature[64]. The idea of civil society is connected to a broader neoliberal understanding of "good governance", for which democracy is the premise. As civil society is seen as a necessity to achieve democracy, civil society, by implication, becomes central to achieving "good governance"[65].

Hereto, civil society is perceived as naturally "good" because it seeks justice and fairness[66]. Civil society is furthermore associated with NGOs that seek to influence, or claim space from, the state and the positive role these organisations can play in political and economic development[67]. The dominant contemporary debate on civil society is where NGOs stand for civil society, celebrated as the hero of liberatory change[68]. Thus, civil society has been universalised in the space of a few decades and with little regard for historical concept or critical genealogy [69]. However, civil society as a concept, for example, in foreign aid did not gain prominence before the 1990s, when "development aid" emerged as a core element between the developed world and the developing world.

As will be recalled, foreign aid originated from Cold War diplomacy as previously, there had been humanitarian relief programmes. However,

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[62] Obadare, Ebenezer. "Revalorizing the political: Towards a new intellectual agenda for African civil society discourse." Journal of Civil Society 7, no. 4 (2011): 427-442.

[63] Lewis, David. "Civil society and the authoritarian state: Cooperation, contestation and discourse." Journal of Civil Society 9, no. 3 (2013): 325-340.

[64] Croissant, Aurel, and Lars Pelke. "Democracy and development in Asia." In Research Handbook on Democracy and Development. Edward Elgar Publishing, 2021.

[65] Roy, Indrajit. "Civil society and good governance:(re-) conceptualizing the interface." World development 36, no. 4 (2008): 677-705.

[66] Crocker, David A. "Truth commissions, transitional justice, and civil society." Truth v. justice: The morality of truth commissions (2000): 99-121.

[67] Gallagher, Mary E. "The Limits of Civil Society in." Civil society and political change in Asia: Expanding and contracting democratic space (2004): 419.

[68] Pasha, Mustapha Kamal, and David L. Blaney. "Elusive paradise: the promise and peril of global civil society." Alternatives 23, no. 4 (1998): 417-450.

[69] Helliker, Kirk. "Civil society and state-centred struggles." In 'Progress' in Zimbabwe?, pp. 43-56. Routledge, 2013.

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foreign aid as the gift of public resource transfer from one government to another - or an international NGO - to improve humanitarian conditions did not exist[70]. Due to the Cold War threat, the United States (U.S.) initiated aid programmes and put pressure on other countries to do so.

3. *European development assistance*

The Rome Treaty considered the idea of a Euro-African free trade zone, which included almost exclusively Francophone African countries as part of a European Development Fund, channelled towards economic and social investment[71]. In 1975 with the first Lomé Convention, European development aid evolved considerably, with many more countries becoming involved as well as the instruments adopted[72]. Foreign aid experienced its most significant rise in the 1970s and 1980s when aid exceeded eight billion US dollars worldwide and development aid gained prominence during this period[73]. By 2000, aid had become a common and expected element in relations between rich and developing countries.[74] This was demonstrated by the significant rise in the distribution of aid, which was oriented towards the poorest countries. A more significant proportion of overall aid began to be channelled through multilateral aid agencies, and the number of NGOs increased. These aid agencies began to produce official statements and development strategies. The increasing professionalisation of aid agencies was a sign of this growing seriousness of aid for development purposes[75].

In the 1990s, foreign aid experienced changes with the end of the Cold War, which meant a decline in the diplomatic relevance of giving aid for some governments and emerging new aid purposes. These purposes were economic and political, where democracy promotion and post-conflict

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[70] Rothschild, Daniel M. "Book review of Carol Lancaster´s foreign aid: diplomacy, development, domestic politics". Michigan Journal of Public Affairs 4 (2007).

[71] Langan, Mark, and Sophia Price. "Imperialisms past and present in EU economic relations with North Africa: Assessing the Deep and Comprehensive Free Trade Agreements." Interventions 22, no. 6 (2020): 703-721.

[72] Brown, William. "From uniqueness to uniformity? An assessment of EU development aid policies." EU development cooperation (2004): 17.

[73] Engh, Sunniva. "The 'Nordic model'in international development aid: Explanation, experience and export." In The Making and Circulation of Nordic Models, Ideas and Images, pp. 124-142. Routledge, 2021.

[74] Rothschild, Daniel M. "Book...

[75] Roth, Silke. "Professionalisation trends and inequality: experiences and practices in aid relationships." Third World Quarterly 33, no. 8 (2012): 1459-1474.

resolution became relevant in the formerly socialist countries[76]. Democracy for development picked up momentum across the developing world, and by the end of the 1990s, foreign aid had acquired new prominent purposes: promoting economic and political transitions, addressing global problems, furthering democracy, and managing conflict[77].

Not surprisingly civil society became an increasingly hot topic within foreign aid. Civil society's role became perceived as a buffer against autocratic regime intervention, global economic neoliberalism, social justice, and a source of economic wealth and personal happiness. Therefore, donor agencies and governments have increasingly focused on strengthening civil society as a formula for democracy[78]. Due to the increasing number of NGOs in the past three decades, civil society has become associated with NGOs. This negotiation of civil society marks a shift from somewhat loosely organised and broadly mobilising social movements to more professionalised and structured NGOs[79]. The enormous rise in development NGOs for example reflects a new order, where NGOs have moved from the periphery of the development community to being professionalised and essential agents in development work becoming central to contemporary development discussions and practice[80].

Regarding foreign aid as "gift-giving", it is now clear that the relationship between donors and NGOs is crucial for the foreign aid system[81]. Donors provide NGOs with aid in return for implementing projects that contribute to overall global development. At first glance, this relationship might seem relatively innocent, but if one examines it more closely, it is a relationship of unequal power. The concept of aid as free and disinterested does not exist. Instead, the "gift of aid" contributes to

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[76] Kumar, Krishna. "International assistance to promote independent media in transition and post-conflict societies." Democratization 13, no. 4 (2006): 652-667.

[77] Burnell, Peter. "Democracy, democratization and climate change: complex relationships." Democratization 19, no. 5 (2012): 813-842.

[78] Hadenius, Axel, and Fredrik Uggla. "Making civil society work, promoting democratic development: What can states and donors do?." World development 24, no. 10 (1996): 1621-1639.

[79] Ungsuchaval, Theerapat. "NGOization of Civil Society as Unintended Consequence?." In Premises on the Thai Health Promotion Foundation and its pressures toward NGOs in Thailand. ISTR conference, Stockholm. 2016.

[80] Kelly, Leanne M. "Worthwhile or wasteful? Assessing the need for a radical revision of evaluation in small-sized development NGOs." Development in Practice 32, no. 2 (2022): 201-211.

[81] Mawdsley, Emma. "The changing geographies of foreign aid and development cooperation: contributions from gift theory." Transactions of the Institute of British geographers 37, no. 2 (2012): 256-272.

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constructing and reproducing an unequal power relation between the giver and receiver, where donors have something that the NGOs need and desire.

The European Court of Auditors declared that, "between 1991 and 2013 the European Union (EU) allocated more than 2.1 billion euro in development and humanitarian assistance to Central Asia, of which 750 million euro was for the 2007–13 period. During the 2007 to 2012 period, the Commission paid 435 million euro in development assistance to Central Asia, of which Kyrgyzstan and Tajikistan have been the main beneficiaries".[82]

Hence, what most clearly defines foreign aid is the symbolic power politics between donor and NGO[83]. In the partnership between donor and NGO, power is manifest through the control and flow of money. This type of partnership is not one of equality, mutuality, and shared responsibility but rather a relationship of power inequality expressed through the control of one partner over the other[84]. Money is central in this relationship since NGOs depend on money to work towards their missions and, ultimately, their survival. Donors value money because it gives them the ability to influence development in the direction of their agendas. The partnership between donors and NGOs is based on the inequality in controlling money, where donors give it, and NGOs receive it. In this way, the relationship between donor and NGO is one based on power, reflected in the act of giving money.

According to Sahlins, there are essentially three types of resource allocation in human society: economic exchange, redistribution, and giving[85]. Foreign aid falls under the third category since it is commonly perceived as a gift from one country to another or a donor to an NGO. Gift giving has to be seen in the context of systems of exchange, which involve obligations to give, receive, and repay[86]. Thereby with a gift comes the obligation to reciprocate if the social relation persists. In

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[82] European Court of Auditors. 2013. "EU Development assistance to Central Asia". Special Report No: 13. chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.eca.europa.eu/lists/ecadocuments/sr13_13/qjab13014enn.pdf.

[83] Hattori, Tomohisa. "Reconceptualizing foreign aid." Review of International Political Economy 8, no. 4 (2001): 633-660.

[84] Reith, Sally. "Money, power, and donor–NGO partnerships." Development in Practice 20, no. 3 (2010): 446-455.

[85] Sahlins, Marshall. "The conflicts of the faculty." Critical Inquiry 35, no. 4 (2009): 997-1017.

[86] Konstantinou, Efrosyni, and Robin Fincham. "Not sharing but trading: Applying a Maussian exchange framework to knowledge management." Human Relations 64, no. 6 (2011): 823-842.

social systems where there are significant social divides, "negative reciprocity" characterises the relationship between these social inequals, where the universal obligation to reciprocate no longer holds and foreign aid falls into this type of gift-giving, where the gift cannot be reciprocated, namely unreciprocated giving[87]. This is because the social relation in which the gift is extended reveals material inequality between donor and recipient. The donor has resources to give that the other lacks. Following these arguments, foreign aid can be understood as symbolic domination: a practice that maintains social hierarchies[88]. The extension of the gift transforms a donor's status from the dominant to the generous, and when accepting such a gift, the recipient becomes grateful. This type of relationship between the generous and the grateful gives the practice of unreciprocated giving its social power. Giving is the allocation of material goods needed or desired by the recipient[89]. What gives the gift symbolic power involves authentic goods and services that fulfil real needs and desires; the donors have the goods that the recipient desires[90].

The donor's agenda is often expressed through funding requirements, and it is up to the NGOs to demonstrate how they fit into this agenda. In this way, donors tend to distribute money only to NGOs whose aims and agendas are similar to their own. If NGOs fail to show these similar objectives, their applications are typically rejected[91]. It is essential to understand the competitive context of the aid system, where NGOs are increasingly dependent on donors and are therefore increasingly vulnerable to donor demands. This sometimes leaves NGOs to accept donor funding, even if it means sacrificing their own goals for the donors and becoming servants of an externally imposed agenda[92]. Therefore, the donor sets the agenda, and the receiver is accountable to the donor for its assistance. When offering aid, the donor demands that projects be

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87 Jensen, Lea Graugaard. "Civil Society: A Powerful Concept." (2016).

88 Mawdsley, Emma. "The changing geographies of foreign aid and development cooperation: contributions from gift theory." Transactions of the Institute of British geographers 37, no. 2 (2012): 256-272.

89 Hattori, Tomohisa. "Reconceptualizing foreign aid." Review of International Political Economy 8, no. 4 (2001): 633-660.

90 Schwartz, Barry. "The social psychology of the gift." American journal of Sociology 73, no. 1 (1967): 1-11.

91 Zanotti, Laura. "Cacophonies of aid, failed state building and NGOs in Haiti: setting the stage for disaster, envisioning the future." Third World Quarterly 31, no. 5 (2010): 755-771.

