
A DIALECTICAL ANALYSIS OF LAND TENURE EVOLUTION AND CLASS CONSTRUCTION IN BUGANDA, 1900–1948: THE FEUDALISATION OF THE BUGANDA STATE

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Publication Date: September 2026

ABSTRACT

Purpose of the Study: This study examined the evolution of land tenure and class construction in Buganda between 1900 and 1948, with emphasis on how colonial land policy transformed political authority, property relations, and agrarian class structure.

Statement of the Problem: The 1900 Buganda Agreement and subsequent land measures converted customary and politically mediated landholding into registered mailo ownership, yet the class consequences of this transformation require closer historical interpretation, especially the emergence of a landed chiefly class and a tenant peasantry.

Methodology: The paper employed a qualitative historical-dialectical analysis of published historical accounts and legal-institutional developments concerning the 1900 Buganda Agreement, mailo tenure, land registration, landlord-tenant relations, and the Busuulu and Envujjo reforms.

Results of the Study: The analysis shows that colonial rule converted chiefly control of land into more durable private ownership, weakened the Kabaka's former role as ultimate land trustee, expanded a landed aristocracy, and recast bibanja holders as tenants and commodity-producing peasants. The resulting landlord-tenant tensions contributed to rent disputes, peasant mobilisation, and statutory intervention through the Busuulu and Envujjo framework.

Conclusion and Policy Recommendation: The paper concludes that colonial land reform generated durable class differentiation and a semi-feudal agrarian order in Buganda. Contemporary land governance and scholarship should recognise these historical roots when addressing mailo ownership, occupancy rights, landlord-tenant relations, and the long-term social effects of colonial land allocation.

Keywords: *Dialectical Analysis, Land Tenure, Evolution, Class Construction, Buganda, 1900–1948*

INTRODUCTION

Land tenure is largely that which defines relationships among people, as individuals or groups, with respect to land. Land tenure is an institution, that is to say, rules invented by societies to regulate behaviour as regards land. Rules of tenure define how property rights to land are to be allocated within societies. Land tenure deals with or defines generally how access to land is granted, for example, rights to use, control and transfer of land, as well as associated responsibilities and restraints. In other words, land tenure comprises the habitual and or legal rights that individuals or groups have to land, and the resulting social relationships between the members of society. [1] In this respect, the study in this section will discuss the evolution of the land tenure system in Buganda and the subsequent creation of a landed aristocracy. This study looks at land tenancy with great scrutiny for its land tenancy that forms the framework on which the feudal system of economic, social, and political relations operated in the state of Buganda. To comprehend the system of land tenancy, one needed to take into account the political structure of governance in pre-colonial Buganda, in order to be able to understand the evolution of the land tenancy system in the Buganda state. It is based on the structure of government that the political relations in pre-colonial Buganda were termed as feudal relations; even though the coming of the colonial administration is believed to have transformed and modified them more towards feudalism, which is the concern of this study. Colonial administration played a big role in the modification of not only land tenancy but also the economy and government of the Buganda state. In the words of Holly Hanson, the signing of the Buganda Agreement of 1900 is often referred to as the coming of the miles to Buganda. Consequently, it was the time when the boundaries of vast tracts of land were measured out in square miles, thus the name 'Mailo'. Mailo was derived from the English word mile, used first to mean one square mile and finally to designate and differentiate particular forms of land tenure. Thus, this was the innovation of a new form of land tenure system and the modification of social relations in Buganda. [2]

RESEARCH METHODOLOGY

The paper adopted a qualitative historical-dialectical approach to examine changes in land tenure and class relations in Buganda between 1900 and 1948. The analysis drew on published historical accounts and legal-institutional developments associated with the 1900 Buganda Agreement, the Registration of Land Titles Ordinance of 1908, the Land Law of 1912, and the Busuulu and Envujjo Law of 1928. Sources were interpreted comparatively to trace changes in

land rights, chiefly authority, tenant obligations, commercial production, and class differentiation. The dialectical lens focused on tensions between customary tenure and colonial private property, and between landlord accumulation and peasant security, to explain the emergence of a landed aristocracy and tenant peasantry.

