Chapter 3: Civil Society, Uganda, and Power Dynamics in the Postcolony

In the succeeding chapter 3, contemporary concepts of civil society (chapter 3.1), which are discussed against the backdrop of their particular socio-historical situatedness are introduced. It is displayed how mere applications of said concepts without adaptations can lead to highly differing analyses of civic articulation in Uganda (chapter 3.2). To exemplify, I refer to the *Bataka Union* as a short literature-based case study. Moving beyond the case of the *Bataka Union*, I then provide a literature review on civil society in Uganda mostly conceptualized as non-governmental organizations (chapter 3.3). In closing the chapter, I merge the debates on artistic articulation and civil society and highlight some of its implicit and explicit linkages (chapter 3.4). Doing so, I demonstrate how artistic expression through artistic handicraft production and products can become a space for counter-hegemonic articulation, which mark the transition to the empirical part of this dissertation.

3.1 Introduction
The Situatedness of Civil Society in Present-day Uganda

I closed the previous chapter with two questions: *what* is art and *when* is it? Based on Nannyonga-Tamusuuza's observation that once something becomes art it ceases to be an intimate and vital aspect of living, one could simply separate art from cultural practices of significance. Upon closer look, however, I understand her observation as a revelation that the discourse dominating conceptualizations of art do not sufficiently respond to the conditions and the situatedness of local artistic expression. Therefore, we might ask where art remains an intimate and vital aspect of living, and how such moments are fostered by and through its agency. This would mean considering the social aspects of art production (Wendl, 2012), and to ground it in the situatedness of local conditions (Haraway, 1988).

In addition, the previous chapter has also shown that the questions *what* and *when* is art is not a subject matter that is debated and decided within the art world only. In postcolonial Uganda as well as in other countries of the Global South, this

question is co-negotiated (some would argue co-opted) by development actors such as the UN agencies and their (development) agendas, by foreign countries that provide funding for the arts through cultural institutes (in Uganda in particular by the British Council, the Goethe Institute and the Alliance Francaise), or through project-funding (e.g. by the GIZ or the Enhanced Integrated Framework), biennales (2020 for example co-funded by the EU, the Swiss arts council and the Swiss Agency for Development and Cooperation), and residency programs (e.g. the British Council and the Dutch Prince Claus Fund for Culture and Development, which jointly fund 32° East Ugandan Arts Trust), by actors of the tourism sector and by private philanthropic non-governmental organizations (NGOs). Alongside governmental bodies, art education institutes, art associations and artistically engaged social organizations, artists, art collectives and informally organized (handicraft) groups as well as cultural groups are the actors in this arena in which meaning-making, discursive, hegemonic, and executive power are contested. As such, negotiations about *what, when* and *how* art becomes a subject matter of political dimensions that addresses issues such as author- and ownership, heritage construction, and the (im-) possibilities for homegrown answers to questions of art and development.

Against this background it is worthwhile, if not pivotal, to consider artistic meaning making and cultural practices from social, political, and developmental angles. This space of socio-political contestation, which comprises the hegemonic struggles between state and non-state actors, is frequently referred to as civil society (Ferguson, 2006).

Mainstream literature on current notions of civil society broadly conceived discusses three major strands that seek to define it (Anheier and Toepler, 2010; Edwards, 2009, 2011b). The first and dominant strand is heavily informed by French philosopher Alexis de Tocqueville (1805–1859) (Ehrenberg, 2011). It understands civil society as (1) the realm of associational life that decentralizes administrative power and, in doing so, controls it. Civil society here is a certain *type* of society (namely of NGOs). The other two strands define civil society as (2) the public sphere and (3) the *good society*, respectively (Edwards, 2009, 2011b). The *public sphere* theories build upon German philosopher Wilhelm Friedrich Hegel (1770 – 1831) and view civil society as the sphere of public debate, which includes, among others, various forms of civic engagement and an independent media. Lastly, *good society* theories evolved around the notion of civil society being a *normative concept*; a kind of society where individuals and groups should and would live freely and reasonably. All three concepts position civil society as a space somewhere between the family and the state, between the private and the public, and a space where reason wins and democracy is strengthened. Its major aims are attributed to the protection of liberties and freedoms of individuals in, with, and from the state (Edwards, 2011b; Ekeh, 1992).