92 Reith, S. (2010). Money, power, and donor–NGO partnerships. Development in Practice, 20(3), 446-455.

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implemented following the donor's development idea[93]. In this way, there is no such thing as a free and disinterested gift[94].

III. EU Support for Civil Society in Central Asia

When the Central Asian states gained their independence, the EU showed interest in this region and initiated a multi-dimensional relationship. One of the areas in which it paid close attention to and supported both financially and politically was the arena of civil society. In 2007, the EU published its Strategy for a New Partnership with Central Asia. It defined the priorities for its cooperation with each Central Asian state according to its specific needs, requirements and performance, which includes human rights, good governance, democracy and social development[95].

The EU strongly believed that strengthening the commitment of Central Asian States to international law, the rule of law, human rights and democratic values, as well as to a market economy, would promote security and stability in Central Asia, thus making the countries of the region reliable partners for the EU with shared common interests and goals[96].

The EU and its Member States intended to intensify support for the protection of human rights and the establishment and development of an independent judiciary. The aim was to contribute in a sustainable manner to the establishment of structures based on the rule of law and international human rights standards. Therefore, cooperation in the field of justice between Central Asian states and EU Member States were highly desirable[97].

The EU believed that "the task of sustaining a culture of human rights and making democracy work for its citizens calls for the active involvement of civil society. A developed and active civil society and independent media are vital for the development of a pluralistic society. The EU will

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[93] Woods, Ngaire. "Whose aid? Whose influence? China, emerging donors and the silent revolution in development assistance." International affairs 84, no. 6 (2008): 1205-1221.

[94] McGoey, Linsey. No such thing as a free gift: The Gates Foundation and the price of philanthropy. Verso Books, 2015.

[95] Council of the European Council. 2007. "The EU And Central Asia: Strategy For A New Partnership". Data.Consilium.Europa.Eu. https://data.consilium.europa.eu/doc/document/ST-10113-2007-INIT/en/.

[96] *Ibid*.

[97] *Ibid*.

cooperate with the Central Asian States to this end and promote enhanced exchanges in civil society."[98]

Furthermore, the EU asserted that the "diversity of religions and centuries-old traditions of peace and tolerance constitute a valuable heritage in Central Asia. Moderate and tolerant Islamic thinking respecting the constitutional secular principle is a hallmark of the Central Asian countries. The EU highly values the peaceful multi-ethnic and multi-cultural coexistence of various creeds in Central Asia. Building on this, the EU will promote dialogue within civil society and respect for freedom of religion".[99]

In 2019, through a new strategy entitled "The EU and Central Asia: New Opportunities for a Stronger Partnership," the EU reiterated its support for a robust civil society to address regional challenges in Central Asia. Since 2019, an annual EU-Central Asia Civil Society Forum has met[100]. The Forum is viewed as a platform that allows civil society representatives from both parties to contribute to the development of the bilateral partnership. At the Forum, media experts, private sector, government experts, representatives and researchers discuss ideas and put forward new and innovative proposals. Their aim concerns how civil society can actively contribute and become more involved in implementing the EU Central Asia Strategy at the local level through programmes and policy levels. The EU proposed working together with the countries of Central Asia to strengthen the architecture of partnership, intensify political dialogue and open up space for civil society participation[101]. It would remain engaged as a leading development partner for the region and strengthen public diplomacy to underline the benefits of the partnership to the region and its citizens[102].

Civil society participation in public decision-making had a crucial role to play in ensuring the sustainability of the ongoing modernisation processes in Central Asia. From this dynamic, the EU would promote an enabling legal and policy environment for civil society that would allow human rights defenders, journalists, trade unionists and independent

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[98] *Ibid*.

[99] Council of the European Council. 2007. "The EU And Central Asia: Strategy For A New Partnership". Data.Consilium.Europa.Eu. https://data.consilium.europa.eu/doc/document/ST-10113-2007-INIT/en/.

[100] High Representative of the Union for Foreign Affairs and Security Policy. 2019. "The EU and Central Asia: New Opportunities For A Stronger Partnership". https://www.eeas.europa.eu/sites/default/files/joint_communication_-_the_eu_and_central_asia_-_new_opportunities_for_a_stronger_partnership.pdf.

[101] *Ibid*.

[102] *Ibid*.

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employers' organisations to operate freely and safely, fostering dialogue and cooperation between civil society and administrations at all levels[103].

IV. **Central Asian Civil Society and Democratisation**

Due to the collapse of the Soviet system, following the example of similar countries already party to the Warsaw Pact, the Central Asian republics embarked on a series of political and institutional reforms to unify their domestic systems with those of the countries of the Euro-Atlantic area. The republics of Central Asia were then considered a fertile ground for expanding the liberal democratic model. On the latter's part, there was an exciting adhesion to the requests coming from these new actors on the international stage.

However, the experience of the last thirty years has shown the emptiness of initial expectations. Despite countless efforts, programs and various initiatives aimed at opening up and transforming Central Asian political systems according to the principles of the rule of law, the regional landscape remains characterised by unfair and unfree elections, authoritarian practices and corrupt and inefficient judiciary. Moreover, the number of daily violations of the fundamental rights of citizens has remained constant, while in a considerable part of the region the grey areas of non-law have widened.

To this day, the relationship of regimes to democratisation programs is in a paradoxical condition. Although the leaders declare that the establishment of representative democracy and respect for fundamental freedoms are objectives of their policies, the latter's reality testifies to a precise will to prevent concrete developments in this direction. In recent years, this divergence has been justified in building a so-called "guided democracy" (upravlyayemaya demokratiya – управляемая демократия)[104]. Claimed as a national way to democracy, this formula is rather understood as "imitated democracy", a screen for regimes that are not entirely dictatorial but are concerned about maintaining a dialogue with systems considered authentically democratic[105].

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[103] *Ibid*.

[104] Krasin, Yuri Andreevich. "Russian Democracy: A Corridor of Opportunities." Policy. Political Studies 6 (2004): 125-135. (Красин, Юрий Андреевич. "Российская демократия: коридор возможностей." Полис. Политические исследования 6 (2004): 125-135.)

[105] Mamychev, Alexey, Diana Mamycheva, Valeria Krupnitskaya, and Alla Timofeeva. "Political transformation of public-power organisation and the color revolution technology in the Eurasian space". Central Asia & the Caucasus (14046091) 17, no. 3 (2016).

1. *Democratisation: the paradigm of transition*

The conjuncture of the early 1990s favoured the application to the region of a complex of new doctrines and completely new ideas. All the Soviet Central Asian Republics participated in drafting a new Union Treaty proposed by Gorbachev. In contrast, the Caucasian and Baltic Republics refused to do so as they had already planned an independent future. From the Central Asian point of view, the local elites found themselves pushed into independence that, far from being an endogenous aspiration, was a decision by the centre to abandon the region[106]. While the Georgians and Armenians joined Moldova and the Baltic Republics in refusing to participate in the 1991 referendum on the Treaty, the Central Asian Republics voted overwhelmingly – by an average of 95% -to approve of the New Union Treaty[107]. The individual party leaders wanted the Soviet Union to continue in a reformed guise; the results indicate that their electorates shared this outlook[108]. One cannot discern a yearning for independence when less than 5% opposed the new Union Treaty. Still, the very few votes cast against the treaty indicate that there was only a minimal and marginal group that wanted the Soviet structure to be dismantled. Furthermore, six republics had refused to draft and participate in the referendum, whereas the Central Asians had acted precisely in the opposite direction. Nevertheless, given the state media monopoly and the forceful use of propaganda, the result could never have been in doubt.

Thus, not only did the Central Asian leadership suddenly have to manage this new situation and its immense challenges, but also this took place in a context of absolute emptiness in ideals caused by the similar disappearance of the Marxist-Leninist conceptual framework. The latter, albeit profoundly modified by the adaptation to the local reality; had nevertheless constituted the ideology at the basis of the system, the source of apparatchik's mental and cultural universe rigidly formed to serve it. Having monopolised the ideology so profoundly and for such a long time in the field of political reflection, there was an acute need for alternative models for managing the new situation and the necessary reform of the existing administrative structures. Lacking an institutional memory prior to imperial times and then experiencing Soviet

[106] Muiznieks, Nils R. "The influence of the Baltic popular movements on the process of Soviet disintegration." Europe-Asia Studies 47, no. 1 (1995): 3-25.

[107] Suyarkulova, Mohira. "Reluctant sovereigns? Central Asian states' path to independence." Cummings, Hinnebusch (2011): 127-50.

[108] Gleason, G. (1991). Independent Muslim republics in Central Asia: legacy of the past, shape of the future. Institute of Muslim Minority Affairs. Journal, 12(2), 355-375.

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integration, adopting the democratic-liberal models of the victorious West at the end of the Cold War emerged almost automatically as an obligatory path.

Such an approach was enthusiastically welcomed on the western side, especially in the EU and the U.S. For over a decade, the concept of the "world democratic revolution", an ideological tool of internationalism used by the Union of Soviet Socialist Republics (USSR), had made its way as a central element of global foreign policy[109]. At the basis of this ideology was a theoretical paradigm with a scientific claim, the "transition to democracy", which, in a teleological vision, advocated the possibility of a linear path of passage from authoritarianism to democracy. Furthermore, a path on which any state could start and progress through the application of standard schemes, regardless of the starting conditions and its type of internal structure[110]. Under its functionality as a superpower foreign policy, this vision had been developed by large sectors of the US academic world who enriched it with literature articulated upon a series of central concepts to influence the field of hegemonic studies[111]. In the view of its supporters, these principles configured a universal right to democratic governance, which collective international processes had to protect.

On the European side, the approach had been more pragmatic. Faced with little or no initial interest in these parts of the former USSR, it limited itself to hoping for transformations in a democratic sense, such as the most suitable developments to guarantee the security of the new international environment and the stability of Central Asian societies[112].

Nonetheless, under the influence of the transitological view, in the cosmopolitan perspective of legal globalism dominant in the 1990s, Europeans also considered neoliberalism and its primary representations of the rule of law and human rights, such as superior principles and normative foundations, as the legitimacy of any government. Thus a shared Western vision emerged to achieve a "third wave of democratisation" and, for some, a "third way" to complete planetary uniformity as the sole and best socio-

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[109] Schapiro, Leonard. "The International Department of the CPSU: key to Soviet policy." International Journal 32, no. 1 (1977): 41-55.

[110] Gans-Morse, Jordan. "Searching for transitologists: contemporary theories of post-communist transitions and the myth of a dominant paradigm." Post-Soviet Affairs 20, no. 4 (2004): 320-349.

[111] Novy, Andreas, and Bernhard Leubolt. "Participatory budgeting in Porto Alegre: social innovation and the dialectical relationship of state and civil society." Urban studies 42, no. 11 (2005): 2023-2036.

[112] Berdiyev, Berdi. "The EU and former Soviet Central Asia: an analysis of the Partnership and CooperationCooperation Agreements." Yearbook of European Law 22, no. 1 (2003): 463.

political system[113]. This drive was applied within the borders of the former USSR with a particular voluntarist intensity, driven by a real triumphalism, which fueled a renewed conviction of the inevitability of the path that the republics should have followed in order to reach the double landing of the free market and democracy and an even more reduced consideration of the structural limits of the export of the model in the conditions typical of the region.