EVOLUTION OF LAND TENURE RELATIONS AND CLASS CONSTRUCTION

Pre-Colonial Land Tenure Relations

Retrospectively, land tenure relationships in Buganda are traced from the pre-colonial era, when political authority determined tenancy and occupancy of lands. Clans, the basic political and social institutions of that time, commanded respect and provided space to new occupants of their respective clans, where then lineage groups such as clans exercised rights of control over land. Individuals held land by virtue of their membership in a social group such as a clan. Therefore, each clan leader was in charge of a specific area held in the name of his clan. These chiefs, Bataka, played an important role as custodians of clan lands. Before the 18th century, an amalgamation of clans or lineages that held political authority of the state or kingdom occurred. Production in this kind of agrarian economy was mainly by cultivators who were tied to particular pieces of land.

This type of economy was a vital source of food production for the state of Buganda. Clan lands defined the identity of a person and a particular clan in that they provided common burial grounds, and as per custom, a person was buried where he/she originated; it is thought that was where and when the term Butakka / the Soil was coined. Clans were believed to be the basic forms of administration over large tracts of land. These hilltops and villages are believed to have been the legendary origins of most of the clans in Buganda, whereby clan leaders were in charge of these lands (obutaka), and that's why they were called (Abataka). This is where there were burial places where families or lineages attached themselves, [3] either to chiefs as their clients or as clan mates who settled in one locality. These estates were hereditarily passed on to the clan chief's son. The right to land by right of lineage to a certain extent evolved to peasants' rights of which sometimes amounted to the same thing, whereby every individual had a right to occupation and use of land, derived from his status as a member of a kinship group.

It is believed that the Baganda had no King, but they chose one of their number to rule over them, giving him the title *Ssaabataka* (senior Land Owner). This was before the 19th century,

when the monarchy had not yet usurped the authority of the clan chiefs - the pre-Kintu era, the mythical King. [4] Nevertheless, the expanse of territory in what was the Buganda Kingdom was divided among clans. There were also individual hereditary rights (*obwesengeze*). These were minor claims to land which were not based on any political duties to the King. The next layer of Buganda's pre-colonial land tenancy comes with the process of consolidation of monarchical power - land rights held by virtue of office when one was appointed by the Kabaka to an administrative post. [5] More so, this is the period beginning with the mid-18th century, when the monarchy usurped the powers of the clan chiefs and centralised power in its hands of the monarchy. This meant that the King took over all powers of all state institutions, including land management. The King then became the *Ssaabataka*, the grand trustee of land in Buganda. [6] The King had authority, *Buinza*, over all land in the kingdom.

Prominence was attached to the legal function of the King's sole authority. This initiated the joining of political responsibilities to land ownership. Therefore, the King could create a new right by making allotments of vacant land; *Akitongole*, and the chief who received it was known as a *Mutongole*. Then there were the territorial chiefs, *Bakungu*, who were appointed by the King to govern the administrative areas into which the country had already been divided before European contact. [7] The *Batongole*, as noted above, were mainly persons to whom land was allotted by the King as a reward for services. In turn, the rights of the chiefs over land perhaps were epitomised by the Phrase *Tafuga Taka Afuga Abantu* (he has rights not over land but over people). In this respect, the major form of land tenancy in the pre-colonial era, the rights of the King and the chiefs (*Obutongole*), were of paramount importance. In this form of tenancy, each political office had to have several estates attached to it commensurate with the status of the office and of the holder. This is where another branch of chiefs evolved, the territorial chiefs. These included those who were awarded territory based on military conquest in the process of the expansion of the Buganda Kingdom [8].

The King's relatives, the Queen Mother, the King's Sister, the Princes, and the Princesses each had several villages in different parts of the Kingdom. Also, the Prime Minister and the Keeper of the Fetishes each had a similar number of estates, not to mention the county and sub-county chiefs. [9] Such officials had the greatest number of estates in the Kingdom. That's why those scholars who were opposed to the idea of a feudal form of political and economic relations for Africa or Buganda, used the above type of land tenancy to argue that the feudal lords' chiefs were not independent of the king's authority in that they lived on official estates. Nevertheless,

the argument of this paper attempted to present the view that the above nature of land tenancy is what constitutes an African feudalism.

