

Justice for Mau Mau War Veterans

Mukoma Wa Ngugi[†]

Editor's Note

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The concerns raised by Mukoma wa Ngugi touch upon some of the issues that ISJ addresses: justice of the cause for Mau Mau Movement, the correct interpretation of history of resistance, the way information about the liberation movement in Kenya (as in the rest of the colonial territories) has been depicted by scholarship, the role of academics and artists in society.

This is not to say that those involved in the struggle have similarly forgotten about their struggles or have internalised the distorted views that colonialism has imposed on their achievements and struggles. An example of activism in this area is the depiction of the achievements and the history of the Movement

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in Wakamba artwork – better known as producers of items for the tourist trade. The artwork represented in the few selected photos is part of a larger exhibition of work of the Wakamba artists. This was exhibited in Nairobi in 1976 as a partnership between academicians at the University of Nairobi and the artists.

ISJ would like to acknowledge the artists names in Footnote 7 as creators of this artwork. ISJ would also like to thank **Naila Durrani** for submitting the photos from her private collection.

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<http://www.pambazuka.org/en/issue/current/> [accessed: 06 November 2007].*

As the Kenya Human Rights Commission (KHRC) prepares to sue the British Government for personal injuries sustained by survivors of the Mau Mau war for independence whilst in British detention camps in Kenya, Mukoma Wa Ngugi unravels the Colonial myths of Christianisation and civilization and exposes the reality of torture, murder, slavery, landlessness, dehumanization and internment.

In February 2008, the Kenya Human Rights Commission (KHRC) will file a representative law-suit against Her Majesty's Government (HMG) in the British High Court on behalf of the survivors of the Mau Mau war for independence.

The KHRC is suing HMG for “personal injuries sustained [by the survivors] while in detention camps of the Kenya Colonial Government which operated” under the direct authority of HMG during the State of Emergency (1952-60).

But to understand the law-suit in all its implications, we have to look at Africa's historical relationship to the West and separate the image from the reality. The Enlightenment of the 1600's sought to civilize Africans, introduce reason and logic to them, and equip them with the key to heaven through Christianization. The reality masked underneath this image was one of torture, murder and slavery.

Later, colonialism used the image of a gentle stewardship to guide Africans along until they were civilized. The reality, as the KHRC suit shows, was landlessness, torture and dehumanization, whole population internment, outright murder and mass killings.

For the Westerners and Africans alike who have sought comfort in the images, the reality difficult to take. But the reality has

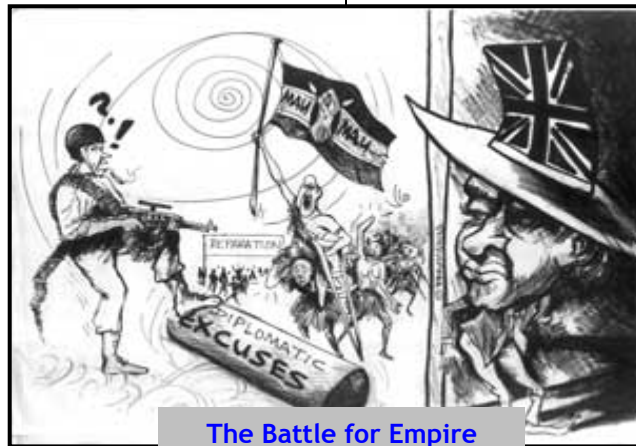
been well documented. Adam Hochschild, writing in *King Leopold's Ghost*, estimates that 5 to 10 million Africans died as a direct result of Belgian colonization in the Congo in the late 1800's and early 1900's. And chopping off hands, quite literally, was a form of public control.

And between 1904 and 1907, 65,000 Herero (80 percent of the total Herero population) were systematically eliminated by the Germans in Namibia. In Algeria, during the war of independence (1954 to 1962), the French routinely tortured and 'disappeared' FLN freedom fighters.

These random examples illustrate an alarmingly simple principle: One nation cannot occupy another and seek to control its resources without detaining, torturing, assassinating and terrorizing the occupied. A modern day example of this principle at work is Iraq today where torture and killings under the occupation of the United States are rampant, even though the U.S. wants to sell an image of spreading democracy.

Colonialism, Legacy and the Mau Mau

In Kenya, British colonialism followed this same principle. Caroline Elkins'



The Battle for Empire

Imperial Reckoning: The Untold Story of Britain's Gulag and David

Anderson's Histories Of The Hanged: The Dirty War In Kenya document tortures, hangings rushed through kangaroo courts, detention camps,

internments, and assassinations, not to mention psychological warfare through fear and intimidation.