For realising its plan in the global periphery, through the international development aid system, representatives came running to the fore and reflected what happened to the defeated communist adversary; the transition paradigm offered a concrete apparatus of democracy alongside the promotion of community. As part of the Soviet bloc, the same schemes used in Eastern Europe were applied. At the centre of attention concerning institutional transformations, the central focus and base were good governance[114].

The essence of the latter derived from another critical element of the "transition" paradigm was its totalitarian prejudice, the belief that at the root of the alleged evils of the Soviet system there was an omnipotent state, a Leviathan who was now caged to favour an idealised civil society and the liberalisation of the economy[115]. Consequently, a substantial part of the activities implemented by the apparatus deployed in the region focused on the formal aspects of defining domestic politics, in particular on parliaments and electoral mechanisms. These programs traced the experiences of development cooperation in the third world of the 1960s and 1970s.

The formal adoption of laws and structures could not interact with societal behaviour and practices. The institutions that defined the political field, which, although transforming themselves to respond to post-independence challenges, were ultimately strengthened[116]. Forcing the adaptation of the model numerous times generated a growing resistance and aversion within the region. The recently formed states could not accept elements such as the deterioration of national specificities and the exhaustion of the state's role.

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[113] Lobo, Marina Costa, and Pedro C. Magalhães. "From'Third Wave'to'Third Way': Europe and the Portuguese Socialists (1975–1999)." Journal of Southern Europe and the Balkans 3, no. 1 (2001): 25-35.

[114] Ahrens, Joachim, and Herman W. Hoen. "Economic transition and institutional change in Central Asia." Institutional Reform in Central Asia: Politico-Economic Challenges (2012): 3-17.

[115] Haskell, John D. "Will the Real Transitology Please Stand Up?." Baltic Yearbook of International Law 15 (2015): 2016-03.

[116] Mayer, Sebastian. "Walking alone, Walking Together? OSCE-EU Relations in Central Asia." Asian Survey 36, no. 3 (2017): 300-312.

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In the degradation of the general conditions of life and given the fact that it reduced democracy to a formal procedure, the imported ideology of transformation was increasingly perceived as a system conceived not for development but rather for the opening of these peripheral economies to global capital, which, could influence national policies through the agenda of international financial institutions without paying particular attention to the populations of the beneficiary countries[117].

A factor to which everyone had to pay attention was that in neglecting the state dimension, without the strengthening of the institutions and authorities responsible for organising the elections and the law enforcement jurisdictions, it would not have been possible a priori to speak of democracy, not even within the formal terms envisaged by the standard package of the transition[118]. Throughout the second half of the 1990s, the abovementioned paradox was consolidated by which, even in the face of little or no results on the ground, the transition was assumed as a complete phenomenon, apart from some negligible side effects. An insecurity that betrayed the political will to continue to definitively take for granted the impossibility of a model other than the Anglo-Saxon form of liberal democracy, as the inevitable point of arrival of the political coexistence of human societies.

For their part, with the fading of enthusiasm and expectations typical of the first post-independence period, while continuing to declare themselves in favour of a discourse that was the obligatory route for access to international financial aid, Central Asian leaders began to oppose an argument that underlined the limits of an unconditional and accelerated democratisation. This argument was based on cultural particularism, on the principles of non-interference and sovereignty and, above all, on the risks that an unconditional opening of the political field could entail for the stability of young states[119]. In this way, the vision of transition continued to be accepted. The idea of leaving a past of totalitarianism, which, under the deep traces left by it, would have required a long period of adaptation to democratisation policies by local entities.

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[117] Bolesta, Andrzej. "From socialism to capitalism with communist characteristics: the building of a post-socialist developmental state in Central Asia." Post-Communist Economies 34, no. 1 (2022): 71-98.

[118] Blank, Stephen. "Democratic Prospects in Central Asia." World Affs. 166 (2003): 133.

[119] Kandiyoti, Deniz. "Post-colonialism compared: Potentials and limitations in the Middle East and Central Asia." International Journal of Middle East Studies 34, no. 2 (2002): 279-297.

2. *Kazakhstan*

Reigning over an immense country subjected to numerous centrifugal forces, Kazakh President Nazarbaev made a wise modification of the relationship between centre and periphery, an essential dialectic inherited from the Soviet system. If the centre maintained direct control through the appointment of regional governors (akim), the powers of the latter were strengthened so that they served as a guarantee of the necessary mobilisation of voters during the numerous electoral exercises and, more generally, of the legitimacy of the regime at the regional level[120]. This de facto decentralisation also derived from - relative compared to its neighbours - party pluralism, which allowed regional leaders to appropriate resources already available to the Communist Party of the Soviet Union (CPSU) apparatus, which further increased its power and margin for manoeuvre in the implementation of policies from the centre.

At the same time, as a formal opening to decentralisation, the principle of the eligibility of regional assemblies was preserved. The central power was favoured by the objective difficulties encountered by forming a counter-elite precisely under the immensity of the distances between the different urban centres. Potential leadership alternatives were easily co-opted into the elite or marginalised by the impossibility of structuring support networks on a national scale[121].

Another structural element that must be kept in mind is how the system was restructured by accentuating the ethnic-nationalist principle in a nutshell in the Soviet national construction[122]. In this way, belonging to the Kazakh ethnic group became an essential prerequisite for finding work or making a career. In a context in which the country's eponymous nationality constituted only a narrow majority, this situation placed a substantial part of the population in a grey area of non-law underlined by the ambiguity of the official definition of citizenship, oscillating between jus soli and jus sanguinis.

In other words, the main factor that shaped the system was the full affirmation of the presidential clan's control over the country's economic life. Faced with the precariousness of the internal holding, the key to

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[120] Hess, Steve. "Kazakhstan." In Authoritarian Landscapes, pp. 157-198. Springer, Boston, MA, 2013.

[121] Kennedy, Ryan. "A colorless election: The 2005 presidential election in Kazakhstan, and what it means for the future of the opposition." Problems of Post-Communism 53, no. 6 (2006): 46-58.

[122] Koch, Natalie. "Sport and soft authoritarian nation-building." Political geography 32 (2013): 42-51.

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Nazarbaev's success in such an enterprise primarily resided in balancing domestic sources of support with international ones[123]. By agreeing to the introduction of a general economic policy direction of liberal inspiration, as required by the significant transnational capital, which was installing itself in the country's energy sector, the regime ensured the silence of those critiquing the slow progress of democratisation. At the same time, the regime drew from the international context only those elements that could be useful to it in the work of internal consolidation, at the same time discarding what would have put into play the rents and monopolies controlled by the elite.

Just after New Year in 2022, protests began in Kazakhstan, in Zhanaozén responding to an increase in the price of Liquefied Petroleum Gas (LPG) due to the elimination of state subsidies, turning into a diffuse compendium of demands as they spread throughout the country. This coincided with political slogans shouted by the demonstrators «Shal, ket!» - Leave Old Man! referring to the continued hold on power by Nazarbayev after relinquishing the presidency three years ago in 2019[124].

This protest was not the first of its kind. However, on this occasion, the rapid spread of protests and violence that took place led analysts to think that it was not only about the rise in prices but a host of social factors that marked the discontent of a population that had been kept calm thanks to unprecedented economic growth experienced by the country between 2000 and 2015[125]. The success of the Kazakh Government primarily rested on three fundamental pillars: economic success, a weak opposition and the repression of non-conformists. The ruling party dominated the political system, which all other participants in the elections supported; therefore, the population did not have natural political alternatives to vote for.

However, other essential motivations were also observed, such as the consequences of the COVID pandemic, the severe repression exerted by the government, the restrictions on fundamental freedoms and suffocating corruption, which led to the disillusionment of the majority of the population[126]. The few organised groups of demonstrators also demanded a profound political reform toward genuine democracy and the release of

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[123] Nurgaliyeva, Lyailya. "Kazakhstan's economic soft balancing policy vis-à-vis Russia: From the Eurasian Union to the economic cooperation with Turkey." Journal of Eurasian Studies 7, no. 1 (2016): 92-105.

[124] Kudaibergenova, Diana T., and Marlene Laruelle. "Making sense of the January 2022 protests in Kazakhstan: failing legitimacy, culture of protests, and elite readjustments." Post-Soviet Affairs (2022): 1-19.

[125] *Ibid*.

[126] Heuer, Vera, and Brent Hierman. "Manhandling and mediation: unpacking the repressive repertoire in Kazakhstan's 2016 anti-land reform protests." Asian Security (2022): 1-18.

political prisoners. To all this, one must add other causes of discontent of a local nature, as in the case of the easternmost regions, where they experienced power supply problems caused by the overload of the network due to the consumption generated by the mining of cryptocurrencies.

3. *Kyrgyzstan*

In the face of the successes and the balance in the implementation of capitalist restructuring typical of the Kazakh experience, Kyrgyzstan offered the example of a country which, from the first moment of the disappearance of the Soviet federal structure, did not cease to oscillate between different institutional experiments which was at least theoretically destined for development, democratisation and effective governance. Kyrgyzstan had long been considered the model for applying the transition paradigm to the Central Asian region. Here too much depended on the figure of the first president, Askar Akaev, the only Central Asian leader at the dawn of independence who did not come from the CPSU nomenclature but the academic world[127].

Aware of the sympathies that this fact earned him in the international arena, Akaev dreamed of making his country an "island of democracy" or the "Switzerland of Central Asia" against the authoritarian background in the first half of the 1990s region[128]. For a few years, this seemed to work. The first Constitution, issued in May 1993, was entirely modelled on the principles of Anglo-Saxon liberalism, with the related emphasis on human rights, to which the country was dedicated. Akaev harshly condemned "totalitarianism", introducing disparate reforms with the applause and assistance of different supranational institutions. Among these were the IMF, which suggested a structural adjustment reform with devastating effects on the country's economic structure. Against this background, it quickly became apparent at the centre that with the tools of liberal regimes, it would not be possible to govern a country deeply divided by a general north/south rift and, within these macro-regions, by a particularly fragmented clan structure, which numbered approximately forty groups[129]. Given the scarcity of material resources and the jarring regional

[127] Ivanov, Yevgeny. "Revolutions in Kyrgyzstan." In Handbook of Revolutions in the 21st Century, pp. 517-547. Springer, Cham, 2022.

[128] Fletcher, Joseph F., and Boris Sergeyev. "Islam and intolerance in Central Asia: the case of Kyrgyzstan." Europe-Asia Studies 54, no. 2 (2002): 251-275.

[129] Lowe, Robert. "Nation building and indentity in the Kyrgyz". Central Asia: aspects of transition (2003): 106.

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contradictions, democratic institutions could only be an empty shell, secondary to the need to ensure the country's stability within the borders inherited from the USSR. Akaev had to refer more and more to his international sponsors. To such an extent, Kyrgyzstan was described as entirely dependent on the international community[130].

The difference concerning the period prior to 1991 was that instead of having to relate to a single ordering power, the country had to refer to a set of trans-national - but mostly Anglo-American - subjects, without the support of which the state would not be able to ensure the most basic functions of public administration such as education, security structures and health. However, the international support, on the one hand, was not enough; on the other, its internal referents, the community of NGO operators created by the cooperation programs, pressed for the continuation of the reforms without taking into account the profound effects on society, which was interpreted as modernisation overheating[131].

