> 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

retrieving legal registration (Isgren, 2018; Omona and Romaniuk, 2021). In addition, the Ugandan government has restricted foreign funding for local civil society organizations (Smidt, 2018).

While the spaces for civil society organizations may be shrinking due to governmental restrictions, the Ugandan government, too, is partially dependent on non-governmental organizations as they provide employment opportunities, deliver medical care and education, or direct money flows into the local economy through project funds, taxes, or mobility of their staff and volunteers (Hammet and Jackson, 2018). Retrieving funds from foreign and international civil society organizations is also one of the strategies proposed in the 2040 Agenda for economic prosperity (Uganda 2040 Vision), although funding strategies appear to defer governmental agencies for reasons of non-affiliation with governmental policies and for the circumvention of funds disappearing in governmental offices (Springman, 2020; 2022). Yet, the development industry itself needs significant percentages of the granted funds to maintain itself, hence dedicating smaller shares to e.g. poverty reduction efforts (Ulrich et al., 2024). While it appears that the current Ugandan government seeks to limit political advocacy work of civil society organizations, at times it does consider positions and insights from associations. Ellinor Isgren (2018: 183) summarizes this space for civil society advocacy to be "not *a*political, but not *too* political", either.

The association with civil society being the realm of non-governmental organizations that focus on service provision is considered to be prevailing in the national discourse on civil society until this day (Mamdani, 1995; Isgren, 2018; Hammet and Jackson, 2018), which, as Adam Branch and Zachariah Mampilly (2018: 136) argue, led towards civil society taking on a "self-proclaimed 'non-political' character". Several scholars consider this being closely related to the Ugandan history. Daniel Hammet and Lucy Jackson (2018) and Noel Kiiza Kansiime (2019), for example, link it with the NRM efforts to decentralize the government and to increase local political engagement, albeit set within carefully determined boundaries. They observe a "historical resistance to critical civil society and efforts to co-opt this sector to support national development policies (ibid: 148), a strategy that becomes immanent in the 2016 Non-Governmental Organisations Act (2015: 1), in which it is stated that "[i]t is well known that the [NGO] sector compliments Government service delivery through the provision of services like health, education and water among others".

Several associations and organizations (partially) oppose the focus on service delivery and highlight the importance of advocacy work of civil society organizations (Isgren, 2018; Kasiime, 2019; Kontinen and Ndidde, 2023). However, especially Kasiime and Kontinen and Ndidde highlight the challenge of accountability of civil society organizations engaged with advocacy work in Uganda and, related, the question of legitimacy of civil society actors who are often more accountable to their funders

than to the people they represent and whose legitimacy is closely linked with how they are able to negotiate to meet the interests of the parties involved.

These examples demonstrate how civil society, state and funders of civic activities mutually co-constitute one another as they are shaped and reshaped by their historical and structural particularities. Building on a critical perspective influenced by Gramscian thought, Isgren (2018: 181), proposes to "approach civil society as neither isolated from wider structural conditions nor free from internal tensions. I follow Mohan (2002) in taking heed of Mamdani's (1996) call to examine 'actually existing' civil society and its historical formation". With Sam Hickey (2005) and Neil Webster and Lars Engberg-Pedersen (2002), in this research project, I understand civil society as "political space" which is embedded in "power relations that shape [] complex relationships" (Hickey, 2005: 996). In this sense, civil society is not always already associated with democratization, nor does it necessarily always promote progressive ideas.

To empirically grasp notions of civil society beyond state-NGO relations, scholars such as Kamruzzaman (2019) and Obadare (2014), too, emphasize the need to shift beyond the rigid boundaries of formalized organizations. Obadare understands this shift to serve two major functions. First, it re-appropriates the civil society idea to the African context. This, he argues, is needed in order to detach it from the prevailing conditions that were so essential for its developments in the Global North. Second, it applies the language of civil society to "nontraditional subjects" (2014: 2) and thus extends it to "orature and viral messaging" which "opens up new possibilities of seeing those same subjects, while also revealing new modes, spaces, and possibilities of formulating subjectivity and organizing resistance in Africa" (ibid: 2).