Independence however did not bring justice for Kenyans - certainly not for the Mau Mau veterans. Kenyatta, even before being sworn as president in 1963, had denounced the Mau Mau as terrorists. Contrary to British propaganda, Kenyatta was never a member of the Mau Mau. In an interview, Muthoni Wanyeki, Executive Director of the KHRC, said that:

On coming to power, [Kenyatta] proceeded, through the land ownership

policies (and practices) of his government (and himself), to betray everything that the Mau Mau had stood for and to entrench the landholding patterns established under the colony.¹

It is not a surprise that Kenyatta by the early 1970's had a few detentions and assassinations under his belt. In the words of politician J.M. Kariuki (assassinated in 1975), Kenyatta created a nation of ten millionaires and ten million beggars. He wanted the Mau Mau platform of Land and Freedom

erased from Kenyan memory.

In 1978 President Moi took over when Kenyatta died and continued

with the same dictatorial policies. Irony is such that in

1982, Mau Mau historian Maina Wa Kinyatti was imprisoned by the Moi government in the same Kamiti Prison where the British in 1957 hanged and buried the leader of the Mau Mau, Dedan Kimathi, in an unmarked grave.

It was not until the Kibaki government took over in 2002 that the colonial ban on the Mau Mau was removed. Finally in 2007 a statue of Kimathi stands on Kimathi Street, something unimaginable under the Kenyatta and Moi regimes.

But more important than a hero's acre or a monument is a reckoning with the colonial legacy of torture, dehumanization and pauperization. Mau Mau veterans that are still alive, along

with their children and grandchildren, live in abject poverty, landless and without formal education.

The past and current Kenyan governments have as yet to ask the British government to at the very least issue an apology for the atrocities committed against the Kenyan people. The Moi and Kenyatta governments, dependent on Western aid and while maintaining a vicious elite system, were not in a position to pressure Britain for an apology. Or even to pressure HMG to reveal the exact location of Kimathi's

grave so that his widow, Mukami Kimathi, can bury him.

This dependent relationship has allowed the British to commit crimes against Kenyans

with near impunity. Forty plus years since Kenya's independence, the British Army still uses Northern Kenya for military exercises. As a result of leaving unexploded munitions behind, "hundreds of Maasai and Samburu tribes people - many of them children - are said to have been killed or maimed by unexploded bombs left by the British army at practice ranges in central Kenya over the past 50 years" the BBC reported² With the legal aid of Leigh Day and Co Advocates, 228 survivors took the UK government to the British High Court. In 2002, a settlement was reached in which the UK government agreed to pay 7 million dollars plus legal fees.



Mau Mau Gun Factory Depicted in Wakamba Wood Carvings⁷

Economic Justice and Forgiveness

Eric Williams' *Capitalism and Slavery*³ shows how Western economies grew at the expense of African slave labor. Walter Rodney in *How Europe Underdeveloped Africa*⁴ updates the argument to include colonialism – Europe developed at the direct expense of Africa. Today we find that economic giants, Barclays Bank,⁵ J.P. Morgan and Chase Manhattan Bank⁶ are direct beneficiaries of the slave trade.

Muthoni Wanyeki argues that “it has to be recognized that the UK (and all ex-colonisers) grew at great human expense and political-economic disruption and exploitation within the ex-colonies. It is on that recognition alone that current debates on ‘aid’/‘development financing’, trade and investment can shift as they need to.” The call for forgiveness and reconciliation then has to rest on the realization that colonialism was first and foremost an exploitative economic relationship.

Because the former colonizers continue to benefit from colonialism, while the victims of colonization continue to live in poverty, the governments of former colonizers have a moral duty to rectify the historical wrong in the present time. On the basis that colonialism as an investment is still paying off, the British

cannot argue that they are not personally responsible for atrocities committed by their parents – they have inherited the economic well-being of a colonial system. They need to do right by this history because it is living.

The British government has as yet to issue a formal apology for the atrocities it committed. In the same way that Clinton expressed shame and sorrow for slavery without offering a formal apology, so did Blair for colonialism. One can express sorrow, regret and

shame for causing an accidental death, but surely this is not enough for a systematic exploitation that causes millions to suffer and die.

It should be stated clearly that the authoritarian governments of Kenyatta and Moi are guilty of suppressing

Mau Mau memory. And that there were thousands of Kenyans who collaborated with the British. But it should also be said that collaborators did not create colonialism, it is colonialism that created its functionaries. The real crime is colonialism.