The Soviet legacy of the Kyrgyz judicial system had multiple consequences and played a central role in the three revolutions of 2005, 2010 and 2021. After the second revolution, the political leadership initially opted for democratic openness and close cooperation with international donors and civil society. This was primarily due to two reasons. First, the events of 2010 reminded all that power must remain accountable.[132] If the people could not achieve this accountability through the democratic process, they would not hesitate to resort to force again. Thus, openness and support of civil society allow power to gain legitimacy. It should be noted that civil society in Kyrgyzstan was a strong actor who played an essential role in the revolutions. Thus, several representatives of civil society were invited to join the government[133]. Secondly, Kyrgyzstan remained an impoverished country, and the state could not perform most of its duties.[134] This is why it welcomed with open arms the international

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[130] Huskey, E. (2008, November). Foreign Policy in a Vulnerable State: Kyrgyzstan as Military Entrepot Between the Great Powers. In China & Eurasia Forum Quarterly (Vol. 6, No. 4).

[131] Bogatyrev, Valentin. Kyrgyzstan, Democratic Success or Threat to Stability? (2007), https://core.ac.uk/download/pdf/11867983.pdf.

[132] Yigit, Sureyya. 2010. "A Day In The Life Of A Revolution: Kyrgyzstan". Reflectioncafe.Net. Retrieved 28 May 2022http://www.reflectioncafe.net/2010/04/day-in-life-of-revolution-kyrgyzstan.html.

[133] Radnitz, Scott. "What really happened in Kyrgyzstan?." Journal of Democracy 17, no. 2 (2006): 132-146.

[134] Yigit, Sureyya. 2010. "A Day In The Life Of A Revolution: Kyrgyzstan". Reflectioncafe.Net. Retrieved 28 May 2022http://www.reflectioncafe.net/2010/04/day-in-life-of-revolution-kyrgyzstan.html.

donors and NGOs that could replace at least in part its functions and obligations[135].

Kyrgyzstan was deploying a strategy to capture the international financial windfall. The international community was sub-contracted by up to 12,000 local NGOs, which replaced the state's traditional role in many areas[136]. NGOs primarily provide public services related to health. NGOs largely replaced the state in health, education, and religion[137]. Higher education had also been privatised, and foreign universities developed under the aegis of foundations[138].

As far as religion is concerned, above all the Saudi foundations and organisations financed many mosques and religious schools[139]. These examples demonstrate that NGOs, supported by foreign donors, were putting an end to the welfare state. Elites got rich through processes of liberalisation and privatisation, leaving a large part of the population in poverty because the disengagement of the state in the social spheres had been encouraged by the donors. For some, the thousands of Kyrgyz NGOs demonstrate a dynamic civil society and a democratisation of the country and an example of the deployment of global soft power for others[140].

In the case of Kyrgyzstan, one sees the emergence of civil society strongly influenced and even created by international intervention in the context where the state is weakening and disengaging. Contrary to classical Western ideas, civil society does not emerge from the bottom up but is top-down. All NGO Funds come from external sources, which raises questions about their financial independence and the content of the programs and reforms they promote. There are almost no volunteers in the NGOs. However, staff - in terms of the Kyrgyz average – are highly remunerated as donors outsource development policy to national NGOs, with many

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[135] Paasiaro, Maija. "Home-grown strategies for greater agency: reassessing the outcome of civil society strengthening in post-Soviet Kyrgyzstan." Central Asian Survey 28, no. 1 (2009): 59-77.

[136] Dar, Firdous A., and Tabasum Firdous. "The role of NGOs in the socio-political development of Tajikistan and Kyrgyzstan: A comparative study." Journal of South Asian Studies 3, no. 2 (2015): 213-230.

[137] Connery, Joyce. "Caught between a dictatorship and a democracy: civil society, religion and development in Kyrgyzstan."*Fletcher Journal of Development Studies* 16 (2000): 1-18.

[138] Heyneman, S. P. (2007). Three universities in Georgia, Kazakhstan and Kyrgyzstan: The struggle against corruption and for social cohesion. Prospects, 37(3), 305-318.

[139] Tabyshalieva, Anara. "Political Islam in Kyrgyzstan." OSCE Yearbook 8 (2002): 83-92.

[140] Connery, Joyce. "Caught between a dictatorship and a democracy: civil society, religion and development in Kyrgyzstan." Fletcher Journal of Development Studies 16 (2000): 1-18.

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resourceful persons preferring to create their NGO rather than engage in politics or economics[141].

Therefore, NGOs have become the means of capturing funds from abroad, and state organisations are forced to go through NGOs to obtain funds. The weakness of the state in Kyrgyzstan has resulted in the deconcentration of power of which the NGOs are an expression[142]. The reduction of the state's sovereign powers has resulted in the appearance of thousands of NGOs financed by external aid, which more or less ensure the missions that were previously the responsibility of the state: social, education, health, and now justice. Therefore, the result of thirty years of sovereignty for Kyrgyzstan boils down to a dependence on the new structures such as NGOs, international institutions, and development agencies.

Initially, the regime first began to apply increasing pressures on the media; then, with the growing social disasters caused by the new economic course and the consequent rise in the level of criticism from the opposition, it had to try to reconstruct a vertical line of power capable of maintaining the contact between the centre and the regions. Akaev began a growing use of the referendum instrument to override the legislative framework and thus proceed with the chosen transition line[143].

Following the example of Nazarbaev, Akaev set up a pyramid system at the top of which were the members and neighbours of the presidential family, who in turn guaranteed the benefit of a series of clans and economic interest groups[144]. However, the higher internal fragmentation and poverty made the internal stability of the system much more difficult. It was also of little use to resort to the mobilising myths of nationalism, which found a suffused echo, not sufficient to overcome the regional clan fragmentation nor the growing alienation of the rural masses increasingly exposed to the effects of liberal restructuring.

The Akaev system went into a crisis with the elections for the renewal of the parliament and the presidency in 2005. On the one hand, the interests consolidated around the regime made countless and clumsy attempts to keep their privileges unchanged. On the other hand, the long line of

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141 Pétric, Boris-Mathieu. "Post-Soviet Kyrgyzstan or the birth of a globalised protectorate." Central Asian Survey 24, no. 3 (2005): 319-332.

142 Work, Robertson. "Overview of decentralisation worldwide: A stepping stone to improved governance and human development." (2002).

143 Fumagalli, Matteo. "Semi-presidentialism in Kyrgyzstan." In Semi-presidentialism in the Caucasus and Central Asia, pp. 173-205. Palgrave Macmillan, London, 2016.

144 Collins, Kathleen. "The logic of clan politics: Evidence from the Central Asian trajectories." World politics 56, no. 2 (2004): 224-261.

discontents with the current state of affairs began to fall out of line, the first regime change in Central Asia[145].

The main actors, according to Gulzhan Baibetova, Director of the Zhenskaya Demokratichyskaya Set Kyrgyzstana - ZDS Women's Democracy Network in the Kyrgyz Republic, were the masses of dispossessed mobilised towards the palaces of power by the opponents, peasants or sub-proletarians of recent urbanisation who expressed the revenge of the countryside against a capital city perceived as indifferent to the degradation of their living conditions[146]. The subsequent evolution of the country's political life confirms its structural crisis, mainly resulting from an erroneous application of schemes alien to its reality.

4. *Tajikistan*

The Soviet national delimitation of the 1930s created a particularly unbalanced subject in Tajikistan, where the main problem was the low degree of self-identification of the provinces with the centre. Regional rivalries erupted into conflict as sudden independence wiped out the external factor that had ensured the system's strength. Nonetheless, the civil war of the 1990s was misinterpreted as a confrontation between old regime forces and democratically inspired groups.

The figure of Imomali Rakhmonov, an obscure lower-level apparatchik, was raised to the presidency by the ruling coalition, probably believing that, given his low profile and the absence of a structured support network at the national level, he would be quite easily manipulated in a transition phase. On the contrary, however, Rakhmonov surprisingly managed to survive the *éminence grise* and juggle the high level of conflict within the same governing coalition to maintain power by presenting himself as the architect of national reconciliation.

The conjuncture following the civil war raised high expectations among the actors of democratisation in Central Asia. The cessation of hostilities was based on a National Reconciliation Agreement, which provided institutional mechanisms and practices to ensure access to power for members of the opposition, for which 30 per cent of public offices were reserved[147].

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[145] Freedman, Eric. "When a democratic revolution isn't democratic or revolutionary: Press restraints and press freedoms after Kyrgyzstan's Tulip Revolution." Journalism 10, no. 6 (2009): 843-861.

[146] Telephone interview with Gulzhan Baibetova on 27 May 2022.

[147] Turajonzoda, Akbar. "Tajikistan—Politics, Religion, and Peace: A View from the Opposition." Problems of Post-Communism 42, no. 4 (1995): 24-28.

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The singularity of the Tajik situation also lay in recognition of political legitimacy for members of the Islamist opposition – the Islamic Renaissance Party - unique in a region in which the forces referring to political Islam were repressed in every way as they were presented as a threat to secular institutions[148].

The climate created in the region by the post-2001 "anti-terrorist" emergency favoured the re-emergence of a renewed public discourse on the "Islamic threat", also a constant in the regional institutional paths. However, Rakhmonov balanced his quasi-liberal moves with opening acts, considering that external sources of financing - especially those destined for the conspicuous third sector - remained among the main items of the national budget.

Overall, civil society in Tajikistan is less influential than in Kyrgyzstan. It often faces various obstacles in its activities. Given the authoritarian nature of government in Tajikistan, civil societal organisations are a force that promotes democratisation, emphasises the social problems of the country in their activities and cultivate a critical approach to the existing state policy. Despite the constitutionally enshrined democratic basis, respect for human rights and the priority of public interests, the government often ignores these values, and sometimes neglects the guaranteed freedoms[149]. In this regard, NGOs seek to fill the resulting democratic vacuum and provide services and knowledge to vulnerable populations and individuals despite facing limitations in the implementation of programs and activities, as a result of which they need to closely coordinate their actions with government bodies. The government, on the other hand, sets the legal norms for NGOs, since authoritarianism provides for close top-down supervision of non-state initiatives implemented as commercial and nonprofit organisations.

The government is not convinced if the NGOs are really trying to help local communities or using it as a façade to cover destabilization activities under Western tutelage. This notion has grown into a form of full-fledged paranoia, which now defines the relationship between the state and civil society in Tajikistan[150]. Such thinking is akin to a conspiracy theory, which

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[148] Akbarzadeh, Shahram. "Why did nationalism fail in Tajikistan?." Europe-Asia Studies 48, no. 7 (1996): 1105-1129.

[149] Elnazarov, Davlatsho, and Jamshed Jamshedov. "Guarantees of the Rights and Freedoms of Man within the New Constitution of the Republic of Tajikistan." In International Conference" Topical Problems of Philology and Didactics: Interdisciplinary Approach in Humanities and Social Sciences"(TPHD 2018), pp. 112-116. Atlantis Press, 2019.

[150] Gupta, Pravesh K., and Santosh K. Jha. "Development of civil society in Tajikistan and Mongolia in the Post-Soviet period," *International Journal of Applied Social Science* 5, no. 1 (January 2018), 48-56.

has developed in the post-Soviet space. In the mid-2000s, after numerous protest movements in Ukraine, Georgia and neighbouring Kyrgyzstan, public organisations became the object of criticism as the main driving forces of such movements.

