



COLONIAL OFFICE

Historical Survey of the Origins and Growth of Mau Mau

*Presented to Parliament by the Secretary of State for the Colonies
by Command of Her Majesty
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Foreword

**By H.E. Sir Patrick Renison, K.C.M.G., Governor and
Commander-in-Chief of the Colony and Protectorate of Kenya**

I am very glad to write a short foreword for the History of the Origins and Growth of *Mau Mau* in Kenya. I particularly wish people to know the record of the author. Most persons in the world have heard reports, some true, some false, of the terrorist organization which was such a scourge to the life of Kenya between 1952 and 1957. This history, which I must point out does not deal with the period of active *Mau Mau* trouble, but only with those years up till the declaration of the Emergency in October, 1952, supplies an answer to the oft repeated question "why did it all happen?"

The Kenya Government was lucky to be able to obtain the services of Mr. F. D. Corfield to carry out this task for them and I would like to take this opportunity of paying tribute to Mr. Corfield's zeal and industry in collating the facts from the records which were freely made available to him. Furthermore the history is written in such an attractive style that it makes absorbing reading.

Mr. F. D. Corfield, who was born in 1902, was educated at Cranleigh School and Exeter College, Oxford, where he took an honours degree in Natural Science. In 1925 he was appointed to the Sudan Political Service, which came under the control of the Foreign Office, serving in the Blue Nile, Upper Nile and Kordofan Provinces, and in Khartoum. While in the Upper Nile he was in 1932 appointed a Member of the British Empire for operations on the Ethiopian frontier.

In 1938 he was seconded to the Palestine Government, where he was District Commissioner, Gallilee and Acre, and a member of the High Commissioner's Executive Council. After the entry of Italy into the war he returned to the Sudan in August, 1940, was recalled from the Territorial Army Reserve of Officers, Royal Signals, with the rank of Major, and commanded a mixed force of Sudanese Mounted Gendarmerie and Ethiopian Irregulars known as the Upper Nile Scouts, which, with the 2nd/6th King's African Rifles, operated in Western Ethiopia. With the Commander of a Belgian Congo Brigade and a small detachment of the King's African Rifles he received the surrender of General Gazzera and the remnants of the Italian Army, some 10,000 strong, at Dembidollo in Western Ethiopia in July, 1941, and was mentioned in despatches. He was then appointed Senior Political Officer, Addis Ababa, but on arrival there in August was evacuated, sick, to Nairobi, where he remained for one year as G.S.O. II, H.Q., Enemy Occupied Territory Administration. In October he returned to the Sudan, retiring in 1952, having been Governor of the Upper Nile Province and Khartoum Province.

After 20 months in the United Kingdom he returned to Kenya in April, 1954, to live in his house at Karen, near Nairobi. In September of that year he joined the Secretariat of the War Council and of the Council of Ministers on contract. In 1956 he was appointed Secretary to the Game Policy Committee, and on 17th October, 1957, Government Commissioner (*History of Mau Mau*).

GOVERNMENT HOUSE,
NAIROBI.

P. M. RENISON.

11th April, 1960.

Preface by Author

As I have indicated in Chapter I, the origins of this unlawful association, which eventually dominated all but a small portion of the Kikuyu people both in the reserves and the settled areas, lie deeply in the past, and in an endeavour to give the fullest consideration to my terms of reference I have found it necessary to examine almost every aspect of the social, economic and Governmental problems which arise when a new civilizing influence impinges with suddenness on a primitive people who had stagnated for centuries. The failure of the Kikuyu to adjust themselves fully to the needs of this sudden change, together with the planned exploitation of the attendant stresses and strains, were the primary causes and origin of *Mau Mau*. Consequently, this survey gathered momentum of its own as I proceeded with my task, and became a most formidable document.

2. When I left Kenya at the end of August, 1959, the history was complete except for the final summary of conclusions, and I submitted it to the Governor shortly before he also left Kenya. In my covering letter I informed the Governor that, although in my opinion the bulk of the history was written "in a form which could properly be published" it was perhaps too long for publication. I therefore offered to condense it without any loss in its essential form if the Kenya Government decided that it should be published. Many of the appendices supplemented but did not add materially to the information in the main body of the history and had been included mainly for the benefit of Government officials. Furthermore, some of the chapters could be shortened without affecting their essential contribution to the overall picture. I started compiling the summary of conclusions and before the end of the year I was informed that the Kenya Government had decided to publish the history and had accepted my offer to condense and edit the original version. I therefore commenced work on this in February, returned to Kenya in March for one month, and completed it on 5th May.

3. In this published version of the history I have omitted many of the appendices and have shortened some of the chapters without in any way detracting from their general tenor. Two chapters in particular—those covering the Kikuyu Independent Schools (VIII) and the Spread of *Mau Mau* to Neighbouring Tribes (IX)—most ably prepared by Mr. Ryland, contained a wealth of detail which, while of great official value, is of less interest to the general reader. Chapter IX recorded fully the operations against *Mau Mau* in the neighbouring tribes during the Emergency period. This will be of great value if and when a review of the Emergency operations is undertaken, but as it is outside the scope of this present review I have included only a summary. Chapter III, which recorded in some detail the Organization of Intelligence, has also been shortened in the public interest.

4. I have prefaced the last chapter (XVI), in which I have recorded my conclusions, with a short summary covering the history of the rise and growth of *Mau Mau*. I would therefore commend this chapter to the reader who may feel overwhelmed by the length of this Historical Survey. He can, after reading it, browse through the other chapters, the more important of which are Chapter II on the Psychological and Sociological Background; Chapter IV on the Evolution of Kikuyu Political Organizations; Chapter V on the Origins and Growth of *Mau Mau*; Chapter VI on the Evolution of the Oath; and Chapter XIII on the Law and Public Security.

5th May, 1960.

F. D. CORFIELD.

Historical Survey of the Origins and Growth of Mau Mau

CHAPTER I

Terms of Reference

1. On 17th October, 1957, I was appointed by the Kenya Government, with a title of Government Commissioner (History of *Mau Mau*), to carry out an enquiry into the origins of the *Mau Mau* movement, with the following terms of reference:—

To examine and report to H.E. the Governor on—

- (a) the origin and growth of *Mau Mau*, including the circumstances which permitted the movement to develop so rapidly without the full knowledge of the Government;
- (b) any deficiencies which made themselves apparent in the Government machine.

By way of amplification and guidance it was pointed out to me that this was not to be an enquiry supported by recommendations, but a factual, historical examination of what happened, when it happened and, as far as can be judged, how it happened; it was proposed that members of the public should be allowed to submit memoranda but that there would be no question of their having a right to be heard. The main emphasis of this enquiry was to be on the period which preceded the declaration of the State of Emergency on 20th October, 1952, but I was also asked to report on terrorist strengths, methods and organization during the Emergency, the relationship between the terrorist organizations and the "passive wing" and extent of casualties inflicted by and on *Mau Mau*. Furthermore, it was the intention of the Government that the report should be in a form which could properly be published, but the Government recognized that it might be necessary in the public interest for part of the report to be withheld from publication. The purpose of the examination was not to allocate responsibility for anything done or left undone before the Emergency or during the Emergency.

2. The scope of this enquiry, which is more limited than that first suggested to Government in 1953, stems directly from a series of statements made by Government since that date. As the genesis of this enquiry is of some importance in relation to my exact terms of reference, a résumé of the various statements made in Legislative Council and elsewhere is attached to this report as Appendix A.

3. At the time of my appointment I was fully occupied as Secretary of the 1956 Game Policy Committee. The report of this committee was not finally disposed of until April, 1958, and on 26th April, 1958, the public were notified that I was in a position to deal with written memoranda from members of the public, or to visit them to take oral evidence in

private. On 2nd May, 1958, it was announced in the Press that Mr. R. D. F. Ryland, who had recently retired from the Kenya Administrative Service, would assist me in this enquiry. He commenced duty on 12th May, 1958.

The Aims and Limitations of this Historical Survey

4. For want of a better title I was given that of Government Commissioner (History of *Mau Mau*) but, as will be realized from my terms of reference mentioned above, this will be no history in the normally accepted use of the term. The prime duty of an historian is to present an accurate narrative of events. This I am asked to do, and hope to achieve. But it is also his privilege, as opposed to that of a mere analyst, to interpret and not merely relate the events, and to state what appear to him the lessons to be learnt; and in order to exercise this privilege the historian can hardly avoid expressing opinions on the parts played by the principal actors. I am, however, denied this privilege, in my opinion wisely, as it would be inappropriate for a person with so few apparent qualifications to take upon himself such a formidable responsibility. But the result may prove dull reading.

5. This historical survey, as I see it, has two main objectives, and covers two distinct periods. The first is the simple and straightforward one of collecting under one cover the salient facts relating to the origins and growth of *Mau Mau* which are at present scattered through an immense number of records and files in the hands of Government and elsewhere. The second objective is, as my terms of reference require, to examine and report on the circumstances which permitted the movement to develop so rapidly and on any deficiencies which made themselves apparent in the Government machine. As the latter objective is, by my terms of reference, confined entirely to events which took place before the active operations against *Mau Mau* commenced, this historical survey is clearly divisible into two separate and distinct parts.

The first is the pre-Emergency period, which ended with the signing of the declaration of a State of Emergency on the evening of 20th October, 1952. Here I shall seek to ascertain and record, as far as possible, the complex social and political origins of unrest, mainly among the Kikuyu, and their exploitation, which culminated in the holocaust of the *Mau Mau* rebellion, in order to ascertain, as far as it is possible to do so, how it came about that this storm broke on a Government so apparently unprepared. An Emergency of the nature experienced in Kenya indicated a deficiency somewhere—this is fortunately inherent in my terms of reference. The objective here will be to make clear what steps have been taken to remedy these deficiencies in the Government machine and, as the Chief Secretary has stated, to restore public confidence, which had been so badly shaken. It is clear from my terms of reference that my liberty of expression as an historian for this period is perhaps less circumscribed than it is for the Emergency period, but I am also placed in somewhat of a quandary. The machine is made for the man, and not the man for the machine, and a deficiency in the machine pre-supposes that it might have been possible to rectify it. But a machine and its operator are complementary and indivisible. It is therefore almost impossible to assess the deficiency in any machine without giving any thought to those responsible for operating it. That my personal assessment of the pre-Emergency situation has led me to some inescapable conclusions is inevitable. But as I am debarred from making any recommendations, or from allocating any responsibility for anything done or left undone, it must be obvious that in assessing these deficiencies I am faced with a most difficult and delicate task. My instructions do in fact embody a self-contained inconsistency. I shall however endeavour to confine my examination strictly and impartially to the deficiencies in the machine. But just as no administrative machine, either

Government or otherwise, is, or can hope to be fully efficient, so no human being is, or can hope to be, wholly infallible. If the only reasonable inference to be drawn from this examination is that a determined and more skilful direction of the machine, or a modification of it, would have prevented or lessened the impact of the disastrous course of events, I trust that this will be judged by the one criterion, and one criterion only—have the lessons to be learnt therefrom been taken to heart? In answer to a question in Legislative Council on 1st March, 1956, the Chief Secretary stated that “if the examination disclosed a dereliction of duty, Government proceedings would be taken in a proper manner”. This was the only proper answer which could have been given. But this was not in fact the primary basis on which the Government undertook to institute this historical survey, nor is it the basis on which I have undertaken to give effect to it.

6. The events in Kenya cannot be divorced from the contemporary scene in Africa. So much that happened in the years which preceded the declaration of the State of Emergency has a direct bearing on events elsewhere in Africa and so much appears to have been forgotten. If, therefore, this historical survey shows by a cold recital of actual events what happens (and not what might have happened) when African nationalism runs riot and a Government finds itself in a position where it is no longer able to exercise its primary functions of maintaining law and order and protecting the individual from the forces of evil, then it may achieve a wider and more significant value outside the confines of Kenya.

This, then, becomes the third objective, and although the main interest in this historical survey, if it is published, will no doubt be centred in Kenya, I have written it for a wider circulation as the *Mau Mau* uprising caused world-wide interest. The roots of *Mau Mau* go deeply into the past. I have therefore thought it necessary to include a fuller background of the general and sociological history of the Kikuyu than would have been necessary if it was to be read by residents in Kenya only, many of whom will be familiar with much of this background.