And because colonialism if we are to be honest with history is a crime against humanity, the British parliament should at the very least pass a bill offering a formal apology to its victims in Africa. And the apology should also make provision for restitution.



Mau Mau Activists Confront Home Guards (Collaborators) While Defending their Families. Wakamba Wood Carving.⁸

Truth, Restitution, Reconciliation and Justice

While revolutionary in attempting to heal a wounded nation, South Africa's Truth and Reconciliation Commission undermined the very concept of forgiveness and justice it espoused because it did not demand that the perpetrators address in word and deed the question of restitution. Muthoni Wanyeki on the TRC says that:

Within the human rights movement in Kenya (and in Africa more broadly), the TRC process in SA while hailed for its reconciliation potential has always been critiqued for its enabling of impunity and its lack of direct recognition of, compensation for survivors.

Even though a desired by-product, the struggle against apartheid was not waged solely for blacks to forgive whites, or for whites to ask forgiveness, but to bring economic, social and political equality for all South Africans. So then here is the irony of the TRC – the perpetrators go home to their mansions, the victims back to the township.

To put it differently, after the TRC hearings the victims go back to a life of poverty, they remain without the means to feed, cloth or educate their children. Freedom comes without the content – it's just a name – it has no meaning. Under these circumstances, forgiveness, healing and justice cannot exist without restitution.

The British government, which had the largest empire in the world, has cause to fear losing the Mau Mau law-suit. Once it begins where it will end? In neighboring Uganda? India? Malaysia? Or Jamaica? And if the British lose, will this set precedence for the victims of

French, Belgian or Portuguese colonialism? The British government knows that losing one law-suit will open closed colonial closets all over the world.

It is precisely because this lawsuit has huge implications for the victims of colonialism all over the world that it deserves the support of all those who understand that history is still acting on us and that justice cannot exist without some form of restitution even if it comes in the form of the whole truth.

Identifying the graves of the disappeared, so that their relatives can rest; the numbers of how many killed, so that nations account for their dead; the names of the guilty, so that they may be brought to justice or forgiven; initiating the return of what was stolen: all these issues resonate with formerly colonized peoples.

For Muthoni Wanyeki says that “We see this case as being part of the process of understanding and coming to terms with our past...particularly given that our past impacts so clearly and evidently on our present.” African people in the continent and Diaspora should support the Kenya Human Rights Committee by calling on the British government to account for its torture of Mau Mau detainees.

We have to become each other's keeper of memory and see each atrocity perpetrated on the other as part our collective memory – whether we identify as Afro-Latino, African American, or African.

We have to make common cause because ultimately the struggle for the truth will not be won because the British High Court finds it just, or because the British Government decides to come to

terms with its past, it will be won because victims across Africa, the Diaspora and other survivors of colonial atrocities will make common cause with the Mau Mau struggle and vice versa. Truth will come to light because we will have demanded justice and restitution before offering forgiveness.

It is only when an apology and restitution are offered, and the victim in turn forgives that for both the perpetrator and victim true healing can take place. For me, that is the truth of justice.

Notes

1. Wanyeki, Muthoni (Kenya Human Rights Commission Executive Director). Interview by Author via e-mail. October 15th, 2007.
2. UK pay-out for Kenya bomb victims.
news.bbc.co.uk/2/hi/uk_news/2139366.stm July 19th, 2002.
3. Williams, Eric. *Slavery and Capitalism*. New York, Russell & Russell, 1961.
4. Rodney, Walter. *How Europe Underdeveloped Africa*. Washington, D.C. Howard University Press, 1981.
5. Barclays admits possible link to slavery after reparation call.
observer.guardian.co.uk/business/story/0,2047237,00.html April 1, 2007.
6. Corporations challenged by reparations activists
www.usatoday.com/money/general/2002/02/21/slave-reparations.htm February 21, 2002.
7. Further details about the carvings are available from an unpublished Leaflet issued as part of the Exhibition, "History of Kenya,

1952-1958". (1976). The Exhibition was held at Cottage Crafts, Nairobi and organised by Sultan Somjee, Institute of African Studies, University of Nairobi. The Leaflet was entitled "A guide to the Exhibition by Kenyan artists Mule wa Musembi, Kitonyi wa Kyongo, Kitaka wa Mutua and Mutunga wa Musembi". Photo credit: Naila Durrani from her private collection.

8. Ibid