This has led to the widespread accusation of being a "foreign agent", which refers to any organisation that receives funding from abroad, especially Western countries. The overt negative connotations are a key element of the term, which has become quite popular among all authoritarian post-Soviet politicians. Immediately, doubts turned into a fear of a lack of control, which has lead authoritarian governments to introduce new regulations and restrictions on NGOs or tighten existing legislation.

The civil war in Tajikistan oversaw a complete restructuring of all political, economic and social mechanisms in the country. The general mindset ran into problems regarding the identity and perception of independent government. Policy makers had to pave the way for an independent Tajikistan to begin the process of democratisation. Civil society, mostly people who chose not to take part in the hostilities on either side, became the main, if not the only, catalyst for democratisation and, as it became clear, a counterbalance to the authoritarian tendencies in the country's rule. The EU and donors have seen potential in new NGOs in Tajikistan, thus making efforts to expand the ability of non-governmental organizations to use this potential to preserve democratic norms[151]. On the other hand, NGOs do not explicitly link their mission to full-fledged ideological shifts that legitimately would threaten the fragility of authoritarian rule in the country. Each NGO has its own agenda, be it human rights or women's empowerment, but in general they fall under the understanding of civil society as a whole as a force that provides an alternative perspective on the actions and policies of the current leadership of Tajikistan.

However, the obstacles for NGOs in Tajikistan are not limited to legislation. In fact, legislation is only an expression of the government's mistrust of civil society; the imposition of restrictions outside the legal framework also takes place in the interactions between NGOs and the state. As part of their activities, NGOs must coordinate their actions with government agencies in order to avoid unnecessary problems, which is not required by law. The government has access to information, data and contacts that can be key to NGO projects. In general, limiting the availability of any information is the main reason for the reluctance of the Tajik government to ensure transparency. In this case, NGOs have to adapt.

[151] Kluczewska, Karolina. "Questioning local ownership: insights from donor-funded NGOs in Tajikistan." Journal of civil society 15, no. 4 (2019): 353-372.

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Such conditions force them to apply to state bodies, to conduct personal negotiations with officials and convince them to give permission or share contacts and necessary information or provide assistance. Moreover, NGOs must provide any required document confirming the main goal of the project, plans and financial capabilities.

There are different regimes for NGO registration at different levels: smaller ones just need to notify local authorities, while others need to register at the national level and some faith groups do not have to register at all. NGOs often do not understand the regulatory framework and, therefore, do not comply with their information obligations. Similarly, the ability of them to meet standards is an issue in Tajikistan, a country where NGOs find it difficult to keep up to date with their paperwork and where they lack legal capacity[152].

Such requirements are not standardised by law, so the list of documents and their form may vary depending on the city or region in which NGOs plan to implement their programs. Thus, NGOs always have to adapt, mobilize their personal connections and find different ways to just do their job and be accountable to donors[153].

Government distrust of CSOs and NGOs has also negatively affected public opinion about NGOs, due to the paranoia that foreign funds are a key source of sustainability for local NGOs, the public tends to come to the same conclusions as the state. This factor is most significant for NGOs, since local communities are the main beneficiaries of their activities and the services they provide. However, such paranoia among the population is associated with a sense of threat to their personal safety, to avoid interacting with them so as not to have problems with the state and not be associated with foreign agents, which has become a strong stigma[154].

5. *Uzbekistan*

By its central location and demographic weight - over half of the Central Asian population - Uzbekistan had a profound influence on the life of the region, including political trends. During the Soviet period, the

[152] Michel, S. T. E. F. A. N. "Conservation of Tajik markhor (Capra falconeri heptneri) and urial (Ovis vignei) in Tajikistan and adjacent Afghanistan." Galemys 22 (2010): 407-419.

[153] Kluczewska, Karolina. "Donor-Funded Women's Empowerment in Tajikistan: Trajectories of Women's NGOs and Changing Attitudes to the International Agenda." Studies in Comparative International Development (2021): 1-22.

[154] Hogan, Bea. "Internet Latest Battle Ground for Central Asian Repression." Central Asia–Caucasus Analyst (2000).

Uzbek state, which was the pivot of the Central Asian administration system, disposed of enormous economic resources to improve the living conditions of the masses and took root deeply among the population. After leaving the federal structure, the ruling elite made a clear choice based on the state's central role in leading the transition to independence.

The intertwining of political and economic power expressed a high level of interdependence between all privileged classes and state structures, forming the basis of support of President Islam Karimov. In a patrimonial scheme, loyalty to Karimov was translated into privileges in the economic sphere, to maintain which the elites have offered whatever support the top required of them[155].

The strength of the interests consolidated in this bloc was to sabotage the attempts at democratisation, which would have undermined consolidated privileges by increasing the system's transparency and popular participation. The centralisation was favoured in the context of the first years of independence when the collapse of the security situation in Tajikistan and the degradation of living conditions among the neighbours because of the neoliberal "shock therapies" seemed to justify Karimov's political course[156]. In parallel, he drew another vital resource to consolidate his regime from the historiographical and propaganda manipulation of the Uzbek past. With an intensity at times resembling a totalitarian character, an ideology of "national independence" was elaborated, borrowing mechanisms from Soviet propaganda. In particular, the fight against "alien and destructive" ideas and the glorification of presidential authority[157]. The aim was to materialise an analogical assimilation that projected an unreal past greatness onto the bright future that the president's leadership would provide for the country in order to justify all the system's forcing[158].

If the system of state patronage with its propaganda mechanisms presented a high degree of coherence during the 1990s, with the exhaustion of economic resources by the solid demographic growth and the course of foreign policy marked by autarchy and in contrast to Russia, things began to deteriorate. The closures of the system began to constitute a severe brake

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[155] Ilkhamov, Alisher. "Neopatrimonialism, interest groups and patronage networks: the impasses of the governance system in Uzbekistan." Central Asian Survey 26, no. 1 (2007): 65-84.

[156] Mamajonov, Nuriddin. The creation of the national educational system of Uzbekistan and establishment of bilateral educational relations with leading European countries. No. 1611-2016-134564. 2013.

[157] Adams, Laura L., and Assel Rustemova. "Mass spectacle and styles of governmentality in Kazakhstan and Uzbekistan." Europe-Asia Studies 61, no. 7 (2009): 1249-1276.

[158] Farxodjonova, N. F. (2020). Formation of national idea through factors of national culture. In МИРОВАЯ НАУКА 2020. ПРОБЛЕМЫ И ПЕРСПЕКТИВЫ (pp. 3-6).

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on the development of entrepreneurial activities with the creation of contrasts between the groups dedicated to the rentier sectors of the economy and the emerging ones linked to trade and finance. Economic degradation gave a solid impetus for corruption. In increasing the use of coercive measures at the general policy level, public officials and law enforcement agencies were encouraged to engage in predatory behaviour at all levels.

The expense was that of the Ferghana valley, the most sensitive point of the country where over a third of the population resided and where the leading agricultural and industrial activities were concentrated[159]. In addition, here, the social and demographic problems were more marked, intertwined with the firmest grip of Islam on the community, a concentration of conditions for the development of virulent forms of protest that constituted the most significant cause for concern for the central authorities. Above all, the stagnation broke the balance between the leading clans of the country.

An expression of the growing contrast between the Ferghana valley and the central power was the events of Andijan in 2005. Against the backdrop of instability in neighbouring Kyrgyzstan, the economic groups affected by the manoeuvres of the centre did not hesitate to manipulate popular discontent to seek to strengthen their position towards the government, which responded with an iron fist to the local challenge[160].

Since the first years of sovereignty, Karimov had fully exploited the theme of political stability and the Islamist threat, real or perceived, looming over the country and, conversely, over the whole region. The facts of Andijan indicated that the regime was increasingly inclined to use violence to resolve political disputes. These issues were "securitised", i.e. removed from the debate and the field of politics and deliberately exasperated to justify any internal repression. Security rose to an absolute value. Every prospect of political reform was sacrificed, with a parallel strengthening of the security structures and a closure of the access possibilities to the top of the elite. At the same time, the desire for total control over social and non-governmental organisations grew, which was repressed through legal restrictions, freezing of funds and various intimidating measures[161].

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[159] Lubin, Nancy. "Uzbekistan." In Environmental Resources and Constraints in the Former Soviet Republics, pp. 289-306. Routledge, 2019.

[160] Kangas, Roger. Redefining Extremism in Central Asia. The Institute for Strategic, Political, Security and Economic Consultancy (ISPSW) (2018), https://ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/resources/docs/ISPSW-541%20Kangas.pdf.

[161] Rotary, Igor. "Uzbekistan". Russia and the moslem world 2 (2002): 24-31.

6. *Turkmenistan*

Turkmenistan occupies the extreme point of the Central Asian political spectrum - which is not broad - and is very close to the definition of a model totalitarian system. It must be said that even before independence, this was physically and culturally one of the most isolated parts of the USSR. Consequently, the renewals of the perestroika era were less felt so that there was no social fabric through which to attempt democratisation of the country[162].

The personal factor played a considerable role in defining the political profile of post- Soviet Turkmenistan. For 21 years, until he died in 2006, public life was dominated by the figure of President Saparmurat Niyazov. Naming himself Turkmenbashi ("father of the Turkmen"), Niyazov differed from his colleagues and neighbours for a particular intellectual honesty towards the discourse of democratisation. While following the regional tendencies aimed at creating formal institutions on the Western model, the former president always made it clear that international influence would be subordinated to his conception of national interests, boasting the need to preserve the orientalist character of the country, as it was more suited to the character and needs of the population[163].

Niyazov was the only leader among all the heirs of the Soviet system to keep the one-party system (renaming the Communist Party as a Democratic Party), organised referendum plebiscites first to extend and then promulgate his presidential term for life and introduced a cult of one's personality that put Stalin to shame[164]. The political result achieved was a highly centralised form of personal patrimonial power, which could be defined as "sultanistic" by the absence of structures of intermediation between the top and the masses. In fact, the administrative and military apparatus acted as pure personal instruments of the president based on elementary impulses such as the fear of punishment and the desire for reward[165]. Niyazov managed to wisely control the balance of the country's five main clans and prevent the consolidation of alternative poles of power through an uninterrupted rotation of different personalities in the main public offices.

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[162] Horák, Slavomír. "Turkmenistan at the Last Stage of Perestroika. Determinants of an Authoritarian Path." Cahiers d'Asie centrale 26 (2016): 29-49.

[163] Koch, Natalie. "The "Personality Cult" problematic: Personalism and mosques memorialising the "Father of the Nation" in Turkmenistan and the UAE." Central Asian Affairs 3, no. 4 (2016): 330-359.

[164] Brown, Stephen M., and Konstantin Sheiko. "The Soviet legacy and leader cults in Post-Communist Central Asia: the example of Turkmenistan." (2006): 1.

[165] Bohr, Annette. "Independent Turkmenistan: from post-communism to sultanism." In Oil, transition and security in Central Asia, pp. 23-38. Routledge, 2004.

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On the constitutional level, the president was simultaneously head of state, government and the armed forces and had an unlimited power to issue decrees having the immediate legal force and the exclusive right to appoint magistrates, prosecutors and all regional executive positions[166]. The legislative power initially represented by a parliament (Mejlis) of 50 deputies was emptied of meaning through the introduction of a People's Council (Khalq Maslikhaty) where, in addition to normal parliamentarians, the representatives of the districts and the hakim (regional governors) appointed by the president participated.