Kamruzzaman builds on Gramsci's conceptual notions, whereby civil society simultaneously serves as the site of (civil) resistance *and* of the established order (Kamruzzaman, 2019: 6). He emphasizes its political roles, and the "various forms of altruism, associations, activisms, religious charity, gender diversity, movements, protests, [and] anti-establishment campaigns fighting global hegemony" (Kamruzzaman, 2019: 5) that shape its discourses. In both cases the concept of civil society is complex and multifaceted, its actors diverse and their aims plenty (though not always serving democratic aims). While both conceptualize civil society as an arena of political contestation, it does not automatically address the state, which, at times is not recognized as the most important political entity in the postcolonial era (Ekeh, 1992; Kasfir, 1998a; 2017). Whereas the relationships between the postcolonial state, its citizens, and the primordial public in many African countries significantly shapes its civil societies, they remain widely underrepresented in more conventional notions of civil society, in part because of their own historical and temporal situatedness.

The Toxic Brew of Unreflected Political Theorization

In the contemporary civil society discourse, William Friedrich Hegel's conceptions of civil society as the outer state of need and reason whereby citizens act in their interests and for specific purposes but from unequal conditions continue to be widely discussed (see, for example: Ferguson, 2006; Klein, 2010; Obadare, 2014; DeLue and Dale, 2021; Kleibl, 2021). However, as Steven DeLue and Timothy Dale (2021) note, in Hegel's social theory, the industrialized European societies of the 19th century marked the 'end of history'. Europeans, especially in Great Britain and Germany, he believed, had reached the highest state of development (Kleibl, 2017). Applying his theory to African societies (with their different societal structures, histories and mechanisms he did not bother to understand), he framed Africans in the state of "the natural man in his completely wild and untamed state" (Hegel, 1957: 93, as cited in Kleibl, 2017: 24). Tanja Kleibl further follows Enrique Dussel (1993), who understands Hegel to have been the founder of Eurocentrism in development, which led towards immense injustices that prevail to this day.

However, Hegel was not the only political theorist who considered colonization, its injustices and violences inevitable. Alexis de Tocqueville's understandings of civil society as the realm of free non-governmental association are foundational for contemporary conceptions (Edwards, 2011a; Ehrenberg, 2011; Kamruzzaman, 2019; Obadare, 2014). He, too, considered colonialism and the colonial state as legitimate (Kohn and McBride, 2011), a "heroic enterprise" (Kohn, 2008: 260) even. Albeit a firm believer in rule of law and equality in front of it, he was also convinced that "exceptional measures" (Tocqueville, 2001: 116, as cited in Kohn, 2008: 256) and martial law for the handling of the indigenous people of the French Colony Algeria and beyond were indeed appropriate and needed.

This is as problematic as his convictions – and consequentially the ontological and epistemological underpinnings, which tint his concept of free and voluntary associations – remain largely unreflected, potentially because they happen to fit into liberalist notions of development (Kleibl, 2017, 2021). But what exactly are those free associations according to Tocqueville, and why are they so central to him for a functioning civil society?

Civil Society as the Realm of Free Associations

Alexis de Tocqueville grew up in France in the post-revolution period. He believed that the revolution had been the consequence of social and political processes in France which had been developing for over two centuries, as well as the country's administrative and governmental centralization (Woldring, 1998). For him, governmental centralization was elementary because lawmaking and foreign relations needed to be similar within nation states. In addition, governmental centralization

was necessary for the control of free associations that, if uncontrolled, could cause "social struggle" (ibid: 364).

In a Tocquevillian sense, government regulates free associations much as free associations regulate government. Free associations include industries, private businesses, educational and religious institutions. The majority of all people, he believed, strive for material well-being, and they do so voluntarily and in free associations. It was precisely because of these narrow, parochial and self-centered interests that "Americans [sic] had learned to defend liberty without surrendering to democratic excess", John Ehrenberg (2011: 24) writes. Tocqueville promoted a notion of "civil society as localism, voluntarism, and association" (ibid: 24), and as fragmented to particular interests based on materialistic well-being. For Tocqueville, equality and democracy would prosper in an individualist society, an understanding that resonates well with liberal theorists such as Hobbes, Locke, and Smith, but also with modernization and liberalization theories that continue to be important in development frameworks.