7. Apart from the voluminous reports, assessments by individuals and societies, and books and pamphlets which have been published, various announcements made by the Government and debates which have taken place in Legislative Council, both before and during the Emergency, I have had free and unfettered access to all Government records, including personal and top secret correspondence in Government House. The need to select from this vast mass of material has carried with it a personal judgment of what is most relevant and important. By the very nature of this historical survey the greatest danger to guard against is that of being wise after the event. This is particularly so when dealing with the pre-Emergency period, and I have done my best to avoid falling into this trap.

8. It is normally the practice of an historian to support his assertions by detailed references to his authorities. This serves partly as an indication of his sources, and partly as a challenge to those readers who may wish to verify his statements, and to ensure that he has exercised his judgment wisely. Where the main authorities are official documents, which are not open to public inspection, references have little point. I have therefore, where I consider them to be particularly relevant, quoted extracts from these documents, or included them in full as appendices. Although most of these documents were at the time they were written secret and confidential, the passage of time has affected their grading, and I feel confident that it will not be necessary to withhold the majority of them from publication on that account. Footnotes relating to sources of information have therefore been confined to material that is already accessible to the public.

9. The above remarks refer more particularly to the pre-Emergency period, which is covered in Part I of this historical survey. I have accepted it as a fact that this is by far the most important aspect of this survey, for which the terms of reference, as I have interpreted them, are reasonably wide. For the Emergency period the terms of reference are more circumscribed, and I have come to the conclusion that to be of any real value, apart from a mere catalogue of events, a full survey of the course of operations against *Mau Mau*, which extended over four years, should be undertaken by a properly qualified military historian, who would be required to assess what was essentially a military operation and to draw the necessary lessons to be learnt. Although I worked as an administrative officer in close liaison with the Army for two years during the Palestine rebellion, and had command of a small "private army" of irregulars during the Abyssinian campaign, I cannot claim any qualifications as a military historian.

10. There is also another reason which I trust will not be taken as an excuse for putting forward the above views. The time to be devoted to this historical survey has been limited, and the immense task of tracing the sources of information, and the time spent in travelling and interviewing persons interested, has left me with insufficient time to deal adequately with the Emergency period. I have therefore not attempted at this stage to continue this historical survey, so as to cover the period of active operations against *Mau Mau*. Certain chapters, however, do in fact overlap into the Emergency period, e.g. Spread of *Mau Mau* to Other Tribes, Firearms, etc. The remaining material collected which covers the Emergency period will be available if the Government decides that a military history of this period is worthwhile and should be undertaken.

11. On the form which this historical survey will take, I have devoted separate chapters to the more important aspects—the Sociological and Psychological Background, the Organization of Intelligence, the Evolution of Kikuyu Political Associations, the Growth and Origins of *Mau Mau*, and the Law and Public Security. The most comprehensive chapter will be that covering the Origins and Growth of *Mau Mau*. In a somewhat vain endeavour to reduce its length, I have also devoted separate chapters to cover the more particular aspects of *Mau Mau*—the Evolution of the Oath, Kikuyu Independent Schools, the Spread of *Mau Mau* to Other Tribes, etc. These chapters will be of more particular interest to the specialist. But in spite of this, the chapter on the Origins and Growth of *Mau Mau* will be inordinately long and for the very good reason that it is the main framework on which the first part of this historical survey is built. Not only do I wish to indicate what information was actually in the hands of Government, but I also wish to ascertain, as far as it will be possible to do so, and by reference to the reactions of Government to this information, the complex forces which either prevented or inhibited the Government from taking the action it should quite obviously have taken.

Where long reports, etc., form integral parts of these various chapters I have included them as appendices to these chapters. Although they are of importance to any future student of the history of *Mau Mau*, it may be possible in the interests of brevity to omit some of them if it is decided to publish this historical survey. I have also included a separate series of general appendices, including biographies of the leading characters, some of which may still be considered as confidential and not therefore suitable for publication at this time.

12. One last word. In the debate in the Legislative Council on 1st March, 1956 (see Appendix A, paragraph 4), the Chief Secretary said:—

“But the Government did recognize that one of the purposes of the report would be to restore public confidence and to make it clear that steps had been taken to remedy deficiencies which might have existed.”

I may perhaps be allowed to anticipate one of my conclusions, which is that all reasonable steps have been taken or planned to ensure that Kenya does not again suffer the horrors of *Mau Mau*. But it must be made clear that the Government of Kenya is not the ultimate master in its own house. That master is public opinion in the United Kingdom reflected by the Party in power in the House of Commons. Africa has, since the days of *Mau Mau*, become a key continent in the arena of world politics, and the dominant factor in Africa is the swift rise of African nationalism. In the recent words of Mr. A. Lennox Boyd:—

“Nationalism is the most powerful, swift and elemental of all political forces. We may be able to guide it but cannot regulate it at our wish and it is not to be repressed. Nor should we close our minds to the idea that nationalism, however unworthy its manifestations may seem at times, is not inherently ignoble and unworthy.”

Mau Mau was a violent and wholly evil manifestation of that nationalism.

It is a strange, if not ironic, fact of history that the British peoples, who have had so much experience of the trials which have beset the spread of its civilizing influence in so many countries, appear to forget so easily the lessons to be learnt from insurrection, local or national. In 1934 an excellent treatise—“Imperial Policing”, by Major-General Sir Charles Gwynne—analysed the faults and mistakes made when dealing with 12 major insurrections dating from the Amritsar Riots in 1919 to the troubles in Cyprus in 1931. So often it was a case of “too little and too late”. It is therefore as important that the lessons of *Mau Mau* should be learnt by those directing or influencing colonial policy in the United Kingdom as it is that those lessons should be learnt by those in Colonies who have to implement those policies.

I have, therefore, in compiling this historical survey, endeavoured to indicate the lessons to be learnt to a wider public. I may be over-ambitious; I may well be attempting too much. But I have lived and served in and around Africa for some 34 years, and I consider that if I do not attempt this, then this historical survey will not have achieved its main objective.

Acknowledgments

13. Without the help of my collaborator, Mr. Ryland, this historical survey might well have not seen the light of day in its present form. Although, after retirement from the Sudan Political Service, I served for some 20 months during 1954 to 1956 in the Secretariat of the Council of Ministers and the War Council and so gained considerable insight into the many problems which beset the Government, Mr. Ryland's knowledge, after serving the Kenya Administration for 30 years, of where to find information, has proved invaluable. Those who know his style will no doubt recognize those sections of this historical survey which are primarily his handiwork. But I must here add that expressions of opinion and assessments of deficiencies are entirely my responsibility.

I am also more than indebted to the immense industry of Mrs. D. Corner, our secretary, who has not only kept the voluminous files that have accumulated in the most meticulous order, but has patiently typed and re-typed the many drafts which have gone to the compiling of this historical survey.

The number of books, pamphlets and reports I have consulted are too numerous to mention and acknowledge in detail. If I have, perhaps unwittingly, quoted from them, I hope the authors will forgive me for this plagiarism. But there are two books which need particular mention—“*Mau Mau and the Kikuyu*” and “*Defeating Mau Mau*”, both by Dr. L. S. B. Leakey. Dr. Leakey, whose parents were missionaries in Kiambu, was born and bred among the Kikuyu people, and so has an unrivalled knowledge of their language, customs and aspirations, and the background to *Mau Mau* given in these books has been of much help.

And, lastly, I wish to thank all those who have submitted memoranda or who have granted me interviews, European, Asian and African. Among the former are farmers who saw clearly the threatening trend of events, but who gave invaluable help to Government in most difficult circumstances both before and during the Emergency, many of them in the Kenya Police Reserve. There are others whom I could well have interviewed, had I had more time at my disposal: all I can say to them, if it is any consolation, is that it is more than probable that any valuable information they may have had was already recorded in Nairobi. As I shall show later in this report the intelligence in the hands of Government was voluminous, if perhaps undigested. The memoranda I have received from, and interviews I have had with, Africans—most of them Kikuyu—have been particularly valuable as many of them have experienced the onslaught of *Mau Mau* from a different and more intimate angle. They saw more clearly the devastating effect that the spread of *Mau Mau* would have on the Kikuyu. As intimidation is still not dead they will have to remain anonymous. The report of one Kikuyu of some standing has the distinction of being Folio 1 in the main Secretariat file on *Mau Mau*.

In all I received 24 memoranda from individuals or representative bodies, some of which were written and submitted to Government before the Emergency. I had 45 personal interviews with individuals or District Associations apart from the many personal discussions with serving Government officials.

CHAPTER II

*The Psychological and Sociological
Background*

1. *Mau Mau* in its shortest terms was the violent manifestation of a limited nationalistic revolutionary movement confined almost entirely to the Kikuyu tribe. Although it assumed its atavistic form by intent, at a definite period in time, it was no sudden uprising; it was the culmination of a long period of political unrest among the Kikuyu people of Kenya, and was the evolutionary child of the first subversive Kikuyu political organization—the Kikuyu Association, formed in 1920 (*see* Chapter VI). Before attempting to trace the original spring or springs, which eventually became the devastating flood of *Mau Mau*, it will be as well to study the climatic background which favoured the formation of these springs in the Kikuyu country. The seeds of potential unrest are sown whenever any primitive society is brought in close contact with a more highly civilized society. As all administrative officers and many others know, this is a common experience throughout Africa. This is not the occasion for a long anthropological treatise, but a short study of the psychology of primitive societies in transition, with their attendant social grievances, will contribute to a proper understanding of the origins of this tribal upheaval.

2. But before attempting this, I wish to emphasize a point of some importance. It is too often assumed that the stresses and strains which beset the Kikuyu and which are in fact common to all primitive societies in transition, were the causes of *Mau Mau*. This is not true, but it reflects a tendency to attribute the actions of so many of the misfits in this modern age to factors in their environment, over which they are assumed to have had no real control. The thug is no longer a thug, but a delinquent, whatever that may mean. Although when seeking a cure for the individual who has become a social misfit it is important to study his environmental background, it is too easy to make this background the excuse for his social behaviour. It may well be that these background influences are so strong that they become overwhelming, but to accept them as an overriding excuse for wrong doing denies the existence of that "divine spark" in human beings which differentiates them from the beast. They have a will and choice between good and evil. Some fail, but others faced with similar circumstances eschew evil and do that which is right. This view is as soundly based as that view that crime is the result of environmental stresses, which most people, including the law abiding, are likely at one time or another to meet. The same is true *pari passu* of human societies. If it were not true, how then is it that other tribes, beset with the same or a very similar set of circumstances, have survived and continue to survive without the horrors of *Mau Mau*?

Many, if not most, rebellions, have some degree of justification. There were psychological factors and sociological grievances amongst the Kikuyu which favoured the growth of a rebellious revolutionary movement, but there was, in my opinion, no justification for *Mau Mau*, which was wholly

evil in its conception. It was the deliberate exploitation of these grievances by its organizers for their own ends that led to the outbreak of *Mau Mau* (Note 1).

3. Although many persons with long experience of the African may hold other views, there is as yet no evidence of any innate difference in mentality as between Europeans and Africans; such differences as do exist can well be explained on the basis of environmental factors. The chief of these are climatic, the effect of disease, nutritional and cultural, the latter being the most important. Pre-literate cultures have developed slowly over the centuries, mainly with the object of enabling man, the individual, to live together in a group without unnecessary conflict, and to enable the group to satisfy its mental and material requirements in the environment in which it lives. Rules of conduct have thus evolved and are now imposed empirically without question on the individual from childhood. There is no reasoning and an explanation, if sought, is on magical or animistic lines. Events are willed by some outside force; misfortunes are never wholly the fault of the individual. Life was highly insecure, but the individual achieved a sense of security by strict adherence to traditional rules. Initiative is thus suppressed. When events take an adverse trend, and the original observances and procedures fail, the individual takes action and this action, more often than not, particularly with the African, becomes unconstrained and violent.