As stated, Niyazov did not just extend his control to all spheres of public life but built a Stalinist cult of personality. In the context of massive propaganda about his role in restoring the Turkmen to alleged lost greatness, the president had attempted to attribute sacred characters to his person with the publication of the Rukhnama (Book of the Soul) in 2002. The assiduity with which this and a small number of messages decided by the top bombarded the masses, the ubiquity of the president, and the absence of any committed content gave the Turkmen media system a surreal character worthy of Orwell's dystopian fiction.

Such a system presented one of the worst records in the world regarding respect for human rights - severely restricted personal freedoms, severe restrictions on freedom of movement both within and abroad, and denial of the rights of ethnic and religious minorities. All in the context of a systematic effort aimed at isolating the country from any influence coming from the rest of the world, including those coming from the religious sphere. Turkmenistan stood out as the only former Soviet republic where all places of worship belonging to denominations outside of official Islam and the Orthodox Church were demolished and considered "alien"[167].

Therefore, the situation in Turkmenistan leads to a series of interesting reflections on the issue of civil society and democratisation and the evolution of Central Asian political systems. First of all, it was evident that in the presence of substantial energy resources, the international community, including to a certain extent the EU, was inclined to a large degree of indulgence. The authoritarianism of the oil regimes could be forgiven when it served to ensure a stable internal framework as a precondition for the entry of international capital.

The Turkmen situation emerged as particularly relevant after the sudden death of Niyazov, when it was carefully followed to evaluate the possibilities of keeping Central Asian regimes after years of centralising the

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[166] Bohr, Annette. "Turkmenistan." Nations in Transit 11 (2008).

[167] Mills, Courtney Anne. "Turkmenbashy: the propagation of personal rule in contemporary Turkmenistan." PhD diss., University of St. Andrews, 2007.

systems around the people of the presidents. Even though this element with Niyazov had reached its maximum intensity, which led to the prediction of scenarios of chaos and paralysis, the transition took place calmly[168]. However, the hermetic closure of the country to outside gazes prevented all external actors, including the EU, from evaluating precisely what was happening.

After Niyazov power passed to Gurbanguly Berdymukhammedov, a senior official who survived the countless Niyazovian purges, confirmed in office by a typical plebiscite vote against the background of a substantial condescension from the international community[169]. The speed of this process also suggested that the tyrant's disappearance was not natural but should instead be interpreted as the effect of a "palace" revolt, which could also serve as a model for other successions in the region. Presidential elections were held in March 2022, where the president's son was elected in another sham election, thus strengthening the argument that Turkmenistan was a sultanistic regime with power being transferred from father to son[170].

V. **Central Asian Political Sphere: Challenges**

From this overview, it is clear that the natural institutional choice made by the Central Asian regimes after the end of the USSR was in the sense of an authoritarian system in which, even within the framework of formal observance of a constitutional provision, the seat of power was consciously placed outside the regulatory framework.

The failure of the democratisation schemes applied to Central Asia and the particularities of the political development of the five republics must be examined by comparing the contradictions between the theoretical assumptions of the transition paradigm and the cultural and political realities of the region. As already mentioned, transitology involved an ideological approach to the region's problems, in which some factors were given excessive importance while others were overstated or underestimated.

Among the overestimated elements was the totalitarian impact of the Soviet system on local realities and the hope of being able to form a social base that would act as a vector of change, as an alternative to the power

[168] Sullivan, Charles J. "Halk, Watan, Berdymukhammedov! Political Transition and Regime Continuity in Turkmenistan." Region (2016): 35-51.

[169] Bohr, Annette. "Turkmenistan." Nations in Transit 11 (2008).

[170] Oxford Analytica. "Turkmen dynastic succession promises nothing new." Emerald Expert Briefings oxan-es (2022).

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pyramids of presidencies[171]. Among those underestimated the persistence of pre-modern characters in local value systems, the specificity and depth of the Soviet policy management enterprise, and the particularities of internal tribal segmentations. From this set of distortions derives the inconsistency of the elements of formal democracy introduced in the post-Soviet power practices and a series of risks to the prospects of the systems' stability.

1. *Absence of internal receivers, opposition and civil society*

Among the main misunderstandings deriving from the regulatory approach to transition and the establishment and maintenance of civil society was the claim to identify local social forces ready to be bearers of change in a democratic sense, along the lines of the experience in this sense in Eastern European countries.

If the openings of the short season of perestroika had given rise to sketches of endogenous democratisation processes in Central Asia, however, these had in no way represented mass popular movements comparable to those that arose in the Caucasian or European regions. Central Asian oppositions had taken hold in some sectors of the old Soviet intelligentsia, that is, among urban minorities educated in Russian culture and therefore profoundly uprooted from the mass of the population - in comparison, the cadres of the presidential parties successors of the CPSU, with their roots in the bodies rural social networks always presented a considerably higher degree of popular representation. In Uzbekistan, it was visible that the self-styled democratic parties liquidated by Karimov represented socio-cultural associations rooted in literary circles rather than fundamental operational political oppositions. Democracy thus appeared as a tactical slogan used for purposes of political struggle.

It should be noted that since their beginning, alongside the ecological claims and the contestation of the role of the CPSU, such oppositions had not hesitated to manipulate ethnic-nationalist slogans whose uncontrolled evolution, against the background of the inter-ethnic clashes that characterised the dissolution of the communist systems, could have caused unpredictable consequences for the delicate structure of Central Asian inter-ethnic coexistence[172]. In any case, the opposition parties maintained maximalist and intransigent attitudes towards regimes, thus favouring the

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[171] Pelkmans, Mathijs. "Introduction: post-Soviet space and the unexpected turns of religious life." (2009): 1-16.

[172] Pomfret, Richard. "The economies of Central Asia." In The Economies of Central Asia. Princeton University Press, 2014.

latter's propaganda to brandish them as dangerous for stability. This fact can be doubted given that these subjects had increasingly become marginalised, unable to overcome their personalism and internal divisions and present a public debate capable of transcending the inter-ethnic and inter-regional divisions typical of the Central Asian context.

In light of the poor results on a party and media level, hopes for the democratisation process have focused on civil society as its main driving force. In the latter's view, civil society refers to the legacy of dissidence from the Soviet regime, as it opposes the totalitarian state and its sphere of action in the economic and political fields. In concrete terms, one was dealing with representatives of the third sector. The presence of NGOs was required as mandatory for a whole series of aid programs of the EU, which thus created the demand for their development. As in the rest of the post-Soviet space, a class of NGO operators was formed in Central Asia, with Western economic support, engaged in precisely the functions uncovered by the withdrawal of public affairs supported by the same client. Therefore, one can retrospectively question how much such a class would be capable of subsisting without its inspiring source[173]. Nevertheless, it is precisely this notion of a social body separated from the spheres of politics and economics that are remarkably absent from the region's culture.

Accordingly, the presence of civil society concerning the region could be deduced by distinguishing within it a neo-liberal component (i.e., the sector induced by international cooperation) from a community one that leads to forms of social self-organisation found in certain secular traditions of the peoples of the region. This manifested in forms of mutual aid or making decisions at the local level; however, these informal traditions are primarily non-antagonistic to power and, therefore, difficult to classify in a classical conception of civil society. Therefore, only NGOs remain under this category, whose leaders are often mainly alien to the local communities where they operate and are doubtful as real actors of substantial change.

On the contrary, in their total dependence on international subsidies, rather than positive agents of change, they have been increasingly perceived by the population as vectors of a foreign and hostile model, in a climate of resentment and apathy that has led to the devaluation of democratic values. This perception was heightened after the events of March 2005 in Kyrgyzstan, where NGO workers appeared as a counter-

[173] Ziegler, Charles E. "Civil society, political stability, and state power in Central Asia: cooperation and contestation." Democratization 17, no. 5 (2010): 795-825.

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elite manipulated by foreign intervention to determine national policy[174]. Ultimately, a large part of the international action aimed at stimulating the growth of civil society is the result of misleading research, often a way to spend the allocated funds, ignoring, again, the complex otherness of Central Asian reality compared to Western societies.

It should also be noted how these sectors of the opposition, although repressed, were at the same time manipulated by regimes as necessary for their democratic legitimacy in front of the international audience. In this sense, the presence of substitute opposition with a right of limited participation in public life and functioning Western-funded helped create the curtain behind which power privately controlled the resources of the state.

2. *Conflict of values: transition paradigm and local culture*

Observing from the outside the gap between the values declared by the regimes and the authoritarian reality of the exercise of power, European actors in Central Asia were surprised at how local citizens could accept this. It was not possible to explain the maintenance of these authoritarian practices regardless of the cultural orientations of Central Asian societies. A look in this direction provides additional evidence of how a Western-style adoption experience of modernisation has no hope of success if it does not consider the subtle internal mechanisms by which each society thinks and reproduces itself so that transformation can adapt to this type.

The considerable degree of success achieved by Soviet modernisation in the region consisted precisely in its ability to adapt to the particularities of local societies, which, under the socialist superstructure, confirmed deeply traditional elements and, in some cases, even definable as pre-modern[175]. For their part, Central Asian societies had shown that they had an aptitude for maintaining specific and ancient traits while adapting to new trends and an extraordinary ability to blend antagonistic concepts in a reasonably harmonious way, which is one of the primary keys to understanding the history of the region during the twentieth century.

Thus, Central Asia remained Islamic in its values and collective representations at its core. With the disappearance of the previous

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[174] Petrov, Kirill. "Elites and Color Revolutions: The Logic of Russia's Response." Russian Politics 5, no. 4 (2020): 426-453.

[175] Shahrani, Nazif. "Central Asia and the challenge of the Soviet legacy." Central Asian Survey 12, no. 2 (1993): 123-135.

superstructure, seventy years of its impact on the local population can be assimilated towards "socialist globalisation" rather than striving towards the new liberal standards with a universal claim. Central Asia has returned to rediscover its traditional practices. All the more so since, thanks to the harmful media exposure typical of the first post-Soviet decade, the individualism and unbridled freedoms of Western democracy had been branded by many as destructive to traditional values and destabilising social life[176]. This resulted in new attention to the ethics of justice according to Muslim tradition[177]. A more accentuated value was given to political stability rather than freedom per se. In this sense, as elsewhere in the world, the Western conception of human rights was portrayed as opposed to the community culture of Islam, which in harmony with the values of the socialist period, emphasised the duties of collaboration and identification of the individual in the community rather than on individual rights as opposed to the collective sphere.

The ability of presidents to remain in office cannot be explained if these anthropological peculiarities of the Central Asian area are not taken into account. For the mass of the population, the presidential figure appeared as the guarantor of the rest of the socialist welfare state and against a type of Islamic or ethnic-nationalist radicalisation. This element was evident in the experience of Kyrgyzstan under Akaev. Whilst it was clear that the president was inept, whose management was responsible for the country's degradation, nonetheless, Akaev held on to power for 15 years since his figure was at times idolised by the majority of the population - primarily by minorities - who perceived him as the main guarantor of stability[178].

Another essential anthropological characteristic of Central Asian societies, equally decisive in influencing political change, was constituted by a much more solid and rooted patriarchalism proceeding from north to south. It derived from the influence of the extended family, which created profound respect for hierarchy and seniority, which was reproduced in the social segmentation of solidarity groups. Here the councils of the elders

[176] Ziegler, Charles E. "Civil society, political stability, and state power in Central Asia: cooperation and contestation." Democratization 17, no. 5 (2010): 795-825.