The last layer of land tenancy was that of the ordinary people who have been roughly termed as peasants, Bakopi/Mukopi, due to the fact that they lived on land under the jurisdiction of chiefs. The functions and roles of the ordinary person in Buganda then denoted that he did not have rights as a citizen of the state, or he was even perceived as a slave in most Western literature, but the interpretation of this paper is that these were free peasants, even though they had several responsibilities to the controller of land, the chief. The Mukopi/ordinary person acquired a plot of land for building and cultivation by applying to a chief. Land acquired in this way could not later become Butakka in name or even burial grounds or ancestral homes, even when the Bakopi were able to establish rights in virtue of long occupation. A Mukopi whose family had occupied the same site for two or even three generations would have to explain his position to each new chief, proving his claim as the occupant of a particular Butakka by pointing to the graves of his people. If the plot of land was abandoned, it reverted to the chief; even to take food from it was stealing.

Fallow land not allocated was referred to as *Ensiko yomwami*, the chief's Bush. All land disputes at this level were brought before the village courts. [10] In addition, animals could be herded in any fallow land, whether allocated or not. On the other hand, the peasant, ordinary person was allowed to cut wood from the forest, which was always under the chief's authority; this wood would be for building, say, a house. However, the ordinary peasant / *Mukopi* had obligations to the chief that had to be fulfilled, for example, building the chief's enclosure and houses. He was also required to supply the chief with food and also turn up for summons to hunting expeditions and to weed the road as long as he lived in the jurisdiction of that particular chief. His tenancy was further safeguarded by offering or sending a large gourd of beer to the chief after every brewing he made.[11].

It should also be pointed out that the nature tenancy mentioned in the preceding explanation helped to cement patron-client relations between the chief and the peasant/ordinary person. Land was the most important good that the chief redistributed; a man who wished to cultivate and settle on the land under a particular chief's jurisdiction became his client. All in all, pre-colonial Buganda in this context did not have serfs in the sense of it because the peasants generally were not tied to a particular piece of land since land tenure by chiefs was not permanent, but more importantly, peasants could switch their allegiance from one chief to

another, even though peasants had all sorts of obligations towards their chiefs and that's why the chief could not afford to offend his people the peasants.

Colonial Land Tenure Relations

The argument here is that even though the pre-colonial era had a semblance of aspects of a feudal economic system land tenure system. The colonial era, more than any other period, greatly changed the land tenure system in Buganda. Colonial tenure streamlined and restructured the role of traditional chiefs in Buganda, but more so reorganised the production relations and put in place a cash crop or commercial agricultural economy in Buganda. This was all shown and implied in the structuralisation process of the 1900 Buganda agreement. In the view of this paper, it is at this point that the colonial administration implemented the process of creating feudal lords, a land-owning aristocracy in Buganda. This class of rulers was made to own land in perpetuity as opposed to that of the previous dispensation, when they were at the mercy of the king, who was the overall controller of all land in the kingdom.

In the same light, colonial administration did recognise and affirm the traditional ruling oligarchy by maintaining most of the traditional practices entitled to land ownership in the Buganda kingdom. This is to say, essentially, the Buganda Agreement of 1900, in article 15, fundamentally changed Buganda's land tenure by creating a form of freehold tenure for political notables. [12] The colonial era came with a system of land tenure that completely changed the social relations in Buganda. For example, the grand trustee of land or the Ssaabataka in Buganda, the King, was removed from this position and the responsibilities held in pre-colonial times over land. This change also included the clan chiefs, who were also trustees of land, holding land in a kind of usufructuary arrangement on behalf of their clans. That relationship between the Kabaka and the chiefs and the chiefs to the peasants, was radically changed. [13] From holders of land at the will of the Kabaka, chiefs now become the major owners of land in Buganda in perpetuity. The giver of land, the Kabaka, was now given land under the Buganda Agreement of 1900. [14] This was a type of new land tenure system that the 1900 agreement imposed on Buganda. In other words, Sir Harry Johnston imposed a new system of land tenure on Buganda in 1900. For him and his government, it was the easiest way to establish a reliable ruling class in Buganda, which was to be awarded land in freehold.