4. There is therefore a fundamental difference between the European and the African social system. In the European system the customs and laws are based primarily on the right of the individual, and although the individual is a member of a nation or group, it is as an individual that he contributes to the well-being of the community; original modes of thought and action are the very life blood of a western society. But in an African society the individual is of importance only in so far as he is a member of a group and conforms to the accepted patterns of behaviour of the group: it is the group which counts. This attitude is bound up with the necessity for protection, not only against hostile neighbours, but also against the unseen powers which dominate his world and which can be kept at bay only by the joint action of the members of the group. This group, or tribal system, has thus kept the African secure, but at the very heavy price of social and mental stagnation.

5. No society remains static, but the rate of change or evolution is related almost directly to the degree and nature of outside cultural contacts. Provided these contacts remain gentle the primitive society survives, and this is the case in Central Africa which has remained cloistered for centuries, and the rate of evolution has therefore been slow; but the sudden arrival of an alien culture based on a fundamentally different attitude to life can have a most devastating effect. The great danger lies in the transitional stage; the strain on both the tribe and the individual is very great. The latter is brought up in the environment of the old tribal culture, but with adolescence he comes into contact with a different culture, which makes nonsense of many of his primitive beliefs. Once he goes into the outside world, he has lost most of his traditional moorings. His magic modes of thought persist, but the old restraints are gone. The comforting

Note 1.—Early in 1954 the Government invited Dr. J. C. Carothers, M.B., D.P.M., to revisit Kenya and submit a report on the psychology of *Mau Mau*. Dr. Carothers had already served in Kenya for 21 years, the last two years of which he had been in psychiatric charge of Mathari Mental Hospital. His report was published in April, 1954. It is a penetrating document, and I have consulted it freely to supplement my own knowledge of the African. The Government, realizing that one of the major problems facing it was the rehabilitation of the thousands of Kikuyu who had been detained, had already appointed a committee to study the sociological "causes" of *Mau Mau* and to submit recommendations on which a policy of rehabilitation could be based.

cloak of his tribalism has disappeared, and he is left to act as an individual and has to make his decisions as an individual—a new state of affairs which places upon him a great strain. He often becomes rudderless and it is too easy for him to identify his trouble with the European, who has indirectly brought on his troubles, but it should not be forgotten that such mental conflict and confusion is not a peculiarity of the African mind; it is apparent in the incidence of mental disturbance in modern cities.

This rapid transition has also produced a schizophrenic tendency in the African mind—the extraordinary facility to live two separate lives with one foot in this century and the other in witchcraft and savagery. This has often been noticed, but *Mau Mau* revealed the almost inexplicable lengths to which it could go. A Kikuyu leading an apparently normal life would, in one moment, become a being that was barely human. A most notable manifestation of this was the murder of the Ruck family at the end of 1953. Mr. Ruck's groom, who led a gang of terrorists, enticed Mr. Ruck from his house at night on a spurious statement that a gangster had been arrested. He was battered to death in front of his wife who had come out to assist him, and she was then murdered. On the instructions of the groom, their small son, aged 6, hiding in terror in the house, was then slashed to death—a typical *Mau Mau* murder. The groom, who led this attack, had only a few days previously carried the boy tenderly home some miles from the house after a riding accident. But even more unaccountable was the reverse process which was the basis of the formation of the "pseudo gangs" which were the deciding factor in the final defeat of *Mau Mau* in the forest. On surrender, a gangster, who had been in the forests for years, and had taken a succession of the vilest of the *Mau Mau* oaths, almost immediately volunteered to lead the security forces to the hideout of his previous gang and, if an opportunity arose, would willingly dispose of his recent comrades in arms. Nor was he led to this course of action by any inducement of clemency. It was a spontaneous and willing course of action. An excellent account of this is given in Mr. Ian Henderson's book *The Hunt for Kimathi*. The "guilt complex" was a predominant factor in this sudden change of heart. The emotional necessity for a change of heart through a confession of sin, common to all human beings, became the fundamental principle which governed the "rehabilitation" of those infected with *Mau Mau*.

6. It is therefore no small wonder that in his insecurity the African "in transition" craves to belong once more to a collective organism, hence the great attraction of trades unions and political movements. This sense of security, at first in the outside world, and now in addition in the tribal areas, goes far to explain the current belief that the age he has left behind him was the "golden age". If he still remembers the poverty, disease and oppression, the memory of them is conveniently relegated to the innermost recesses of his mind. If he is young, the deeds of old have quickly become clothed with an aura of greatness which rarely existed. But the important point is that in either case this past age had one supreme advantage to those who are now floundering and drifting rudderless; they knew where they were. Life was governed by a code of behaviour which regulated almost every daily act. The natural tendency of the wounded animal is to return to its lair. One can therefore sympathize with this mode of thought, which is the basis of so many of the pseudo religious cults and secret societies, and it was the exploitation of this cult of the "golden age" which gave *Mau Mau* the false cloak of a religion.

7. I must apologize if much of the above is already known to many of those who may read this historical survey. But it is of fundamental importance that the basic differences between the individual in a European society and in an indigenous African society should be appreciated and treated sympathetically. It is, however, a difference which is either deliberately ignored or not known to many of those who expect and encourage

the African to step straight from his primitive environment into the modern world. It is a difference that will pass, but this will take time, and it is the failure of so many well-intentioned persons to recognize this difference which exists at this juncture in time that contributes to the difficulties which beset both the Government and the governed. An appreciation of this fundamental fact is also necessary for an intelligent assessment of much that will appear in this historical survey.

8. The degree of the impact of western civilization will, however, depend on the social structure of the tribe and the intensity of contact. Experience has shown that a strongly organized community with an autocratic structure withstands the strain more successfully and adapts itself more easily to evolutionary changes, e.g. the Baganda in Uganda, the Azande in the Belgian Congo and the Sudan, and the Ashanti in West Africa. (Note 2) This is also the case with most pastoral tribes, but they tend to cushion the effect of an alien culture by virtually rejecting it. The Masai in East Africa and the great cattle-owning Nilotic tribes in Southern Sudan are examples. They treat civilization, as we know it, with a proud disdain; but the looser tribal structures of many of the agricultural communities in Kenya are less fitted to stand the strain and tend to collapse more easily.

9. The difficulties of transition are not peculiar to the Kikuyu; many African tribes have survived or are surviving this difficult period. Why then have the Kikuyu broken down under the strain, and sought a solution through *Mau Mau*? The partial answer to this lies in the fact that partly by reason of their tribal structure and characteristics, and partly by the chances of history and geography, these difficulties have been accentuated in the case of the Kikuyu. Among the Kikuyu there has been a higher degree of individualism than is general among other similar African tribes. This is typical of what may be called a forest culture.

There were no paramount chiefs, nor were there smaller territorial chiefs in the commonly accepted meaning. The Kikuyu country is cut by many deep watercourses and the intervening ridges were the local administrative units. The affairs of the ridge were controlled by the local elders, the *Athamaki*. They appointed a spokesman, but authority lay with the council. The central binding force was not a paramount chief but a very highly developed sense of tribal patriotism and destiny, and it only became apparent in times of crisis.

This was noticed by most of the early travellers in Kikuyu land. Neighbouring sections were often at enmity with each other; and power went to the strongest. Secondly, since the early days of the Protectorate, the impact of the alien power on the Kikuyu was more intense than on other tribes in Kenya. Nairobi, the physical and commercial capital, lay on the southern outskirts of Kikuyu country. Trade routes to the north and west passed near or through their country and mission influence was first concentrated there, particularly in Kiambu district. And probably, most important of all, alienation of land for European settlement spread out from Nairobi.

LAND

10. As claims to alleged Kikuyu lands alienated for European settlement were the main springs of all Kikuyu political movements, subversive or otherwise, which culminated in *Mau Mau*, it will be necessary to deal with this question in some detail before discussing the more general sociological background to unrest.

Note 2.—The Baganda and the Ashanti are, however, experiencing a new form of conflict engendered by the rise of an African nationalism which seeks to envelop and submerge tribalism, the outcome of which is not yet clear.

It is not easy to convey to those who have had little contact with, or understanding of, primitive societies, the intense emotional attachment those societies have to land. Apart from the livelihood it affords, the spirits of their ancestors continue to dwell and have their influence in the tribal lands: and what is perhaps even more important, in a society which has not yet advanced to a more modern cash economy, land is the insurance for old age. As anyone who has had to deal with land disputes well knows, passions are inflamed and reason and truth go by the wind. The attitude of the Kikuyu to land is summed up well in the following words of Mr. Eliud Mathu (*Note 3*):—

“It is on the land that the African lives and it means everything to him. The African cannot depend for his livelihood on profits made through trading. We cannot depend on wages. We must go back every time to the only social security we have—the piece of land. The land stolen must be restored, because without land the future of the African people is doomed. God will hear us because that is the thing he gave us.”

The conciseness of expression belies the immensity of the problem. The “divine right” of every African to a piece of land, firmly held by all Kikuyu, bears little relation to the facts of evolution: the first fruits of the civilizing influence of Government was an ever-expanding increase in the population and, as the Provincial Commissioner, Central Province, so aptly wrote in his annual report for 1951 (*see Chapter V, paragraph 110*):—

“It is easy to say, for it is true, that the African must learn, like all other races of the world, that he can no longer expect by right of birth to have the world provide him with a farm whatever the circumstances of his father; the surface of this planet cannot expand, whatever the universe may be doing, and the addition of adjacent lands would only be a palliative for a few years to this problem.”

Again, the expression “the stolen lands” which, after forty years of constant and intensive propaganda, was firmly embedded in the mind of every Kikuyu, bore so little relation to the true facts. It is not within the scope of this historical survey to deal with the “land question” in any great detail. Nor would it in fact be a particularly fruitful exercise because however conclusively it can be shown that the settlement of Europeans in the empty spaces of the White Highlands was fully justified in the prevailing circumstances, and was fully in accord with the declared policy of H.M. Government, no Kikuyu would be convinced either by truth or by logic. The cardinal point to bear in mind is not whether these claims to “the stolen lands” had any real substance, or whether such as were justified were dealt with equitably by the various commissions set up by Government; it is a fact that by a process of auto-suggestion, self-deception and the propagation of patent lies, a sufficiently large number of Kikuyu believed they were true to enable the agitators to make full use of this highly explosive source of discontent.

11. And since those days when Mr. Mathu made his speech, a new and even more contentious line of thought has been propagated. The Kikuyu at first attempted to base their claims to most of the White Highlands on spurious evidence of prior occupation. There is perhaps a loose but illogical reasoning behind this claim. When in the old days a family, by reason of increase, wanted more land, it just went and cleared a piece of virgin land. If, therefore, by some miracle of fate their population, in spite of famine and disease, had increased, and by another miracle of fate their enemies had disappeared from the scene, the surplus population would, as a matter

Note 3.—Extracted from a speech made by Mr. Mathu, African Nominated Member of Legislative Council, in Nairobi at a combined meeting of the Kenya African Union and the East African Indian National Congress, May, 1951.

of course, have expanded into the fringe areas of the White Highlands. *Ergo* the White Highlands were potentially a part of Kikuyu country. But the cry has now gone out that Africa belongs exclusively to the Africans. I will not attempt to answer the moral and ethical questions involved. All I shall say is that if this claim is accepted, it is a complete negation of evolution and the history of the human race.

To return to Kenya, a short recital of the history of the land question may therefore never affect the attitude of the Kikuyu, but it may not be out of place in view of the strange acceptance of the Kikuyu claims in their entirety by persons in the United Kingdom who might be expected to view the intricacies and difficulties of this intractable problem with more impartiality (*Note 4*). I shall therefore sketch, as briefly as possible, the Kikuyu system of land tenure and the basis, if any, for their claims.

12. By tradition the Kikuyu first started as a tribe possibly some 700-800 years ago, in the heavily forested areas of Fort Hall, known to the Kikuyu as Muranga (*Note 5*). During the succeeding centuries they first expanded north into what is now the Nyeri district, and later on south of the Chania River into the present Kiambu district. The expansion north was by tradition into an area which was virtually uninhabited, and the Kikuyu carried with them their traditional form of land tenure—the *Githaka* system which “in its integrity is simply the methods of clan and patriarchal control expressing themselves in relation to land”. (*Note 6*.)