The concept of civil society was debated fiercely and vividly during the 1980s when scholars, journalists and politicians of the *West* sought to understand the po-

litical opposition movements in countries of the former Soviet Union that would eventually lead towards the end of the Cold War (Edwards, 2011a; Ehrenberg, 2011). If the non-violent civil society movement in the former Soviet Union was powerful enough to overrule its authoritarian regime and the ever-present state (Buttigieg, 1995), so it was assumed, it would also have the capacities to enhance and foster democratization in African countries (Obadare, 2011). In consequence, civil society as a democratization concept was integrated into development agendas (Ekeh, 1992; Kleibl, 2021).

In Africa of the 1980s, researchers, philosophers, activists, and so-called development experts were coming to the conclusions that modernization theory and its conviction that democracy was the consequence of economic development[1] – had not led towards stable democracies in the postcolonial era (Ekeh, 1992). Instead, many African countries were ruled by authoritative regimes. In the hope for a more successful strategy, civil society, as a theoretical and practice concept, gained popularity in the discourse around development in Africa (Obadare, 2011). Ebenzer Obadare even writes of the time as "days of enchantment" (ibid: 183). "[T]he attempts at developing African societies from above through the strengthening of African states" (Ekeh, 1992: 197), was now replaced with the imagination of "developing Africa from the underbrush of society [which] will yield important results, at least for the expansion of democracy in Africa" (ibid: 197).

This can be observed in the influx in publications using civil society terminology from the mid-1980s onwards, when its associated relevance for democratic development in Africa increased exponentially (Akínrìnádé, 2004; Ekeh, 1992; Obadare, 2011, 2014). Unfortunately, and despite the alleged *Cultural Turn* occurring in international development at the same time, the historical situatedness of the conceptualizations of civil society as a western political construct remained largely unthought of. This was, as Peter Ekeh points out, highly problematic:

> In order to fully capture the possible strengths and weaknesses in the conceptualization of civil society in African societies, there is need for its comparative study in the light of historical perspectives that inform political developments of state and society in Africa and Europe. This is so because the danger exists of misapply-

1 This assumption led towards large investments in form of loans into the state bodies of African nation-states. Empirical evidence strongly suggests that development aid, especially in form of loans, increases inequality and poverty instead of reducing it (for a review, see Mahembe and Odhiambo, 2019). Experts such as Dambisa Moyo (2010) assume that development aid is a strategy of the Global North to keep Africa dependent. Others emphasize how even debt-relief may not have liberating effects on African nation states. It usually comes with conditions that include privatization, economic liberalization, and deregulation, which limit the possibilities of political independence (Omotola and Saliu, 2009).

> ing Western political constructs to African circumstances, especially when their analyses concern such history-soaked concepts as civil society. (Ekeh, 1992: 188)

The aim of this research is to reconstruct the situatedness of artistic handicraft production in Ugandan civil society in order to understand how the actors involved conceptualize artistic handicraft practices, and how they shape meaning making associated with ethnically, culturally, socially, economically and politically marked artefacts. Therefore, in the following chapter I dwell on the perspectives that theorize political developments of state and society in Africa and conceptualize civil society increasingly more nuanced and according to locally significant terms (e.g., Kamruzzaman, 2019; Kasfir, 2017; Kleibl, 2021). In setting the scene, I briefly introduce the historical conditions of civil society in the Global North (chapter 3.2), before I elaborate in more depth and detail on the civil society discourse in Uganda (chapter 3.3). In closing, I specifically address the linkages between artists and artistic production in the hegemonic spheres of civil society and its implications for the empirical part of this research to follow (chapter 3.4).

3.2 The State, the Public, and the Private
Problematizing Dominant Civil Society Conceptions

Michael Edwards (2011), Palash Kamruzzaman (2019), and Ebenzer Obadare (2014) point out how much of the contemporary civil society discourse continues to be dominated by studies of formal organizations. These include mostly (urban-based) non-governmental organizations (NGOs) and civil society organizations (CSOs) (Obadare, 2014), which build heavily on Tocqueville's association of civil society with *free associations*. Free associations are free because they are independent from the state, and, at least theoretically, able to control it from gaining too much power (Ehrenberg, 2011). At the same time however, free associations can only exist where the state grants them their very existence (Woldring, 1998). In other words, the Tocquevillian civil society concept can only flourish in an environment where all actors involved consent to the idea of mutual control. Civil society organizations need to be free from state control in their content production to be able to articulate criticism and confront the state. It cannot control state actions unless the state allows for it to do so.

In light of what is frequently referred to as 'shrinking spaces for civil society', civil society and non-governmental organizations are faced with regulations that limit the scope of their actions (Smidt, 2018; Omona and Romaniuk, 2021). In Uganda, the 2016 Non-Governmental Organisations Act introduced a new regulatory and registration framework for non-governmental organizations which, it is argued, may have been purposefully designed to hamper organizations from