Tocqueville did examine racial inequalities (Tillery Jr.; 2009; Stokes, 1990). Yet he is criticized for not having considered the widespread inequality in his civil society concept, nor the acknowledgement of "how inequality of condition might inhibit voluntary activity for those with neither the time nor the resources to spend on it" (Ehrenberg, 2011: 24). This results, according to Ehrenberg in a liberal civil society that ultimately reinforces inequality and privilege.

Searching for Equality or the Need for the Democratization of Civil Society

Although Karl Marx did not relate to Tocqueville's concept of civil society, he saw civil society in deep need for democratization (Ehrenberg, 2011). He did, however, very much criticize Hegel's civil society notions (DeLue and Dale, 2021; Duquette, 1989). For Marx it was clear that people needed liberation from structures and inequalities that denied them "the full expression of their capacities" (DeLue and Dale, 2021: 246). Both, state and civil society, needed to be transformed. This transformation meant to emancipate political theory from "politics to economics, from the state to civil society, from the formal to the substantial" (Ehrenberg, 2011: 22–23). Furthermore, Ehrenberg writes that for Marx "democratizing civil society [required] abolishing [bourgeois political understandings and institutions] and moving towards an 'association' that [transcended] the chaos, antagonism, inequality, and arbitrariness of market society" (ibid: 24).

For Marx, civil society includes all aspects of commercial and industrial life which expands civil society beyond and above the state. Particularly in his later works, civil society holds a duality, as it is both the "base and superstructure" (Hunt, 1987: 275) in the sense that it has a phenomenal content and an ideological form. The former holds the entirety of "the relations of commodity exchange and circulation

in the capitalist social formation" (ibid: 275), while the latter is based on values that include individual rights of independence, equality, and towards owning property. Marxism forwarded a vocabulary for vocalizing economic inequality and the struggle against it. Because of its vocabulary, it became an influential concept in national liberation movements in the Global South and the fight of the *periphery* against the *center* (Kohn and McBride, 2011). However, its groundedness in the belief of historical progress and its omittance of the consideration of race limited the impact and significance. In consequence, civil society vocabulary widely disappeared until development actors (re-)discovered it and its potential for the democratization of post-colonial African nation states in the 1980s (Ehrenberg, 2011; Obadare, 2011; 2014; Hammet and Jackson, 2018; Kansiime, 2019).

Summary

In this chapter I demonstrate how the reflections regarding some important meanings associated with civil society, strengths, and weaknesses resonated with the socio-political developments they referred to. As such it becomes apparent why a mere integration of those notions into the development and democratization efforts in contemporary particularities, especially in countries of the Global South remain unsituated. The conceptualizations respond rather specifically to the conditions under which they prevail(ed), and thus become inapplicable when reapplied elsewhere. In addition, they largely ignore racial and/or cultural particularities of the (post-)colonial era at best, and justify colonial crimes at worst. In this research project, I conceptualize civil society with Hickey (2005) and Neil Webster and Lars Engberg-Pedersen (2002) as political space embedded in power relations and complex relations that are formed by historical, structural, and discursive particularities. Therefore, on what follows, I will elaborate on some of the particularities of Uganda. In doing so, I draw on empirical findings as well as on more theory-oriented publications.

3.3 Contemporary Debates about Civil Society in Uganda

In Uganda, the 1980s were overshadowed by the heritage of Idi Amin's "reign of terror [, which had] triggered and sustained the flight of many key leaders of CSOs, particularly those that challenged the state [which] resulted in a regression of CSOs' role in shaping the governance and development trajectory" (Mugisha et al., 2019: 1). When Yoweri Museveni took over power (from Milton Obote) in 1986, he turned towards the international community in search for support for the rebuilding of the country. His government submitted to structural adjustment reforms (SAPs) and poverty eradication plans (PEAPs) which was well in – albeit challenged – line with the economic liberalization paradigm in development at the time (ibid). Non-gov-