Private and absolute ownership of land, as we understand the word “ownership”, was unknown in Kikuyu custom, as it was unknown throughout most of Africa. On the other hand the Kikuyu had rights to live on, or to cultivate, their family estates, the *Githaka*, and the exercise of these rights was through the recognized heads of the family group. The *Githaka* could not be disposed of, although another Kikuyu could, with the permission of the administrators of the *Githaka* (*Muramati*), and on the payment of rent, cultivate in the *Githaka* of another family. But their expansion into the present Kiambu district was into a country occupied by the Wanderobo, who lived entirely by hunting and practised no agriculture, as they still do in many other parts of Kenya. And the Kikuyu claim that in this area a new form of land tenure was developed which was tantamount to private ownership. This will be discussed in more detail in paragraph 17 below.

13. Towards the end of the 19th century the Kikuyu, by the gradual conversion of much of the forest to agricultural settlement, had reached the limit of their expansion. To the west and north-east the higher slopes of the Aberdares and Mount Kenya were unsuitable for cultivation; the Nanyuki plains, north of Nyeri, the plains south of Dagoretti, and the lands west of the escarpment, were the grazing areas of the Masai, their long standing traditional enemies; the lands to the east and south-east were occupied by the Kamba, who were also at enmity with the Kikuyu. The boundaries of their land were substantially the same as those of the present Kikuyu native land unit. These tribal lands were surrounded by a forest belt of varying depth, which served as a protective cover against their enemies. Occupation of this belt by the Kikuyu wavered back and forth, depending on the relative aggressive strengths of their enemies, the Masai and the Kamba. A state of equilibrium had therefore been reached. The

Note 4.—See the statement made by the Minister of State in a debate on 22nd February, 1952, quoted in paragraph 26 below.

Note 5.—*Mau Mau and the Kikuyu*, by Dr. L. S. B. Leakey; page 2.

Note 6.—Report of the 1929 Committee on Native Land Tenure in the Kikuyu Province, Chapter III, paragraph 3.

ravages of disease and famine kept the limits of population well within the area available for cultivation, and the position had not materially changed when the Protectorate Government was declared in 1895. It was, however, changed radically by four major disasters which ravaged the country at the end of 1898 and during 1899—the great smallpox epidemic; the disastrous outbreak of rinderpest; the long drought; and, lastly, a devastating invasion of locusts. The effect of these disasters on the Kikuyu was a stampede of the survivors from Kiambu back to Fort Hall, with the result that when European settlement started in 1902, the district “appeared to have enough land for its population for generations to come, and a good deal which could reasonably be spared for others”. The effect on the Masai was also catastrophic and although their power appears to have been on the decline for some years previous to this, they were no longer a serious menace to the Kikuyu.

14. I shall now discuss the question of this European settlement in relation to the long-standing Kikuyu claims for land. For a proper understanding it is most important that the circumstances of this settlement should be studied in relation to the social and cultural life of the time—the late 19th and early 20th centuries. For much of the 19th century Britain was doubtful whether it wanted an empire, but from 1885, under the inspiration of Disraeli, imperialism became a creed, based on the perfectly legitimate belief that the British had a duty and an obligation to bring peace and civilization to Africa. This was an era of great hope and action. The British Empire was firmly established and appeared destined for greater things. This was particularly so in Africa where the great discoveries of Livingstone, Speke, Burton, Baker and others had opened up the vast unknown of Central Africa, where Rhodes to the south had brought peace to vast areas of the continent, and where Kitchener in the north had vindicated the self-sacrifice of Gordon, who had sought to abolish slavery in the million square miles of the Sudan. The imagination of the British peoples was fired, and there was a great humanitarian urge to abolish slavery and to bring peace and prosperity to this new continent of Africa. And this urge was not confined only to people of British stock; other nations became interested in the opening up of darkest Africa, but the British were the leaders in this movement. Nor, let it be admitted, were all those who flocked to Africa imbued with the humanitarian ideals of the missionaries and administrators.

At that time, some 60 years ago, with a few small exceptions, the only settled African peoples in Kenya lived in isolation from one another, in forested and hilly land, and around Lake Victoria; much of the rest of the country, consisting mostly of open plains, was empty and unused, except for Masai herdsmen and raiders but, as I have mentioned above, the Masai population and livestock, as well as those of other tribes, had been greatly reduced by drought, famine and disease, so when the first Europeans came to this part of the country large areas which had previously been used from time to time by the Masai as grazing lands were entirely empty and unused.

Such was the position which faced Sir Charles Eliot, the first Commissioner for British East Africa, who was one of those fired with the zeal that was typical of the age. But slavery, disease and poverty could not be overcome until the country had been opened up, and to this end the Uganda railway was built. Although the long-term potentialities were there, the railway was at that time completely uneconomic, and Sir Charles Eliot, foreseeing a future where European farming would open up the vast empty spaces of fertile country and bring that economic prosperity and civilization which was essential if the disease-ridden and poverty-stricken tribes of East Africa were to advance, impressed upon the British Government the importance of encouraging European immigration. He also

foretold that Kenya "as a European colony in equatorial Africa will have, by virtue of its position, a more than national importance . . . its destinies will influence a continent".

There were of course other influences at work, not the least being the "scramble for power and position" in Africa. But in spite of those, both in Britain and elsewhere, who now consider it fashionable to decry "colonialism", I feel certain that history will show clearly that the main driving force was a passionate belief in a divine mission which derived from a society deeply imbued with Christian ideals.

15. A small number of intending settlers started arriving before the end of the century and Mr. J. Ainsworth, the first Provincial Commissioner of Ukamba, in his evidence given in writing to the Kenya Land Commission (known later as the Carter Commission—see paragraph 21 below) wrote that, following an alleged purchase of land by a Dr. Boedeker at Kikuyu, instructions were received from London that "no dealings in land between natives and non-natives were to be permitted". In 1897 Land Regulations to this effect were issued and these were superseded by a comprehensive Crown Lands Ordinance in 1902. Immigration did not start in earnest however until 1902 and land in the vicinity of Nairobi was earliest in demand, the first allotments being in the Ngong, Kabete, Karura, Kiambu and Ruiru areas. The grants of land, either freehold or leasehold, to settlers were made in accordance with the Crown Lands Ordinance, the guiding principle of which, based on the current practices of native land tenure, was that land not in beneficial occupation at the time was at the disposal of the Crown. In his evidence given in writing to the Kenya Land Commission, dated 27th February, 1933, Mr. J. Ainsworth described the general principles which governed the grant of land to Europeans:—

"My conception of the position during my régime was that where land was not occupied by natives it was possible to consider applications for same by non-natives, provided that the provincial commissioner responsible for the area was of the opinion that a grant would not be injurious to native requirements and, further, in cases of sparse and haphazard cultivation, that, subject to certain conditions and the native squatters agreeing to accept compensation for any clearing, applications would be considered."

The so-called native squatters who wished to remain had their rights of occupancy guaranteed under the Crown Lands Ordinance; in effect, certain areas of Kiambu in particular which had been in beneficial occupation by the Kikuyu before the disasters of 1898 and 1899 were considered under the terms of the Crown Lands Ordinance to be free for alienation. In those cases where small pockets of squatters had been bought out by payment of compensation it was doubtful whether the Kikuyu fully understood that they were thereby forfeiting all their future rights. But it is clear from a letter dated 22nd September, 1902, from Mr. Ainsworth to the Acting Commissioner that difficulties were, even at that early date, arising from lack of definite information as to native occupation. Mr. Ainsworth stated that in view of the very loose and at times irregular manner in which land was being dealt with by natives, and the loose claims made by natives to land now that they were beginning to realize that European settlers desired to take up land, he recommended that early steps should be taken to demarcate agricultural land belonging to the Kikuyu. He ended his letter as follows:—

"In travelling through the Kikuyu country south of Thika the main point that strikes the settler is the sparsity of population and the large areas of good land uncultivated; it is very evident indeed that there is ample room for very extensive settlement in the country without in any way unduly encroaching on native rights or native occupation."

From further letters addressed by Mr. Ainsworth to the Commissioner it is clear that by the end of 1903 the whole question of land settlement in this area was getting out of hand. On 23rd October he wrote:—

“What I would wish to get done is to have a definite line fixed beyond which no European settlers will be allowed to take up land. . . . I am arranging for a meeting with Chief Kinanjui and the leading elders to talk the matter over, and I anticipate no difficulty with the Kikuyu in fixing a line for reservation, but it will be far more satisfactory to everybody if a proper map showing the reserve, etc., was prepared.”

16. A Land Committee was therefore appointed in October, 1904, to enquire into and report on several questions relating to land, including the general terms and conditions upon which sales and leases of Crown lands should be granted; the desirability of reserving land for natives, Europeans and others; native rights to and over land, etc. The committee consisted of Mr. Justice Hamilton (later Sir Robert Hamilton and Chief Justice of the Protectorate), Mr. J. W. Barth (later Sir Jacob Barth and Chief Justice of Kenya and two pioneer settlers, Lord Delamere and Mr. Frank Watkins. The first chairman of the committee was Mr. Justice Cator but, shortly after his appointment, he was transferred to Zanzibar and succeeded as chairman by Lord Delamere. In his evidence of the principles and methods governing the safeguarding of native land rights to the committee, Mr. Ainsworth said:—

“In my opinion it is more than desirable to reserve land for natives of the country; it is a moral duty, and if we neglect it we would, in my opinion, be guilty of the most flagrant breach of trust. I am convinced that the safeguarding of native rights and interests in this connexion is practically our first duty when dealing with the land question.”

He continued by pointing out that it was of course notorious that most agricultural and pastoral natives were most extravagant in the idea of their requirements, and that what was required was to see that the native had what was necessary for his existence, and what was necessary for any reasonable increase in numbers of the tribe. The report of this committee, after dealing with the many matters under reference, recommended that reserves should, as far as possible, precede the opening of the country to settlement. It also stated that:—

“Everyone is of one opinion in agreeing that once the Government has given its word to the native in fixing a reserve, the reserve so fixed should be absolutely inviolable.”

I must now refer to a written memorandum I received on 6th September, 1958, from an intelligent and well educated Luo on the “History of *Mau Mau*”. It contained the following:—

“The Government Land Committee of 1905 considered that the area of the native reserves should be determined with reference to the supply of labour and that any excess of population should find an outlet by working on European farms.”

This statement is a patent travesty of the truth. I discussed it with the writer in a subsequent interview, but was unable to shake his belief in it. The tragedy of this is that after 40 years of lying propaganda it—and the many other false conceptions about land in Kenya—are firmly believed.

17. A further complication arose in the case of some of the land alienated in the Kiambu district. As I have stated above, the early expansion of the Kikuyu to this district was into a country occupied by the Wanderobo. According to the Kikuyu, the acquisition of land in this area took

on a new form. After a series of ceremonies with the Wanderobo the individual Kikuyu, who had come into this area from Fort Hall, became possessed of a piece of land by the payment of goats, sheep, honey, etc., with the consequent development of a new land-owning class. As the land acquired was more often than not in excess of the immediate family needs of the new "owner", there grew up a system of tenant occupation, or the *Muhoi* system. The Kenya Land Commission however, after hearing a mass of evidence from both Kikuyu and Wanderobo, did not accept this view. Its finding was that all that the Kikuyu acquired from the Wanderobo, in almost all of these transactions, were cultivation rights in the forested areas which the latter did not require for hunting. It also noted the significant fact that these claims for the so-called *Ithaka* rights acquired from the Wanderobo were unheard of until 1913. It summed up its findings as follows:—

"By a process which consisted, as we have seen, partly of alliance and partnership, and partly of adoption and absorption, partly by payment and largely by force and chicanery, the Kikuyu had already succeeded the Wanderobo when Count Teleki passed through Kikuyu land in 1887. Generally speaking what had passed from the Wanderobo to the Kikuyu was not a number of agrarian estates but a succession of seignories along the ridges. In our view it would be quite absurd to suppose that the moment the Kikuyu crossed the Chania they started a new system of land tenure."