In this way

- i) Private estates were granted to the *Kabaka* and chiefs;

- ii) 'Waste and uncultivated land' was vested in the British Crown;
- iii) A Board of Trustees was set up to administer and protect the cultivators (peasants) in rent rights to the land they occupied.

In the agreement of 1900, land was divided between the *Kabaka*, his close relatives, and 3,700 chiefs who took around 8,000 square miles, and the crown, which took around 9,000 square miles. The *Lukiiko* Buganda traditional legislature was tasked with making local allocations of land to individuals. This became the resultant land tenure in the colonial era. In essence, the new colonial land tenure system prepared the Buganda state for new commercial production. Other studies argue that this was the integration of Buganda into the capitalistic world economy.

By the clauses of the Buganda Agreement, the colonial land tenure introduced three new forms of land tenure, namely, Leasehold, Freehold and Mailo Tenure. All land in Buganda was declared Crown land and vested in the Queen of England, where the British became holders of the radical title and proceeded to give a limited number of freehold estates to individuals and corporations.[15] In this paper, the main concern will be placed on the Mailo land tenure system. The term 'Mailo land Tenure' meant the holding of registered land in perpetuity as per the land allotment of the 1900 Uganda /Buganda Agreement. Article 15 fundamentally changed Buganda land tenure by creating a form of freehold tenure for political notables. Land was allocated in square-mile blocks, hence the term Mailo. Mailo land tenure was divided into two categories: official and private Mailo. The official Mailo was allocated to the Kabaka (King) and high officials, including members of the royal family. In this case of official Mailo, grants of land were attached to specific offices in the Buganda government. These estates could not be subdivided or sold but could be passed intact from the original office holder to his successor. While in the case of the private Mailo, this was the one which was allocated to political official's majority of whom were the chiefs. Thus, in private Mailo, the owner held rights in the land similar to those of freehold and could even dispose of the land as he so wished. [16] In this way, the 1900 agreement clearly divided the Buganda society between the landed and landless; this was the beginning of the construction of a class society, based on economic differentiation.

It is in the interest of this study to show that this was the process of colonial feudalisation of Buganda based on the construction of an agrarian economy. The colonial land tenure system did not only apply to Buganda but also to Uganda as a whole. This was observed in the 1902 Uganda Order in Council and 1903 Crown land Ordinance, which declared all land in Uganda to be Crown Land,' legally vesting ownership in the Crown British government, while at the same time protecting the rights of the Africans. However, Crown land excluded land allocated to chiefs under the agreements signed with leaders in the Kingdoms of *Buganda*, *Ankole*, *Bunyoro*, and *Toro*. In the same light, the colonial administration continued in its processes of formalising the land allotment process in mainly Buganda. It is perceived

that Sir Harry Johnston's original intention after giving the King and the Chiefs' estates was that the land agreement should be fair to everyone. The rest of the remaining part of land was placed under the control of a Board of trustees; more so under the control of the Crown, free for disposal. Under the above ordinance, a few grants of freehold were made to non-natives till all sales in freehold were suspended by order of the Secretary of State in 1916. [17] As for the Registration of Land Titles, the Ordinance of 1908, the short Registration of Land Titles Ordinance was enacted, and this covered the registration of the first Mailo land titles then issued in 1909.

This gave formal ownership to those Mailo owners who were then issued with provisional Certificates and whose allotted claims had been roughly marked out on the actual ground. This marked a stage where land had been commoditised, could be sold and bought by a willing buyer and seller, mainly in Buganda, the central region of Uganda. In this case, an individual could own up to 30 square miles without the special sanction of the Governor. As noted above, the Mailo owner could transfer land by sale, gift or will to another person of the protectorate, but could not transfer land or lease it to anyone who was not of the protectorate (non-native) without special permission of the Lukiiko and the Governor. In the case where a person left no will, succession would be ascertained by customary rules of succession. [18] In general, customary rights of the natives/people were respected in the use of roads, running water and springs in their respective areas. This state of affairs meant that the size of the landed class had even increased; not only did the oligarchy have land, but the class of progressive farmers with money from commercial farming were also able to acquire land.