[177] Delving even deeper than Islamic values, in lands marked by the memory of belonging to the Mongol empire of Genghis Khan, one can find echoes of the patrimonial principle of the transmission of fiefs (ulus) based on lineages associated with a "mandate from Heaven". Hence, a particular sacral perception of power individuals submits to avoid "celestial" interference in their lives was maintained even in the communist period.

[178] Troitskiy, Evgeny. "Political Turbulence in Kyrgyzstan and Russian Foreign Policy." (2011).

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(aksakal) have come to assume an increasing weight as consultative bodies and arbitration of conflicts[179].

Moreover, not to be overlooked are factors deriving from the dialectic between the nomadism of the steppes and the agricultural sedentarism of the south, which has always been a firm thread of the political evolution of the area and, as such, a cultural watershed that was reconfirmed at every historical turning point of local destinies. In fact, the political systems proved to be more open between two peoples who had escaped from the nomadic tradition: the Kazakhs and Kyrgyz[180]. Moreover, it should be remembered how, especially in urban contexts, the Soviet Union had created with its consolidated welfare mechanisms a high level of civilisation, which seriously deteriorated after 1991 - with the possible exception of Kazakhstan. The memory of such a level maintains not only high expectations among the population towards governments but also an aversion to the principles of economic liberalism. Faced with this set of historical, anthropological and cultural factors, it was evident that a path towards establishing democracy had to follow an approach designed to reflect the same internally and in no way could it refer to the imitation of the experience of Western societies.

3. *The base of power structure in central Asia: persistence of informal groups*

Having failed to consider the cultural orientations of local societies, transition schemes had pursued the democratisation of Central Asian political systems by focusing on their formal aspects. They conceived in Weberian terms the existence of a rational and impersonal authority by taking measures for its strengthening. Nevertheless, Central Asian power relations traditionally are based on personal and informal obligations that transcend official administrative divisions. These personal powers are structured on local solidarity groups based on the ethnic-tribal and regional

[179] Earle, Lucy. "Community development,'tradition and the civil society strengthening agenda in Central Asia." Central Asian Survey 24, no. 3 (2005): 245-260., Beyer, Judith. "Customisations of law: Courts of elders (aksakal courts) in rural and urban Kyrgyzstan." PoLAR: Political and Legal Anthropology Review 38, no. 1 (2015): 53-71.

[180] Among these peoples, there is the so-called principle of öldža, in which, once a social group, tribe or clan conquers the internal hegemony of the collectivity, no one should contest it as long as the dominant power can ensure the order. This principle places the obligation on the dominant power to maintain the loyalty of subordinates.

factors, composing their different impulses in variously articulated systems of favouritism[181].

These traditional networks - differently defined according to the context, such as clan or tribe - represent forms of social interaction based on trust and loyalty from which the individual expects protection and help. They have different origins depending on whether they arose in a sedentary or nomadic context. First, they represent brotherhoods based on the control of critical resources, water in the first place, and the observation of religious practices - the model being the Uzbek *mahalla*. In contrast, in the second, they constituted a means of transmitting knowledge and adapting to the rigidity of life of transhumance. In sedentary areas, belonging to solidarity groups derives from the place of residence, while in the second, from traditional tribal and kinship ties - authentic or perceived as such. Given its roots in the social fabric, the legitimacy of power in Central Asia has always derived from respect for the authority of the key figures in these segmentations.

The persistence of these segmentations until the present day helps shed light on the fundamental nature of the Soviet system at these latitudes and its alleged totalitarian nature. Despite its ability to penetrate and the extent of its functions, the Soviet enterprise was far from encasing society and the economy in the oppressive hood presupposed by a totalitarian vision. Before and after the Stalinist excesses, it appears on the contrary that it always encountered enormous difficulties in affirming a monolithic and centralised control over the immense country. From the beginning, official terminology recognised this difficulty as "местничество - mestnichestvo: -localism, thus indicating the fragmentation of decision-making power between opposing alliances of interests aggregated into corporate pyramids whose influence reached the heart of the party-state[182].

Regionalism, the vertical structuring of space on administrative units competing for the allocation of resources, was a cornerstone of the Soviet policy of managing the Asian peripheries[183]. Here, if, on the one hand, the official ideology required solidarity groups to leave the official public sphere, the shortages of the mobilised economy kept the demand alive for

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[181] Tousley, Scott W. Afghan Sources of the Tajikistan Civil War. Army command and general staff Coll Fort Leaven Worth KS, 1995.

[182] Cucciolla, Riccardo Mario. "The transformist: The evolution and adaptability of Sharaf Rashidov's regime in Soviet Uzbekistan." In Moscow and the Non-Russian Republics in the Soviet Union, pp. 92-121. Routledge, 2021.

[183] Libman, Alexander. "Regionalisation and regionalism in the post-Soviet space: Current status and implications for institutional development." Europe-Asia Studies 59, no. 3 (2007): 401-430.

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their function as channels for the allocation of resources, thus favouring the conditions for their reproduction within collectivist and party structures. Unable to eliminate them, the Soviet system used pre-existing internal segmentation based on clan or regionalism to build a complex system of balances between centre and periphery in which the boundaries between state and society were confused. In this, it gave evidence of a unique reorganised local society based on an entirely new social experiment in which the model of the European nation-state, in the Marxist-Leninist understanding, was imprinted on the Turkic and local Muslim multi-ethnic reality by integrating its internal segmentations on new foundations[184].

Ultimately, as the main element of continuity with the region's pre-Soviet past, the segmentation of society into solidarity groups and the power relations emanating from it constitute an essential and structural element of Central Asia's political and social order. Therefore, far from being treated as a defect to be overcome as in the transitological approach, they constitute an obligatory field of confrontation for the action of state modernisation initiated after independence, especially since the clan and tribal factor was further strengthened after the disappearance of the USSR. Indeed, with their impact on the life of the majority of the population, the neoliberal policies carried out during the 1990s gave new life to the sense of clan ties based on which, as in the 1930s, people built new informal exchange systems to cope with the shortcomings of daily life. In many areas of the region, belonging to a particular tribal group became a crucial moment for entry into the political and economic world[185]. More generally, throughout the southern strip of the former USSR, there is still a complex dialectic in which state action and the clan structures inherent in indigenous societies interact. Observing this state of affairs, one can particularly understand the ineffectiveness of regulatory programs aimed at affirming the concept of the rule of law in the region.

If the Soviet system had founded a judicial system of courts formally similar to the European ones, its functioning was subjected to the informal mechanisms of the party and its internal segmentation. Still, the influence of the clan factor determined a widespread preference for the informal resolution of disputes rather than for their reliance on the rigidity of the law. Practices that appeared hostile to Western understanding as corruption revealed themselves - if analysed in a perspective of social anthropology -

[184] Melvin, Neil J. "Patterns of centre-regional relations in Central Asia: the cases of Kazakhstan, the Kyrgyz Republic and Uzbekistan." Regional & Federal Studies 11, no. 3 (2001): 165-193.

[185] Collins, Kathleen. "Clans, pacts, and politics in Central Asia." Journal of Democracy 13, no. 3 (2002): 137-152.

as a "culture of gift" endemic to local experience[186]. It is one of the founding elements of the system as it oversees the resource distribution mechanism that ensures the tightness of the administration chain. Thus, the formal and democratic procedures borrowed from the West can intervene in changing the internal equilibrium, but in no case be decisive for their definition, as the advocates of transition claimed.

In this regard, it should be noted that the insistence by international donors on the development of civil society through the growth in the number of NGOs contributed to the improvement of the situation but did not transform the situation, in some cases strengthening clientelist practices and regional centrifugal tendencies. Once again, the example of Kyrgyzstan is notable. Here, the formation process of NGOs often occurred in a cascade starting from large central structures founded in the capital by prominent former politicians, who acted as guarantors of international funding. Far from creating new social forces, new hierarchical structures emerged parallel to those managed by the state. As such, organisations dealt with vital functions for local communities, such as water management in rural areas, their leaders (now respondents in Brussels, Washington rather than Bishkek) assume greater political power than the elected authorities do. Thus, this was another demonstration of how de-nationalising international action created the groundwork for new conflicts[187].

In a context of a growing detachment of regimes from society, degradation of living conditions and in which the benefits of the self-styled democratisation process are felt only by a tiny elite, one is witnessing a growing recourse to use of force as a tool for regulating political issues. This trend was favoured by the climate of widespread anti-terrorist consensus created by the US intervention in the region, which allowed the regimes to extend the scope of "securitised" issues in the public debate to intensify the repression of dissidents[188]. It increasingly restricted the lawful spaces of contestation. This is in a context already characterised by the lack of political organisations capable of channelling and giving a public voice to dissent by the ruling elite to satisfy Western interests. Given the impossibility of obtaining any change through the ballot box, antagonistic groups that openly refused to participate in official political life were

[186] Werner, Cynthia. "Gifts, bribes, and development in post-Soviet Kazakstan." Human Organization 59, no. 1 (2000): 11-22.

[187] McQuaid, Sara Debris. "Book review: Agency in Transnational Memory Politics." (2021): 1507-1511.

[188] Jackson, Nicole J. "International organisations, security dichotomies and the trafficking of persons and narcotics in post-Soviet Central Asia: A critique of the securitisation framework." Security Dialogue 37, no. 3 (2006): 299-317.

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developing. The games were predetermined mainly beyond the periodically organised facade of electoral exercises[189]. In this disconnect between the internal elites, the fundamental reason for the phenomenon of "colour revolutions" observed in the 2000s in various points of the post-Soviet space, which affected Kyrgyzstan, must be sought. Here, as well as in the Uzbek events of Andijan, it was possible to see how the Central Asian potential for protest remained excluded from the political field, assuming at the limit the characteristics of a communal uprising destined in the future to manifest themselves in ever more violent forms, devoid of objectives and any ideal impulse.

A digression must be made to follow the European attitude towards these developments. While following a more balanced approach, the countries of the EU have essentially followed the US policy for the region. It would have been difficult to expect any other behaviour. In fact, unlike the Anglo-Saxon countries, the European ones do not have specialised cadres in Central Asia and diplomatic representations on the ground, which has produced a disorderly and incoherent action. If despite all the contradictions to which the US has given rise, they have followed a line following their geopolitical interests, the Europeans have thus lost sight of the broader context in which their resources were used[190].

The Organisation for Security and Co-operation in Europe (OSCE), an organisation that has played an essential role among the actors of democratisation under its presence on the ground in all the republics and direct access to the highest leaders of the same, must also be framed in the context of European action. If the OSCE has provided an essential platform for dialogue between Europe and Central Asia, it has also found itself in severe difficulty in understanding the local reality, sandwiched between the particularism of the latter and the universalism of the normative conception of civil rights, lacking a strategy suitable for intercultural dialogue and the integration of norms deriving from different interpretative universes[191]. The Central Asian regimes expressed growing frustration towards the OSCE and the EU for being under scrutiny without corresponding attention being paid to the developments within the Euro-Atlantic area in the sphere of fundamental rights, which was under attack after the opening of the war on terrorism. This contradiction was evident in contrast to Kazakhstan's

[189] Yigit, Sureyya. "Presidential Elections and Marketisation in Tajikistan and Mongolia." Middle Eastern Analysis/Ortadogu Analiz 5, no. 50 (2013).