Although Dr. Leakey, in his book *Mau Mau and the Kikuyu* (see Chapter I, paragraph 13, lays considerable stress on the fact that this alleged "private" ownership aggravated the Kikuyu's sense of grievance and therefore had some bearing on the spread of *Mau Mau*, I do not propose to pronounce on the correctness of either of these two viewpoints, except to remark that the views of the Carter Commission were based on evidence of other persons, as well as the Kikuyu, and that the somewhat sudden claims to private ownership in 1913 may well have been inspired by grants of land made to the European farmers. And, finally, the Kikuyu would have been just as aggrieved whether the land had been in "clan" or "private" ownership. But the effect was that many of those who had left Kiambu during the years of the great famine returned at a later date to find that the land which they claimed to be theirs as of right had been alienated to European settlement. Thus there arose a not inconsiderable number of Kikuyu families in Kiambu district who, having become landless due to the alienation of land to European settlement, became the original focus for Kikuyu agitation over the land question.

18. To return briefly to the wider picture of European settlement, by agreement between the Governor and the Masai in 1904, the Masai moved into two reserves, one south of the railway, where they still are, and the other in the north, in Laikipia. This left the Rift Valley from Naivasha to Nakuru, and the plains east of Nairobi, entirely empty of people. By a further agreement made in 1911, the northern section of the Masai agreed to move from Laikipia, and join the main body of their tribe south of the railway line, there to live in a very ample reserve of 14,800 square miles, which was later enlarged to 15,250 square miles. This move left vacant a large area of country, now known as Laikipia and Nanyuki. Thus, by 1913, the Government found at its disposal about 10,000 square miles of empty grassland which, with the departure of the Masai, was not subject to any claim by any other tribe. This was the land which formed most of the settled areas where the Europeans have their farms. Land which, it must be noted, had never been occupied by the Kikuyu and had only been used fitfully by wandering Masai tribesmen.

19. The general position then, before the 1914 war, was that there was ample land in the Kikuyu reserve for the immediate needs of all the Kikuyu, although the wasteful and harmful methods of shifting cultivation were beginning to affect its carrying capacity. The establishment of law and order had enabled the Kikuyu, who were naturally expansive, to wander abroad and many Kikuyu had left their reserve to work on European farms and in Nairobi, not so much by reason of economic necessity as for economic advantage. A contributory reason in many cases was to avoid the tribal control of the elders in the reserves. But in Kiambu district there was an increasing pressure of land, due to the prosperity which radiated from Nairobi; this, and the fact that certain small areas of Kikuyu land had been alienated in all good faith for European settlement, had led to the beginnings of agitation for the return of "stolen lands".

20. By the end of the 1914-1918 war, a number of Kikuyu who had received some education, and many thousands who had had their horizons widened by service in the army, returned to their country and started to give more thought to the problems of their people. This awakening of political consciousness led to the formation of various political associations. At an acrimonious meeting of Kikuyu ex-servicemen in Chief Koinange's house in 1919, the chief was asked to approach the paramount Chief Kinanjui and request action by Government to aid Kikuyu ex-servicemen. With some feeling the Kikuyu contended that while European ex-servicemen were being given land, the Kikuyu's only reward was the *kipande*—the employment registration card then being introduced (see paragraph 34 below). The Government was already giving serious thought to the problems of the ex-servicemen and Harry Thuku, a young educated Kikuyu, was appointed secretary to deal with Kikuyu claims. Harry Thuku, however, had more ambitious ideas and in 1920 founded the Kikuyu Association, later to be known as the Young Kikuyu Association. The dominating theme of this association and its subsequent political developments was the sanctity of Kikuyu land and the return of "the stolen lands". These developments are dealt with fully in Chapter IV—The Evolution of Kikuyu Political Organizations. Land had definitely entered into the forefront of Kikuyu politics.

21. The impetus given to the land problem by these political organizations led to ever-increasing claims as of right for more and more land in areas which the Kikuyu never had and never could have occupied, and in an honest endeavour to examine and settle the claims, not only of the Kikuyu but of all other tribes, the Secretary of State for the Colonies, in April, 1932, appointed the Kenya Land Commission (known as the Carter Commission) with wide terms of reference to consider every aspect of the growing land problem in Kenya, but its main concern was with "the needs of the African population present and prospective in respect of land". Its report was submitted in 1933. This was a monumental document and anyone who has read it cannot fail to be impressed by the meticulous care with which even the most impossible claims were scrupulously investigated. This care may perhaps have been equalled by other commissions with similar terms of reference, but it can be stated with no fear of contradiction that it can never have been exceeded.

22. The commission heard 736 witnesses, of whom 487 were Africans, and one-third of its report was devoted to the Kikuyu tribe. By a painstaking research into past history the report determined the boundaries of the land which was "unequivocal Kikuyu territory" in 1895. This amounted to 1,519 square miles. Since that date a further 265 miles had been added to the Kikuyu reserve. It then proceeded to set out a profit and loss account. The profit side showed the areas that had been legitimately acquired by the Kikuyu since that date, and the term "legitimate" was

interpreted most liberally and included any land over which the Kikuyu had established even the most shadowy of claims. These amounted to 275 square miles. On the loss side the report established that 109 square miles of this total area had been alienated to Government, mostly for European settlement, the largest areas being 23 square miles at Kiambu, and 46 square miles at Limuru. (With regard to the latter area it must be noted that prior to European settlement the Kikuyu had made little or no use of the land as it was too high and misty for their agricultural practices.) The balance of this profit and loss account showed a net gain in area of 156 square miles to the Kikuyu. The commission however, with studied fairness, assessed the area of the 265 square miles added in terms of actual land value, at 79 square miles "of good agricultural land of the Kiambu average". This resulted in a net loss to the reserve of some 30 square miles.

23. In its final assessment the report therefore recommended the addition of 21,000 acres (34 square miles)—

"permanently to the reserve in settlement of claims of rights for the removal of grievances, and not on economic grounds. It is also to be hoped that the better spirit which is likely to be engendered in the Kikuyu by the settlement of their past grievances will make them more amenable to the advice and instructions given them by administrative and agricultural officers. . . . It is clear that no addition of territory, however large, can by itself solve problems caused by density of population, if the population continues to increase. All that it can effect is a certain saving of time, and the value of the addition depends on the use made of the time."

It recommended the addition of 383 square miles on the Northern Yatta, east of the Mwea area, which had already been added to the reserve. The Government implemented these recommendations to the full. But the Kikuyu never made much use of the Yatta extension, for a variety of reasons. Among them the land itself was not entirely suitable to the normal agricultural practices of the Kikuyu, nor did they take kindly to agriculture under supervision.

24. I have dealt with these recommendations in some detail, to show that, with no shadow of doubt, the claims were dealt with with the utmost generosity. But the commission's hope that its fair dealing would engender a better spirit proved illusory. Land had already become a political issue, but it did not become a burning issue until the return of Jomo Kenyatta to Kenya at the end of 1946. In the intervening years the old balance of nature had gone; the increasing population in the reserves had led to an ever-increasing pressure on the land, and Jomo Kenyatta and his associates saw all too clearly that the exploitation of land hunger was a sure way of furthering their own ends of uniting the Kikuyu against the Government in general, and the settled European farmers in particular. The juxtaposition of a crowded Kikuyu reserve and the more spacious settled areas of the White Highlands made this all too easy. The claims on the White Highlands became more insistent and were supported by statements made in public speeches which bore no relation to the truth. The Kikuyu agricultural labourers on the farm were asked—

"Why continue to work for a pittance on land which is yours by right and was stolen from you by those for whom you are now working?"

The fact that much of the overcrowding in the reserves was the direct result of the spread of the civilizing influence of the European, and the failure of the Kikuyu to adapt his agricultural methods to the needs of the land, was ignored. Jomo Kenyatta and his associates in fact went much further as they fought to oppose, by propaganda and intimidation, all the

efforts made by the Government to encourage the proper use of land in the reserves. It was entirely against the interests of their subversive movement that there should be a contented peasantry. These matters will be dealt with more fully in Chapters IV and V.

It is however of interest to note here that as late as October, 1951, the District Commissioner, Kiambu, reported that it was clear from discussions he had had with Jomo Kenyatta that the latter had little understanding of the recommendations of the Carter Commission. Again, in December, 1951, he wrote that many of the younger generation of Africans appeared genuinely to believe that the Africans were evicted from vast closely populated areas to make room for Europeans. And he suggested the republication of the findings of the Carter Commission in the vernacular press should help to dispel some of these misunderstandings. A short statement entitled *Kenya Land—The Truth* was published in September, 1952, but was too late to have any effect.

25. It must here be mentioned that when the Kikuyu talks of land he means land situated between 5,000 and, say, 7,500 feet above sea level, with a minimum of rainfall of 30-40 inches a year, where crops, grass and forest grow with the minimum of labour. There may be some excuse for this, as nearly all the land in the Kikuyu reserve lies between these two levels and is probably the richest block of agricultural land in Kenya and is as good as, if not better than, much of the land in the area of the White Highlands.

This view is confirmed by the following extracts from a debate which took place in the Legislative Council on 31st January, 1947. The subject was the African Settlement Board, and Mr. Mathu stated:—

“I am convinced that the Board will go on functioning as long as you like, but the African people will not have confidence in it because the material given to the Board to work on is unsuitable. . . . Africans do feel that land could be available in the Highlands, though that means going into the whole question of the Highlands Order in Council. . . . It originally belonged to the African people, and they are prepared to buy land in the Highlands so that they can have a place to live in. But we are told that more land is not the solution. I should like to suggest to Your Excellency that the land distribution in this country requires a definite re-examination.”

In the course of his reply, the Member for Agriculture said:—

“The hon. Member, Mr. Mathu, touched on a subject which I could skirt, but which I think I must say something about. He said that he had no fault to find with the African Settlement Board, but it was given a hopeless task, that it could not do anything with land of no economic value, covered with rocks and with no fertility, and so on. That led him to, no doubt, quite a reasonable suggestion from his point of view that they should be given land which has been demarcated for other purposes by the Carter Commission. I cannot help feeling, and will say so openly, that there is a little, perhaps, subconscious political bias when those remarks are made quite so categorically. I venture to suggest that had he looked at the land on which the hon. Member for Ukamba now has a farm and a home, or at the land next door, or many other areas in this country which are now prosperous, had he looked at those areas a very few years ago, he would have said that the land was impossible, that it was barren and waterless, and I am not at all sure that there are not quite large areas of land which, with comparatively moderate sums spent on them, could be made into arable and quite good land. Sometimes it is a question of fly, sometimes it is a question of water, but all the land we are examining is not completely barren, rocky, and so on.”

26. It cannot be denied that the congestion of the land in many parts of Kenya has been one of the most serious problems facing both the Government and the people of Kenya, but it is not within the scope of this historical survey to discuss in any detail the steps taken by the Government to deal with this problem. All that might be said, so far as the Kikuyu are concerned, is that the Government did not perhaps give sufficiently early consideration to future needs, expressed by the Carter Commission in the following extract from the Summary of its Recommendations (paragraph 2077):—

“The greatest disservice we could do to the country would be to compromise future development by locking up rigidly in tribal departments land not yet required by the tribes, because we apprehend that at some uncertain date in the future it might be required. . . . Tribes must be given only land for their present and future requirements and their claims of right must be satisfied; besides this there must be facilities for expansion either by the acquisition of more land tribally, or by individuals or families leaving the tribal territory and leasing land elsewhere; or by the inter-penetration, inter-tribal leases, or otherwise.”

But the financial difficulties which faced the Government in giving effect to this recommendation were very great. The beneficial utilization of the extensive uninhabited and undeveloped areas in Kenya needed capital and the provision of capital through such agencies as the Colonial Development and Welfare Fund was still in its infancy.

My more limited objective has been, by recounting once again the true origins and background of European settlement, to show quite clearly, firstly that this settlement was undertaken not by the indiscriminate seizure of land by unscrupulous Europeans from the defenceless and primitive African, but as the result of the predetermined policy of H.M. Government which, in the circumstances then ruling, was eminently necessary to the needs of Kenya; secondly, that the area of land which was alienated for European settlement and which might not have been so alienated had more been known of local land usage amongst the Africans, did not exceed 110 square miles, an area of 10 by 11 miles, in the vastness of Africa; and, thirdly, that the Government, by accepting the recommendations of the Carter Commission, made full restitution for this alienation.