In general, this was the establishment of a new status quo in the country, putting in place a colonial economic agrarian system based on land tenure in the Buganda state. Colonial land tenure gave authority of running state affairs to the colonial administration; in that, the political and economic independence of the Buganda kingdom was lost by the clauses of the 1900 agreement. It was the colonial administration that called the shots; they put forth that all rural lands were being held in trust for the use of the African population. The Governor was the supreme authority of the colony; he worked in consultation with the African Local Government. The governor was also not supposed to alienate land to non- Africans except in cases where agricultural and industrial or economic projects would be judged to take precedence over African social and economic needs. It was perceived that the Governor's intentions were meant to promote the economic or social welfare of the inhabitants of the territory. However, the main intention of the colonial administration was to develop Buganda and Uganda as an African peasant colony and not a white settler colony.

[19] This saw the promulgation of the Busuulu and Envujjo law 1928. This arose out of the changed class structure in Buganda society; also, the changed economic status of the peasant and environment in Buganda. For example, the chiefs no longer held both political and social offices at the same time; they had now become Mailo owners but still dispensed justice in a traditional manner and in return they expected and received, the same type of services and dues from their tenants as previously were commonly accepted; in other words, the peasants continued to assume the same feudal relations to the Mailo owners as they used to assume under the old type of political chiefs. After the 1914-1918 war, the price of cotton rose to 33/- per 100 lbs. The relationship between the Mailo owner and peasant deteriorated; on the part of the peasant, it became exploitative. As the peasants began to derive economic gain from their holdings, the Mailo owner became exploitative; he took to demanding through the use of customary labour in the peasants' cotton fields or demanding a portion of the cotton produced or its money equivalent. Mailo owners had definitely become avaricious in their demands and caused great discontent among the peasants on their estates. This kind of relationship was not defined in the Buganda /Uganda Agreement of 1900.

The new type of economic peasant created by the 1900 agreement was no longer the same one who had fitted in traditional system or relationship with the chief deriving labour dues from him; the 1900 agreement had created an independent peasant for the benefit of the colonial administration, a commodity producer. Thus, the Busuulu and Envujjo law of 1928 was enacted. In the view of this study, this was to protect the peasant from the wrath of his landlord, the Mailo owner. The 1928 Busuulu and Envujjo law specified the respective rights and duties of both the Mailo owner and tenant, kibanja holder. Like many events in history, this new economic status quo did not come without challenges for both the colonial state and Buganda. It was the grievances of the peasants in the first place that led to the dissatisfied sections of the community that organised themselves into what became known as the Bataka Association, which can be categorised as one of the defeats of the 1900 agreement on the Buganda society.

Notably, the Buganda /Uganda agreement did away with the traditional /clan estates by giving them to powerful chiefs like Kaggwa, who is said also to have grabbed his own clan estates for personal benefit. As already noted in the previous paragraph, the land allotment redefined the position of the King/ Kabaka, being made a land owner just like an ordinary chief and not the sole dispenser of land/land rights to other individuals. Indeed the major pitfalls of the 1900 agreements were in the enthroning of an infant king who by the time of the drawing of the

Buganda agreement, was an infant, Daudi Chwa.[20] The point to make here is that the drafters of the agreement intentionally emphasised the rights of the individual chiefs against those of the Kabaka. The traditional role of the Kabaka, that is to say, the overlordship of the Kabaka in relation to the land, was not recognised, and in this light, the chiefs secured permanent rights to their estates from which the Kabaka had no more power to remove them.