[190] Cornell, Svante E. "Geopolitics and strategic alignments in the Caucasus and Central Asia." Perceptions: Journal of International Affairs 4, no. 2 (1999).

[191] Shkolnikov, Vladimir. "Missing the big picture? Retrospective on OSCE strategic thinking on Central Asia." Security and Human Rights 20, no. 4 (2009): 294-306.

request to preside over the Organization. With the growth of US international action's missionary role, the OSCE has also been accused of being an additional instrument of the US regional geopolitical agenda that uses the democratisation processes instrumentally for geopolitical purposes.

Especially in the light of developments of growth in European interest in the region justified in the exclusive terms of energy security, which has led on more than one occasion to overlook the importance of democratic principles in order to agree with regimes endowed with raw materials, Europe has seen its alleged moral superiority crumble[192]. The paternalistic attitude of politics increased the disillusionment both among the elites and among the mass of the Central Asian population towards democratisation, at the same time putting regimes even more on the defensive[193].

VI. **Conclusions**

Therefore, the support of the EU for the development of civil society and democratisation in Central Asia provides a fragmented and contradictory picture. Faced with the crisis offered by Kyrgyzstan, rather than a trend toward greater openness in the region, there was a widespread expectation of strong charismatic power capable of imposing rules on strongly deconstructed societies. Over thirty years of efforts in this direction have produced minimal results. In Kazakhstan, it is evident that accompanied by destruction and looting, the events in Uzbekistan and Kyrgyzstan have had the effect of strengthening the conservative feelings of the citizens. In fact, many of the representatives of the nascent middle class who previously wished to implement political reforms in time now fear that any forcing of the regime's hand could affect their standard of living and economic well-being.

At the regional level, the authoritarianism connected to these trends is perceived by the majority as a necessary precondition for the stability of the economy and, in any case, a lesser evil in the face of the growing prospect of an "Afghanization" of regional security given the Taliban have returned to power after an ignominious western withdrawal in 2021[194]. This prospect

[192] Yiğit, Süreyya. "Turkic energy supply and EU demand". Middle Eastern Analysis/ Ortadogu Analiz 5, no. 60 (2013).

[193] Matveeva, Anna. "Democratisation, legitimacy and political change in Central Asia." International Affairs 75, no. 1 (1999): 23-44.

[194] Hahn, Gordon M. "China and Central Asia after Afghanistan's 'Kabulization'." International Studies (2012): 5. Sullivan, Charles J. "White flags: on the return of the Afghan Taliban and the fate of Afghanistan." Asian Affairs 52, no. 2 (2021): 273-287.

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is indeed dangerously real. The tendency to use violence by regimes and their opponents retains all its relevance. Although a certain liberalisation can be expected, indispensable after the excesses of the Niyazov and Berdymuhammedov eras, the evolution of Turkmenistan remains an unknown factor from which it seems reasonable to expect the exercise of a regressive influence on regional trends. In Kazakhstan, despite the brilliant economic results of the past, the increase in wealth has also meant a surge in the level of the clash between elites, which can also produce unpredictable results, as was witnessed in January 2022 after Nazarbaev had left the political scene. How the recent Kyrgyz President Japarov came to power also shows how power and authority are transferred in Kyrgyzstan. Kyrgyz Presidents were overthrown by widespread unrest; in 2005, 2010 and 2020. It is the only Central Asian state that has experienced such successful outbursts by its citizens on the streets. Its relatively progressive civil societal organisations operating in a relatively free social and political environment financially supported by the EU have played an important role in opposing fraudulent election results, culminating in the forcible replacement of heads of state.

Therefore, the general picture is a systemic crisis of regional political systems, where ruling elites and opposition are absorbed in the struggle for power and increasingly distant from ordinary people. On the external level, it seems that the post-Soviet republics remain more objects rather than subjects of international life, incapable of detaching complex detaching themselves from the networks of external influences interested in controlling their strategic position.

There is, moreover, undoubtedly a role for international assistance in the evolution of domestic political landscapes. However, it is essential to rethink the intellectual basis of this role. The regressive trends opened by the events of 2005 indicate a systematic deviation in the developmental model applied so far. New interpretations and paradigms of interpretation of the regional reality are needed in order to get out of the interpretative cage and the ideological weight of the transition paradigm. The concept of "democratisation" remains an uncertain term in applying to the region[195]. The concept of modernisation appears perhaps to be more appropriate in this sense; in any case, it is better perceived at the local level[196]. Speaking of democracy, of compliance with international

[195] Jackson, Nicole J. "The role of external factors in advancing non-liberal democratic forms of political rule: a case study of Russia's influence on Central Asian regimes." Contemporary politics 16, no. 1 (2010): 101-118.

[196] Melvin, Neil. "The European Union's Strategic Role in Central Asia." CEPS Policy Briefs 1-12 (2007): 1-8.

standards, setting the analysis of phenomena on their presence or not is misleading. It constitutes the lowest common denominator of consensus between the regimes and the mass of the population about what one seeks to achieve through the efforts of reform. There are elements of openness, but the main problem is how to use these elements in the (re) construction of institutions that must ensure the system's functioning and impose the legality indispensable to protect human rights. Attempts at reform focused on the formal aspects of institutions are doomed to fail because, on the one hand, they refuse to take into account the powerful informal aspects of local political life. On the other hand, they are carried out by structures currently perceived as extraneous - communities where their action takes place.

Therefore, the priority is to concentrate efforts on the reconstitution of an efficient public service capable of coping with the chronic instability of the peripheral regions by taking concrete action to respect fundamental rights. To this end, attention should be drawn, rather than to the delegation of power and the expansion of the third sector, to strengthening the chain of command and the interaction between centre and periphery, a principle on which the Soviet Union was built. Public administration today must be brought back under effective control. Affirming the centre's stabilising effect is indispensable to avoid the anarchist drifts whose results can be observed in Tajikistan and Kyrgyzstan. It is also essential to review the training principles of state officials, which today are fragmented into different international programs and must be brought back under the bed of national public institutes, possibly assisted by councils in which international bodies are represented.

Secondly, it is necessary to resume the path of assistance in the awareness that this will be able to follow innumerable paths without "necessary" and linear paths. The requirements of local institutional systems cannot be defined based on absolute values. However, they must be evaluated based on concrete experiences, the historical absence of democratic practices and the fact that the application of laws is here subjected to informal rules in a context where the very concepts of democratisation are far from being perceived as legitimate. It is, therefore, necessary to break with the universalism and abstract determinism of utilitarian rationality that has so far overseen the efforts of international assistance.

Experience shows that successful strategies are only those capable of merging with pre-existing informal structures in a complementary and consensual way by integrating different anthropological and sociological approaches. One can assert that the success of any modernisation strategy passes through the aptitude to reuse traditional forms and not through the

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direct and integral projection and application of the set of forms considered modern, directly borrowed by companies considered to be more advanced[197].

An indispensable premise is re-inventing traditional forms, thinking about managing local diversity without denying the universal scope of particular economic and legal advances. Development strategies must be based on research on the actual structures of legitimacy specific to the Central Asian context to elaborate an equation of the exercise of power that considers the traditional mechanisms of selection of the elites. All this requires the emancipation of individuals and a skilful work of adaptation to the traditional mechanisms inherent in Eurasian societies. As the experience of Japan demonstrates, a new and effective normative order can only emerge from the interpenetration between the cultural orientations of the community and the political and economic innovations of modernity. One way forward is undoubtedly that which seeks to make explicit the informal links underlying community architecture and solidarity groups. If indeed the presence of such segmentations poses a challenge to the order of Central Asian societies, the institutions must face it by engaging in the management of these divisions, giving shape to their meaning and the role they can play in contemporary public life through the creation of institutional solutions capable of reflecting and managing cultural pluralism. An effort directed in this sense can be more effective in preserving social stability and increasing the representativeness of forms of government rather than an approach to deny these phenomena according to paradigms that provide for the inevitable assimilation of particularities.

Similar considerations should oversee an opposition to the hijacking of Islam by militant extremists, which, as a structuring factor in networks of solidarity, shapes individual expectations regarding the legitimacy of the political order. Here, too, an effective and stabilising evolution of local political systems - with a particular emphasis on secularism separating the state from religion, maintaining equidistance from all faiths and ensuring that religion remains a matter of private conscience within the realm of the individual - requires a selective integration of elements of traditional legal culture into national law.

One of the most important contributions of NGOs has been to promote a change in the way society and its researchers view the poor and poverty. Through their knowledge of the realities of people living in poverty, NGOs

[197] Kenzhekhanuly, Rauan. “Ideologies and alphabet reforms in Central Asia.” (2012): 133-150.

have shown the multi-dimensional and dynamic aspects of situations of poverty. They have demonstrated how different life difficulties (lack of housing, unemployment, the difficulty of access to health, education, justice) mutually reinforce each other to drive the person deeper into poverty and exclusion, hence the acceptance that poverty is much more than a simple lack of revenue[198].

NGOs have been instrumental in understanding that poverty violates human rights. The poorest have taught us to understand the indivisibility of human rights. Extreme poverty is detrimental to the free exercise of fundamental rights, which are access to civil and political rights and other rights such as the right to housing, health, education, culture, and justice, to name only the main ones. When this precariousness persists, they compromise the ability of the people concerned to assume their responsibilities and regain their rights by themselves. These people then no longer consider themselves subjects of rights. NGOs also play a monitoring and control role to ensure that the social commitments made by states are implemented.

Ultimately, it is necessary to think of an institutional framework that directly measures the region's peculiarities, which makes use of them selectively instead of stigmatising them, reflecting them in the public sphere to introduce adequate transparency. Such an approach can more effectively defuse the explosive potential of internal segmentation in Central Asian societies, which remains to the extent that they are denied and relegated underground.

Finally, it is necessary to introduce changes in the economic development model. It is unrealistic to expect fundamental changes in the institutions without a corresponding activation of the social dynamics to support them. In this complex process, Europe could have a decisive role to play as long as it does not hold onto improbable expectations unless it is prepared for quite discouraging results.

In the current geopolitical competition, the EU could reassert itself as a moderating force and the affirmation of values such as cooperation and multilateralism, in which genuine openness and pluralism remain a long-term vision. However, from a European point of view, this evolution requires a quintuple reformulation:

i) an adequate evaluation of the strategic significance of the Central Asian area on the international scene, i.e., avoiding considering the region only from the point of view of its raw materials;

[198] Chambers, Robert. "Poverty and livelihoods: whose reality counts?." Environment and urbanisation 7, no. 1 (1995): 173-204.

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ii) a reappraisal of the security vision which led to diverting natural resources towards military programs which began on 11 September and have recently taken an upward turn with Russia's war in Ukraine;
iii) the awareness that it will be increasingly challenging to play an effective and constructive role in a region so difficult to access without some form of cooperation with Russia, which looks increasingly unlikely, at least in the short term in the aftermath of its military aggression against Ukraine in February 2022;
iv) given its open support in 2007 declaring a "moderate and tolerant Islamic thinking respecting the constitutional secular principle is a hallmark of the Central Asian countries", an exploration of joint and complementary programs with a secular Turkey, given its leadership potential within the Turkic world, in the realm of administrative reforms, state restructuring and political development;
v) awareness and assurance that the relationship with Central Asia is not, nor perceived as, between two parties, one being the giver and the other as a receiver, characterising their association as an unequal power relationship.

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