As I have said in paragraph 10 above, I do not expect that this plain statement of truth will have much influence on African thought, as the African's attachment to land is so emotional that it is almost impossible for him to take a detached view whenever land is mentioned. But, in the words of Mr. A. Lennox-Boyd in the House of Commons in February, 1952, when replying to an adjournment debate on the White Highlands:—

“Some of these facts ought to be known, and I hope hon. Members of the House, who have lent themselves to wild and inaccurate statements, will do their best to bring the true facts not only to the people of their friends in Africa but also to the people of the United Kingdom as well.”

27. Immediately after the Great War the Government gave earnest consideration to the land problem, as will be seen from the fact that between 1945 and 1947 the Governor addressed three major despatches to the Secretary of State on the agrarian situation in Kenya. Concentrated efforts were made to improve soil conservation methods, not only in the Kikuyu reserve but elsewhere, the most notably successful being the immense strides made, with the full co-operation of the Kamba, in the Kamba reserve, many an area of which was fast becoming a desert.

The whole of this problem is dealt with so authoritatively by the Governor in his Despatch No. 193 on Land and Population in East Africa, published in 1952, that I shall end this section with the following quotations from that despatch (*see* also Chapter V, paragraph 107):—

“II. THE DEMAND FOR MORE LAND

10. I now turn to the answer which is often given to the problem of local congestion on the land in Kenya, namely, to enlarge the size of the tribal lands by adding more land for cultivation by traditional methods under traditional systems of tenure. I hope to show that this supposed solution is illusory and would in practice be disastrous: and that the settlement of any land which it may prove possible to add must be properly designed and controlled. The land must, on no account, be simply thrown open for congestion and destruction by ignorant peasants following their ancestral agricultural practices and tenure.

11. It is the general experience of mankind that a tolerably high standard of living in any community cannot rest solely upon peasant farming by primitive methods. It is indeed this truth, unpalatable as it may be, which accounts for the present condition of the mass of the population of many countries, including China and India. Only when this is recognized and accepted can there be a basis for realistic thinking on East African agrarian problems for these problems are, as Stalin has said of the world at large, ‘the problems of the peasant. . . .’

14. The failure of tribal agriculture to meet the needs of an expanding population is indeed the general experience. The cause of the failure lies in the inability of traditional African peasant agriculture to do more than maintain the population at an unsatisfactory subsistence level, and then only if shifting cultivation can be practised, new clearings made when old are exhausted, and whole regions thereby laid waste by desiccation and erosion. In land of abnormal depth or fertility, with a rainfall sufficient to maintain some form of protection by vegetation in spite even of the worst that men may do, there can be local exceptions to the rule, given other outlets for the surplus population; but most East and Central African land is, by these standards, poor and, as Professor R. L. Robb has written: ‘Poor soil makes poor people and poor people make poor soil worse. . . .’

16. This being so, it is not surprising that Africans in congested districts should look with covetous eyes upon neighbouring land owned by European farmers, and should regard such land, plainly not suffering from congestion, as the solution to their problem if only it could be made available for their occupation. It is equally to be expected that claims should be made to contiguous land as ‘our land’, firstly because of the age old habit to which I have referred of meeting land congestion or exhaustion by moving on to the next piece of land not actually in cultivation (unless prevented by force by a tribe with rival claims); and, secondly, in the case of the Kikuyu and in one or two other instances, because some land was in fact granted to early settlers to which there proved later to be some claim, valid or not, by neighbouring individuals or clans.

17. We must therefore consider the relevance of such claims to the problem before us, even though they have to be rejected as *res judicatae* or for lack of substance, for it is unfortunately true that the clamour for ‘the return of our land’, a clamour usually accompanied by assertions (I have no doubt sincerely believed) that more land would of itself solve their difficulty, does tend to divert attention from the essentials of the problem before us and indeed to prevent a proper understanding of them.

18. Such claims sometimes reach the limits of absurdity; for instance, when Kikuyu lay claim to land as far afield as Molo or Nyanza. What extent of land around the present limits of the Kikuyu Land Unit might have been available for the spread of primitive shifting cultivation had the events of the past fifty years not occurred, and had the circumambient Masai permitted, is anybody's guess. It would certainly have been a very narrow strip relative to the whole, and it can be of no significance to the problem which confronts us today, except to the extent that it may confuse the issue and create political difficulties. This matter can be disposed of by three general propositions: firstly, these claims have already been exhaustively examined and adjudicated by the Carter Land Commission, which settled all that were judged to be valid by compensation in land or money. Secondly, the extent of arable land in European occupation adjoining the Native Land Units is exceedingly small in relation to the area at present in African occupation and could at best provide only slight and temporary relief for African congestion. And, thirdly, the expropriation of land properly farmed by one man in order to hand it over for destruction by others would be not only an act of gross and indefensible injustice, but of egregious folly. If it were not that one party is white and the other black, no one would even suggest such a solution, unless of course land were held in very large areas and were not properly used. But by that criterion expropriation would begin with the Masai.

19. As there is persistent misunderstanding and misrepresentation about the proportions of the land in Kenya, particularly arable land, which are occupied by non-African people, the facts are: The area in African occupation is 52,000 square miles, as compared with 16,000 square miles in the Highlands. Of these 16,000 square miles 4,000 square miles is forest, which is being preserved for the benefit of the whole Colony, and the remaining 12,000 square miles are the farms and ranches. Of that area, at the lowest estimate, not less than 9,000 square miles which, until the coming of the European, was unoccupied except for intermittent grazing by the Masai. The balance of 3,000 square miles was mainly uninhabited, although a small part later became the subject of argument before the Carter Commission.

I have dealt above with the demand that the pressure on the African lands should be relieved by the expropriation of land owned by Europeans on historical grounds, or because the absorption of contiguous areas has been the traditional tribal solution to overcrowding and soil exhaustion. The same demand is also sometimes supported by resort to the sentiment that 'Africa belongs to the African' and that every African, it is argued, is entitled as of right to own a bit of Africa, if necessary at the expense of people of other races, many of whom are at least as African—if generations of colonization mean anything—as the so-called 'native' races. Many well-meaning people whose reason leads them to reject the more extreme African claims to land on historical grounds are I am sure unthinkingly influenced by this sentiment in arriving at the conclusion that failure to provide a piece of land for every African constitutes some form of oppression. It might be thought that the impossibility of reconciling the provision of land for all, in a rapidly expanding society, with the maintenance of a tolerable standard of living would be apparent. Experience has, however, shown that the sentiment enshrined in the phrase 'three acres and a cow' has, here as elsewhere, an emotional influence which transcends reason. . . .

Is it too much to hope that those who are attracted by this sentimental claim may pause to consider the consequences of its acceptance?"

This despatch led to the appointment of the East African Royal Commission (1953-55).

SOCIOLOGICAL BACKGROUND

28. So much has been written on the sociological background to the unrest which afflicts the "African in transition", not only in Kenya but throughout Africa, and so much is common knowledge, that I do not intend to cover all the ground. No one could deny that grievances have existed, and do continue to exist. Some are real and can and are being mitigated, but others are imaginary or owe their continuance to exploitation for political ends. But almost without exception the majority of Africans in their present transitional state tend to attribute these grievances to the European. This is understandable; as I have already mentioned, prior to the arrival of the new civilizing western influence, the African knew where he was; he now feels insecure. What he has failed to realize fully is that some of these alleged grievances can only be righted by his own efforts. I shall now examine very briefly some of the more obvious grievances and difficulties which confronted the Kikuyu.

General

29. At the end of the war large numbers of Kikuyu, the majority of whom had been batmen, drivers or Labour Corps, were, on discharge from the army, paid quite considerable sums in gratuities. The Government set up a number of training schools and centres to fit them for employment in industry, commerce and Government service, but openings were very limited. Some invested their gratuities in a variety of commercial undertakings, or half-derelict ex-army vehicles, with the object of starting bus services. Others tried to set up large wholesale trading businesses but, owing to inexperience, speculation by the directors, staff and over-ambition, these mostly failed. Although much of the loss of savings could have been avoided if those concerned had not been so suspicious of the advice freely given by Government, and if they had not been so addicted to cheating each other, they merged from their experience merely bitter against the Government in general, and refused to accept the fact that their mistakes had been of their own making.

30. There was plenty of unskilled employment available, but the current wages only took into account the needs of a single man without a family; many would not accept it, and dissatisfaction with the level of wages began to be expressed. Although in the towns the increase of the minimum wage, to correspond with the rising cost of living, met the needs of most labourers, it did not do so for the African who had little land and a family to support.

But the great majority of Kikuyu who sought work were employed as squatter (*Note 7*) labour on European farms where they, for the most part, lived reasonably contented with their lot, under a form of benevolent feudalism. The rise in the cost of living which took place after the war was not however reflected by any appreciable rise in the level of farm wages. Where the squatters could earn additional sums from the sale of produce from the areas which they were allowed to cultivate they were not dissatisfied, but there was a general tendency during this period to tighten up the squatter regulations, in the interests of better farming, by decreasing the areas and number of stock, and this reduced the sources of income, and so

Note 7.—Squatter is the term applied to a resident farm labourer who, in addition to a monthly wage, has the right to cultivate a specified area of land and, where suitable, to graze goats and sheep.

increased their sense of grievance. There was, of course, another side to this picture: both the African employee and his employer had to live in an economic world where wages must be related to productivity and the output of the individual squatter was extremely low. He had still not appreciated the basic economic facts of a wage-earning society and the inducement of higher wages so often had no appreciable effect on his productivity. A more potent cause of unrest among squatter labour was the artificially induced agitation for the return of "the stolen lands", mentioned in paragraph 10 above.

There was also another important consideration. In many other parts of Africa there is always opportunity for employment and good wages in mines, plantations, etc., but in Kenya industrial development was not sufficiently advanced to absorb any large numbers of African workers, and the growing of cash crops was still in its infancy. In Kikuyu country only wattle provided an alternative to wages, and this was often grown at the expense of food crops.

Urbanization

31. The growth of Nairobi in close proximity to the Kikuyu reserve and the development of an African proletariat, with the inevitable concomitants of an early industrial society—slums, low wages, insecurity of employment, high costs of living—had a very marked effect on the Kikuyu who accounted for more than half the African population. There were at one time as many as 10,000 Africans, mostly Kikuyu, unemployed. It is often claimed that the lack of housing is one of the chief causes of social unrest. This is true enough and the provision of adequate housing has for many years presented a problem to both the Central Government and the Municipalities. One of the major difficulties is that the provision of adequate and cheap housing, without some limitation on the number of Africans coming into Nairobi, would tend to attract even greater numbers of Africans into the town, and so increase the unemployment problem. But it must be remembered that Africans were used to primitive living conditions and accepted an overcrowded and unhygienic state of living so long as they could thereby economize and save money for such purposes as educating their children, or the buying of stock or land. These were in fact more important to them than comfortable housing and adequate food.

The above deals only very briefly with the intricate problems of urbanization.

Education

32. The Kikuyu were quick to realize that education was the strong motive force behind European civilization and from the earliest days they have shown an avidity for learning, not primarily for the sake of learning, but as a means of acquiring the power of the Europeans. For many years the only source of education open to them was that provided by the mission schools and although many of those attending school have become true Christians, the greater number accepted a nominal Christianity simply because it was the password to learning. The blame for the break-up of the traditional tribal authority is so often laid at the foot of the missions: this is not so. It is inevitable that education will tend to divorce those educated from the old tribal beliefs. The change in the forms of tribal authority is an evolutionary process. But the teaching of some religious faith to replace the old tribal belief is essential if the society is to survive, and that is particularly so in the case of the Kikuyu who are deeply religious people. If any charge is to be laid against the missions, it is that Christianity has been brought to Africa in so many different forms and guises. Their teachings have so often been mutually antagonistic. This can only have caused the utmost confusion in the minds of those Africans who were seeking, genuinely, a religious faith to replace the old beliefs. But this is as much

the fault of western thought as it is of the individual missionaries—the assumption that the strict patterns of church life based on those of western churches can be applied, with so little adaptation, to African societies. The inevitable result is that in a sense Christianity is often regarded as a foreign importation and therefore suspect as part of the white man's domination (Chapter IV, 5). The remarkable and heartening fact is that the true and fundamental tenets of Christianity have survived and surmounted these difficulties and it is a tribute to many individual missionaries that so many Kikuyu have absorbed the fundamental teaching of Christ. It was most noticeable that the followers of *Mau Mau* were not drawn from those who were truly Christian, nor yet from those who had remained true to the old Kikuyu religion. These two small minorities, both loyal to their respective faiths, had an immense influence and were the chief factors in the final defeat of *Mau Mau* in the reserves.