This, in essence, is the argument of this paper that colonial administration, more than anything else, constructed feudal lords out of Buganda chiefs and a class of landed oligarchy. Even in the Land Law 1908 that the owner of a Mailo would not be compelled to give a chief who was superior to him any portion of the produce in money or kind, this was interpreted by Mukwaya to apply to Mailo owners in relation to the Kabaka. Kabaka's responsibility in the new dispensation remained in matters of land succession as per the land law of 1912. This was in cases when one who had been left land had to obtain the approval or permission from the Lukiiko, a certificate of succession, but more importantly, to seek the approval of the Kabaka as the final arbiter in cases of succession. [21]

Mailo Land and Class Construction in The Buganda Kingdom

This paper will refer to the creation of social classes in Buganda by the implementation of the terms of the 1900 agreement. Therefore, in this section of the paper there has been an attempt to try to define social class in the context of Buganda society. In general, the term, socio-economic class, is defined as people having the same socioeconomic, cultural, political, or educational status, e.g. the working class or an emerging professional class, as was the case in colonial Buganda, with an emerging working class and civil service. However, in the new colonial Buganda State, these roles changed from those of social stratification to economic stratification. Originally, the ordinary Muganda, the Mukopi, was only defined by his traditional profession, say cultivators/Mulimi, fisherman/Muvubi, bark cloth marker-Mukomazi or even potter-mubumbi. He differed from his clan chief or royal group of people who were associated with the king's throne, the abalangira princes and princesses /abalangira. There was a small degree of differentiation between classes in pre-colonial Buganda. Certainly, Buganda was more or less not a stratified society; anyone could be rewarded or raised to a chiefly position due to their talent. These circumstances changed in the colonial period just as they had been in European societies in medieval Europe, which consisted of social classes divided by economic differentiations. In what could be called modern Buganda or colonial Buganda, class differentiation came to be based on economic changes. The 1900 agreement

did prompt changes in occupational structure to economic structures, and the control of means of production more or less changed hands: the distribution of economic power to a class of notables not including the Kabaka/King [22].

The Ganda society, by the 1900 agreement, was majorly divided into the landed and the landless: the transformation of formerly clientele relations to that of landlord and tenant, who were also independent of the chief. The ordinary person was no longer working around the compound of the chief, nor was he eligible for military service under his chief. The new relationship between the chief and his men or people was an economic one. The peasant had become a small-scale commercial producer, farmer, growing initially cotton and later coffee; the peasant had become a tenant on the chief's land; the chief, in turn, a civil servant of the state, coercing the farmer to grow more produce for export. In Mamdani's words, the colonial state created a class of powerful but parasitic landlords; although they were consumers of large amounts of the economic surplus, they played no part in production. In fact, their income was to be derived from supervising the labour of others and from the rent they extracted from tenant peasantry. [23] .

In line with the theoretical conception of this paper, this is not only the integration of Buganda farmers in a capitalistic world economy, but it's the creation of independent landlords based on an agrarian economy, making them feudal lords. In the context of them incorporating traditional chiefly roles into modern civil servants, they played both roles. The ownership of land became a vital role for the chiefs; the most important means of production in an agricultural economy became the basis of the communality of interest between the landlords and the colonial authority in upholding law and order. This same product or process was the source of the state's revenue. Landlords became conscious of their structural position and began to appropriate an increasing share of their tenants' surplus products; this led to the colonial government passing the Nvuujo Busuulu of 1927 to resolve the conflict between the tenants and landlords. [24]

Contradictorily, Mamdani believed that it is at this point that the feudal mode was destroyed and reconstituted into a capitalistic mode of production by the colonial state. That peasants' production was altered and now produced commodities for the Metropolitan market, and the system of cash taxation was backed up by the coercive apparatus of the colonial state. However, the point to make here is that the colonial state created the feudal mode of production in the Buganda state. The creation of a bureaucratic class in Buganda, on the other hand, was sought

to reward the loyal Christians who brought or welcomed the European colonial administrators to Uganda: the missionaries and British administrators. It is assumed that the Buganda administrative apparatus /system was feudal, which this work perceives as such. Therefore, they designed the agreement to combine elements consisting of feudal rank, privilege, and property rights. This was the basis on which the agreement can be said to have modelled Buganda society into a class society.

[25] This put in place an effective administration whereby the chieftaincy institution was regularised, and the Great Lukkiko, no longer an irregular gathering of important people and chiefs, was turned into a formal body with regular and periodic meeting rules and regulations. The idea was to create a semi-feudal, bureaucratic society: the creation of a class of ruling oligarchy. The 1900 agreement created new economic distinctions by virtue of chiefly families holding private estates, the alteration of the relationship between the chief and Mukopi, which is mentioned in the preceding chapter. The land settlement in the agreement displaced the earlier clientele system, and the chiefs became rich.