33. Nor were the Kikuyu basically interested in any form of technical training, but sought the type of education which would enable them to obtain clerical appointments. Although, in their eyes, this learning should have fitted them for higher positions of authority, they found that most avenues still remained closed. This again led to bitterness and resentment. A factor of great importance was that, with their somewhat inadequate qualifications, they could not compete with the Indians, who occupied so many of the junior technical and clerical posts, both in commerce and industry, and also in the Government. In replying to a question in Legislative Council by Mr. Mathu on 21st January, 1947, the Government stated that there were only nine Africans drawing salaries of Sh. 300 a month and over employed by Government, including the Railways Administration. In spite of the common emotional bond engendered by "white supremacy", this was a basic cause of the African's underlying antipathy to the Asian community.

Social and Political Frustration

34. But over and above these economic grievances there was a deeper sense of resentment, caused by the various forms of discrimination which were considered by the Kikuyu to be a barrier to his economic, political and social aspirations—the restriction on the planting of cash crops, such as coffee; the fact that Africans were not permitted to acquire land in the White Highlands; the different wage scales which were applied to Europeans, Asians and Africans by the Government; the restrictive covenants which applied to housing in European areas, some municipalities, and the opposition to entry into some of the larger hotels.

Much of the above has led to a sense of social frustration which is summed up in the much-used but often misunderstood phrase "the colour bar". This is not the place to discuss in any detail the ramifications of this most difficult problem. Officially there is no "colour bar" in Kenya, but there are convincing reasons for many of these restrictions in the earlier stages of the evolution from a primitive to a civilized community; just as there are strong reasons for a gradual relaxation of them. I shall quote one example which became a major political issue. In 1915 the Government introduced compulsory registration for all Africans seeking employment, with the necessity of taking out a certificate of registration, known as the *kipande*. The objective behind this registration was eminently reasonable and sensible. It safeguarded the employee and as it contained a continuous record of his employment was a "passport" to future employment. From the point of view of the state, it ensured that no criminals were given scope to carry on their activities in employment, and for this reason satisfied the employer. It was in fact widely accepted by the employee, but right from its inception it became a political issue, not because it was inherently wrong,

but because it was applied to Africans only, and was thus a form of discrimination. Its abolition was one of the constant demands of all African politicians. The Government eventually compromised by introducing a simpler form of employment card with a universal system of registration by fingerprinting which, in its turn, met with strong opposition from the Europeans, primarily on the perhaps not unreasonable grounds that whereas a fingerprint was a reasonable substitute for a signature in the case of a person who was illiterate, the fingerprinting of those who had other recognized means of identifying themselves was redolent of a dictator-controlled police state. And, secondly, on the perhaps more arguable grounds that by giving in to popular demand the Government was appeasing and thus enhancing the prestige of the professional political agitator. This latter reason was true enough, but it is rarely possible to deal logically with emotional issues.

35. This *kipande* controversy became a major issue as it was symptomatic of this deep-felt sense of social frustration. To the educated, or even the semi-educated, African all these restrictions appeared to emphasize a state of affairs whereby the African was considered as an inferior being in his own country. I doubt whether all Europeans, even those who have lived for a long time in Africa, realize fully how deeply the individual African feels about this. I can do little better than ask the reader to note the following quotations:—

- (a) "Before I sit down I would repeat one plea that has been made in this Council, and which I am proud to repeat. Treat the African as a man, nothing less, nothing more, and also as a fellow citizen of the British Empire with all the rights of citizenship, and there is no doubt that he will respond well."

(Mr. B. A. Ohanga, African Nominated Member, Legislative Council debate, 9th January, 1948.)

- (b) "The economic argument loses sight of the basic factor in contemporary Africa, namely the African's compelling need for respect as a human being. Until it is realized that the African's need for human dignity and respect is at least as great, as urgent, and as human, as his need for food and water, any attempt at solving the problems of Nyasaland, or any other Colony, will prove elusory."

(Extract from a letter by Mr. A. K. Mayanja to *The Times* on 5th March, 1959.)

- (c) "The dangers which would threaten Central Africa arise from the African's lethal sense of humiliation as they become aware of their own poverty and political immaturity."

(Extract from a letter from Miss Margery Perham to *The Times*, May, 1959.)

I am convinced that this sense of social injustice is the most fundamental of the many grievances and resentments which beset the African in general and the Kikuyu in particular, and is the main motive force behind the upsurge of the more violent expressions of precocious African nationalism. It is perhaps of interest to note that the recent Parliamentary Commission set up by the Belgian Government to investigate the underlying causes of rioting in the Belgian Congo considered that the comparative failure of the Europeans to realize the effect of discriminatory practices and behaviour was probably the most important of the causes of this unrest.

36. Allied to this sense of social frustration was that of political frustration. As I have already mentioned, the Kikuyu, like most tribes in Africa, possessed no organization involving chiefs with traditional or hereditary authority. Chiefs and headmen were appointed for administrative necessity and convenience and although the local tribesmen had a voice in their

appointment, and many of them became influential and were held in genuine respect, they were still regarded as Government employees. The central and main local government institutions in Kenya, the points of effective control of affairs, were established on European models, originally with all European membership in most cases, but more recently with increasing provision for nominated or elected African representatives. Such bodies as the African District Councils have, of course, always had predominantly African membership. One consequence has therefore been to throw up African leaders other—and in terms of influence more significant—than the chiefs, possessing the ambition and in many cases the capacity to participate in the local councils and in some cases in the central councils of the Colony. Being politically ambitious they were constantly at variance with the Government over the rate of progress into the higher circles of Government. Not slow to realize that power, rather than tradition and precedent, was the key to European-style politics, they set to work to arm themselves with an active politically conscious following for an effective assault on the European-dominated Government. This following was naturally recruited from among the least deeply rooted in the tribal way of life. It would be wrong to deny to all of them, or to all of their followers, any sense of patriotism, but the slower the progress towards their goal, the greater becomes their feeling of frustration, and therein lies the danger of succumbing to a policy of violence and the more difficult it becomes for the moderate elements in the group to maintain their influence. This will be evident in Chapter IV—the Evolution of Kikuyu Political Organizations, which traces the long but unequal struggle of the moderate African against the heady wine of a nationalism based on violence.

37. I must here comment on a miscalculation so often made when assessing the potential power of these politically precocious nationalists, and their educated or semi-educated following. It is true that the great mass of the less educated or illiterate peasantry have little realization of what is at stake and in that sense these “leaders” can be said to be unrepresentative. But this is one of those dangerous half-truths and it is unwise to assume that once the mass become more educated, or are given an opportunity “to vote” they will not follow these leaders wherever they choose to lead. The masses will be guided by emotion, and there is no stronger emotion than nationalism.

38. All I have sought to achieve so far in this chapter is to examine some of the background causes of social and political unrest. Much that I have attempted to put across in this chapter is summed up concisely in the following extract from an excellent pamphlet *Mau Mau—Behind the Headlines* issued by the Church Missionary Society in December, 1952:—

“Looking back, it seems to me that much of our work in Africa has been based on the idea that we are shaping the course of events for the future. No doubt there has been truth in this: but it is dangerous. What is so evident now is that Africa is in the grip of forces which do not submit to control, and respond only in part to leadership. What are these forces? A passionate desire for material progress with education as its means: the frustrations of dawning national consciousness: envy, and so hatred of the white possessor: intemperate self-confidence and ambition: and so on. If we missionaries try to control or direct these things, we are both wasting our time and inviting disaster. Such direction as may have effect must come from within, and herein lies the immense significance of the African Church.”

It is not possible within the scope of this historical survey, nor am I called upon, to examine the continuing endeavours of the Government to right the many grievances and to lay the foundations of a new society based on the fundamental concepts of western civilization. Great strides were being

made to associate the African more closely and more genuinely with the conduct of affairs: but these strides were not quick enough for those who aspired to immediate power. But I would emphasize what I have said earlier on in this chapter—that this unrest is an inevitable concomitant of the intense stresses and strains that beset the African brought into contact with a highly organized civilization with such devastating suddenness. But however great were these stresses and strains, they were not the direct cause of *Mau Mau*. It was the callous exploitation of them which enabled Jomo Kenyatta and his associates to impose *Mau Mau* on the Kikuyu people.

Outside Influences on Colonial Policy

39. It may appear strange that this subheading appears in this chapter, but Governments are also subject to environmental influences, and apart from the conflicts which beset the African in his transitional stage of evolution, it is also necessary to give some thought to the other side of the picture—the stresses and strains which beset Colonial Governments, as these have a most important bearing on the actions of these Governments. I doubt whether those who have not served in Africa realize the very great disabilities under which all Colonial Governments have to function in an age which has become “obsessed” with the words “human rights and the four freedoms”.

Both the Colonial Office and the Colonial Governments have been “caught in the ever-present struggle of our nation to resolve the dilemma of being autocratic abroad and democratic at home” (*Note 8*), a dilemma so rarely appreciated by those who live in a settled civilized society, and so well brought out by Mr. Philip Mason in his recently published book *The Birth of a Dilemma: the Conquest and Settlement of Rhodesia*.

I am reasonably confident that when Chapter V of this historical survey is read, the chapter on the Origins and Growth of *Mau Mau*, it will be obvious that these disabilities were very real. It was the deliberate exploitation of the western ideals of freedom by the more extreme African nationalists which placed the Government of Kenya on the horns of that dilemma; and it was the inability of that Government, faced as it was with these outside influences, to resolve this dilemma, which was a decisive factor in the spread and near victory of *Mau Mau*. As I shall be commenting on the two more important aspects of this in the chapter on Public Meetings and Vernacular Press, and in the chapter on the Law and Public Security, I shall only here make some more general observations.

40. Although the seed of individual freedom is implanted in every living soul, the modern concept of freedom, as evolved among the more civilized people, hardly existed in East Africa fifty years ago. Small tribes fought for existence, but they knew little of freedom. In fact the first real experience of freedom was the direct result of European emancipation, and it is an inevitable evolutionary fact that once the seed of freedom was nurtured in the peace and progress of European civilization it would continue to grow. In fact the whole history of the human race is a history of the unending struggle to achieve these ideals. The western nations in general, but more particularly the Anglo-Saxon peoples, have found a practical expression of this ideal of freedom in the delicately balanced democratic state. But probably one of the more far-reaching miscalculations made by people in Britain is the blind assumption that practices evolved in the United Kingdom for giving effect to certain fundamental principles and ideals can be transplanted to a totally different environment and will be just as effective in achieving those ideals.

41. I suppose that no two words have been more abused than “freedom” and “democracy” and this abuse has reached its apotheosis in the *Note 8*.—Miss Margery Perham in the foreword to *The Life and Letters of Sir Douglas Newbold*, by K. D. D. Henderson.

oft-repeated claim by the Communists that they represent the "freedom-loving democracies". This may well describe the innermost aspirations of their peoples, but it does not describe the state of their societies as determined by their forms of government. On the other hand, among the western nations, democracy has become synonymous with the systems of government achieved by these societies and this has led to the fallacious idea that democracy is a set form of government which can be achieved at any moment by any type of community or nation. It is in fact the evolutionary product of a well-balanced and integrated society, and the particular form it takes is dependent on the national characteristics of those societies. The paramount error that many people make is the tacit assumption that the type of democratic government that it evolved at Westminster will automatically suit the needs of a totally different society. (Note 9.) Successive Governments in Britain have been committed to the building up of democratic institutions based on the Westminster model in the hope that by the time that the political decision to grant independence must be taken the societies will be sufficiently stable and mature to permit the entrenchment of western democratic ideals in the new independent nations. In the years preceding independence Governments have found themselves at issue with nationalist movements and pressure in these movements has often been manifested in the cries of "one man one vote". It is perhaps permissible to speculate that a number of leaders have seen in this cry the way to easy and early power but have been or will be ready to turn their faces against the practical working out of the idea once power has been obtained. The African himself is the raw material of the evolution in African countries and not the European, and it is his characteristics which will determine the form of this evolution, and he realizes instinctively that a large measure of autocracy is still essential if chaos is not to encompass the new independent states of Africa. It is for this reason that the course of events in Ghana and the Sudan should not be viewed with too much alarm. The grant of independence in these countries, as elsewhere, has given a great and enthusiastic impetus to all Government and social activities and, provided law and order is maintained, there is little doubt that perhaps not unreasonable African Governments will evolve, although they are likely to bear little inner semblance to a democracy as we know it for some time to come. But the ferment of freedom has been let loose and this will no doubt ensure that eventually the forms of government to be evolved in these countries will have to take a reasonable account of individual liberty.