Johnston's agreement, as it may be termed, contributed more than a land settlement and the improvement of relations between the European Administration and the Buganda people, but more so, it was able to create in Buganda a solid, self-reliant middle class.[27] The creation of an economically powerful landed class was, in fact, the creation of an institution of administrators turned civil servants, and later a wealthy landed rentier class who, from then on, benefited from land presents to them by the 1900 agreement. In the words of Jorgensen, this was now a state-appointed salaried institution of chiefs that had replaced the self-recruited collaborative chiefs in the era of religious wars. [28] The creation of Mailo land was one process that began the creation of a powerful oligarchy, socially and economically. The agreement added to their power as traditional rulers who already had followers. Notably, followers who worked around the chief's compounds and gardens would now pay rent for staying on the chief's property, mainly land, thus, creating a commercial class.[29] The colonial government, through the Buganda Agreement, superimposed freehold land tenure over customary tenure, creating a class of collaborating chiefs and notables who were allocated large tracts of freehold land. This was accompanied by the imposition of land dues in kind (Nvujjo) and cash (Busulu).

Under this new system, the 'landlord' parcelled out plots (Bibanja) to his tenants who were obliged to pay as the law stipulated.[30] It is not easy to explicate the concept of class in the

African context and equate it to the Western sense of it. Rather, most writers of non-Marxist orientation have preferred to use the terms cultural or social differentiation between persons of higher and lower on the social scale, whereby such differences were mainly in terms of differences in wealth or power. That's why Fallers attempts to explain that Buganda society initially did not have status cultures. He put it that Buganda was a very hierarchical society. It was with the discretion of the King at any one time to raise someone to a higher position or expel him from the office he served. In effect, social stratification in Buganda society came with the British administration of Buganda, which was established by the Buganda Agreement of 1900. [31] This did not mean that the Buganda kingdom did not have a ruling oligarchy or a monarchy that was very powerful. In the traditions of Buganda, royalty was embedded in the culture of Buganda and held in high esteem.

However, the creation of individual land properties by the 1900 Buganda Agreement revolutionised social relations in the Buganda kingdom. Individual land holding was a new feature introduced in both social and production relations in the economy of Buganda. This arrangement set apart an economically powerful class of landlords independent of royal favour, which indeed came to signify a special social position of a landowner attached with special economic or monetary advantages. Like the source of capital, rent was also used as a field of capital investment, providing a heritable form of independent wealth. [32] The source of rent was derived from producing and selling cash crops.

CONCLUSIONS

This paper puts forth the view that the 1900 agreement greatly modified the land tenure, land relations, and social class structure in the colonial Buganda state. This led to the construction of an administrative class structure to run day-to-day administration. As an administration, this was based on the destruction of the client-patron social relation, replacing it with a new economic or production relation. Commoditization of labour and produce provided the introduction of a money economy, thus creating a class of independent chiefs turned civil servants whose major mode of income was salary and rent. In this way, the chief became a modern feudal lord, for he supervised the agricultural production of a class of ordinary citizens who were now commodity producers. The chief and other notables, especially those from the royal line who got plentiful Mailo allocations, became respected by a lot of persons of Buganda society. Therefore, Buganda society was divided between the landed and landless squatters.

RECOMMENDATIONS

First, contemporary land-policy debates in Buganda should recognise the historical origins of landlord-tenant tensions created by the mailo settlement and continue to balance registered ownership with the protection of lawful occupancy and tenant rights. Second, future historical research should examine more closely how land reforms between 1900 and 1948 differentiated royal, chiefly, clan, and peasant interests, including the effects of the 1928 Busuulu and Envujjo reforms. Third, further studies should integrate archival land records, court cases, cadastral materials, and oral histories to test the extent to which feudalisation, capitalist agrarian transformation, or a hybrid interpretation best explains the evolution of Buganda's colonial land relations.

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