But it is no part of my task to study the development of African nationalism as such. It seems, however, relevant to make the point that nationalist movements have in a number of cases been associated with violence, and, in the case of Kenya, a particularly horrifying form of such violence. Those who uncritically lend support to nationalist movements by themselves preaching doctrinaire concepts of democracy without paying sufficient attention to the practical working out of these concepts may unwittingly encourage those who seek their political ends violently, and so far as Kenya is concerned (as I have suggested later in this history) those who encouraged Kenyatta's overt political activities may well ponder whether in so doing they were providing innocent support for his underground campaign of terror.

Note 9.—In commenting on a leading article "Democracy in Africa" in *The Times* of 14th July, 1959, Sayed Omer el Zein from Khartoum wrote:—

"You seem to be taking for granted that democracy is necessarily a function of a parliamentary system after a Western Minister's fashion. This we do not believe. It is sometimes more democratic to give the people what is good for them instead of what they ask for, specially if they are—as is the case in most African states—only 2 to 5 per cent literate and thus susceptible to all forms of propaganda and too poor to resist a bribe."

CHAPTER III

The Organization of Intelligence, 1940-1952 (1)

1. The collection of intelligence falls into two categories: that gleaned by Government officials, missionaries and others, whose work brings them into contact with the local people, in the exercise of the art of "keeping their ears close to the ground". This is normally the principal source of intelligence when dealing with less advanced communities and its value is increased immeasurably, and particularly in times of stress, if some guidance is given on what to seek. The second category is that obtained from specialist sources, and this is normally the function of a Special Branch: intelligence from this source becomes increasingly important with the advance in political consciousness of the people.

2. But to be fully effective, the organization must ensure not only that information is collected from all possible sources, but also that this information is sifted and assessed by those best able to appreciate its short-term and long-term implications. These are separate and distinct functions. It is important that the initial assessment of the value and import of the intelligence should be done as near the source of information as possible. And it does not follow that the body responsible for the collection of intelligence from all sources, normally a Special Branch, is necessarily the best equipped to make the final appreciation. Where there is a developed district administration, the Administration, which by experience and training should be better equipped to take an objective view, must be closely associated with this final assessment. There must also be a recognized channel for the transmission of that assessment to the "proper quarters". This will, of course, vary with the local constitutional position. But at that stage the responsibility of the intelligence organization ends. The responsibility for taking action or advising the Colonial Office of action that should be taken must rest ultimately on the Governor in Council. And I consider it of some importance to establish this point as it does not follow that because no action, or inadequate action, was taken in a particular set of circumstances the whole of the intelligence organization was necessarily at fault.

I shall now attempt to assess how far the evolution of the intelligence organization in Kenya satisfied these essential requirements.

3. Although the Colonial Office gives guidance on the organization of intelligence, it has always made it clear that it is the responsibility of each Colonial Administration to maintain an intelligence system adequate to keep itself informed of all likely threats to public order and stability and of political developments whether potentially subversive or not. It might be assumed from my main term of reference that the Kenya Government had seriously neglected its responsibility in this respect and that imperfections in the intelligence organization were the primary reason which permitted *Mau Mau* to develop so rapidly without the *full* knowledge of Government. Much, of course, depends on the interpretation to be given to the word "full".

(1) As it is not in the public interest to publish the detailed study of the organization of intelligence contained in my original report to the Governor, this chapter will cover only the broader outlines.

Mau Mau was a secret society and as such was reasonably successful in that its organizers, although well known "by repute" managed to evade the law as it then stood and also managed to mislead the Government as to the manner and time in which it sought to achieve its aims. But it was hardly secret in the normally accepted sense. It first came to notice in March, 1948, and was recognized as "an evil and subversive association" in June, 1950. On 12th August, 1950, it was proscribed as an "unlawful society" by Government Notice (*see* Chapter V, 58). By mid-1952 the intelligence services estimated that over a quarter million Kikuyu had taken the oath; several hundred were in prison for administering or being present at the administration of the oath, and many others arrested had had to be released as witnesses were too afraid to give evidence. But I will not anticipate subsequent chapters of this history. All I wish to say at this stage is that I doubt whether the above assumption can be fully maintained. There were imperfections, some of them serious, but the Government had in fact during this critical period been much concerned with intelligence and much intelligence was available.

Evolution of Intelligence Organization in Kenya

4. Security and political intelligence from its earliest days was, and still is, considered to be within the overall responsibility of the Commissioner of Police. Originally a Special Branch of the Criminal Investigation Department, working under a Director of Civil Intelligence (later known as the Director of Intelligence and Security), was responsible for the collecting and sifting of intelligence, which emanated from the local police formations and the Administration, etc.

5. In 1945 an important change was made in the organization of Special Branch; although it was controlled by a specially appointed police officer with the title of Director of Intelligence and Security, it still remained an integral part of the C.I.D. This arrangement suffered from one fundamental defect. The detection of crime was urgent; the collection of political intelligence appeared less urgent, and consequently suffered. Special Branch was therefore at that time separated entirely from the C.I.D., and under its director became responsible to Government for all matters pertaining to intelligence and security and immigration control. It remained however a police formation, in that it was under the general administrative and disciplinary control of the Commissioner of Police, but the Director addressed his reports direct to the Member for Law and Order with copies to the Commissioner of Police and such other persons as might be concerned with the subject of the report.

6. In 1947 the Commissioner of Police submitted proposals to the Member for Law and Order for the extension of Special Branch to the Provinces. Except for small additions to the staff in Nairobi and the appointment of two specialist officers in the Provinces, no further action was taken until shortly before the declaration of the Emergency, the reason being shortage of staff and the general difficulties encountered in persuading Legislative Council to vote the necessary funds (Chapter XII, 12).

7. During this period the Government issued many circulars dealing with intelligence, and the first and reasonable conclusion to be drawn is that the Government was fully alive to the importance of intelligence, but the steps taken dealt almost exclusively with the collection and sifting of intelligence and the submission of factual reports.

And the second and, in my opinion, reasonable conclusion to be drawn is that the machinery set up to collect information and intelligence functioned tolerably well; the Director of Intelligence and Security did in fact succeed, in spite of the very small staff available in Special Branch, in

submitting a vast volume of reports to the Government covering the many-sided activities of the known political agitators, including a very comprehensive coverage of the vernacular press and trade unions (Chapter XIV). Extracts from these reports, and from reports submitted by officials and others, are given in the subsequent chapters of this historical survey which cover both the particular and general aspects of subversive activities. But, as I have said in paragraph 2 above, to be fully effective, an intelligence organization must also ensure that the mass of information collected is assessed by those best able to appreciate its short-term and long-term implications. What machinery was there, if any, for giving proper effect to this? What, in short, happened to the regular stream of intelligence reports which went into the Central Secretariat of Government? Before I examine this most important and in fact crucial aspect of the intelligence organization it will be necessary to sketch in brief outline the functions and responsibilities of the three senior members of Government who were or had been most concerned—the Chief Secretary, the Attorney-General, and the Chief Native Commissioner.

8. In order to meet efficiently and expeditiously the complexity of post-war conditions and the problems of development and reconstruction, plans for the reorganization of Government were set afoot early in 1945. Decentralization of the work hitherto canalized along traditional lines to the Chief Secretary had become imperative and this was effected by the institution of a system of organizing departments in groups under Members of Executive Council. Under this system the Chief Secretary became “Chief Secretary and Member for Development and Reconstruction”. His time and energies were to be fully occupied as Chairman of the Authority for Development and Reconstruction which was established by Government Notice No. 674 of 1st August, 1945. Much of the administrative work hitherto performed by him was transferred to the Deputy Chief Secretary, who was also given a seat on the Executive Council, and who became responsible, among other subjects, for the administration of Public Services, External Affairs, Provincial Administration, Prisons, etc. The Attorney-General became the “Member for Law and Order and Attorney-General” and, in addition to his somewhat specialist functions as Attorney-General and Head of the Legal Department, with its various semi-legal departments, he also assumed responsibility for the police and for immigration. The Chief Native Commissioner became the “Member for African Affairs and Chief Native Commissioner”.

These fundamental changes in the organization of the Central Government were embodied in Secretariat Circular No. 16 of 13th September, 1946.

9. As many departments had to be apportioned to a limited number of Members, administrative convenience and political expediency were in some cases the deciding factor; this complete reorganization of machinery of Central Government therefore, and understandably, suffered many teething troubles and the final division of subjects and functions of Members of Executive Council was not fixed until 18th April, 1950. In this redistribution of functions the Chief Secretary and the Deputy Chief Secretary became jointly responsible for most subjects for which they had been separately responsible under the previous arrangement. The Member for Law and Order assumed the additional responsibility for Prisons.

The most significant upshot of this reorganization, which was to be the forerunner of a future ministerial system, was that the Chief Secretary was no longer immediately responsible for internal security, commonly referred to as “law and order”. He had faded from the foreground of the picture although, as the senior officer of Government on Executive Council and leader of the Government in Legislative Council, he still retained an

overall responsibility for the general conduct of Government business. Law and order, i.e. internal security, became the direct responsibility of the Attorney-General. This, in my opinion, and for reasons which I will now elaborate, was a definite weakness in the general organization of Government. But I must here make it quite clear that what I am about to write on the dual role which the Attorney-General was expected to play has nothing whatsoever to do with personalities.

10. The Attorney-General, as the Senior Law Officer of the Crown in the Colony, occupies a position special and peculiar to himself and distinct from that of all other officials, but one of great influence and responsibility. He is not only the Governor's Chief Adviser on all matters pertaining to the law, but he is also, as a Member of Executive Council, collectively responsible with the other Members for the decisions and policies of the Government. He also answers for the Judiciary in the Executive Councils of the Government in the Legislative Council, although he is not in any way responsible for the Judiciary, for the administration of which the Chief Justice is responsible. His most important duty as Attorney-General is in relation to the administration of the criminal law and his control of prosecutions. In this sphere not only is he wholly independent of the Government and the sole and final authority under the law, but it is to him and him alone that the police are responsible in carrying out their duties in the enforcement of the criminal law, in detecting crime and in bringing offenders to justice. In addition, he has the normal administrative functions which relate to his position as head of the department of Government which deals with all matters concerning the drafting of new and amending laws, the interpreting of laws in the course of their day-to-day administration by the Government, the provision of a legal advisory service to the Government and all its Ministries, departments and organs, and the representation of the Government in any civil litigation in which it may be involved. In short, the Attorney-General is the "guardian of the law" and his training and experience are all directed to this end.

When the membership system was introduced it was perhaps natural that the Attorney-General, in view of his close association with prosecutions, should assume responsibility for the police. He thus had to add to the quasi-judicial functions of an Attorney-General the executive responsibility for the internal security of the country, including the intelligence service; in addition, he became responsible for Prisons and Immigration. All these were matters which, save in their strictly legal aspects, were outside the normal scope of training and experience of a lawyer. I do not suggest that it is beyond the capabilities of one person to perform successfully this dual role. The Minister for Legal Affairs has in fact to perform a dual role under the present ministerial system. His duties and functions as Attorney-General are distinct from those as a Minister and as a Member of the Council of Ministers, and by long tradition and training he has no difficulty in deciding where his duty lies if a conflict of interest ever arises. But it is a very different thing if he is charged, in addition, with the executive responsibility for one of the most important functions of Government, that of maintaining internal security. At its best this arrangement can only be described as unsatisfactory. It may have been a necessity in the earlier stages of constitutional development, but with the increasing complexity of post-war colonial government it becomes increasingly important that an Attorney-General shall be called upon to exercise his peculiar but highly important functions unfettered by executive responsibilities outside the legal sphere.

This was recognized some time before the outbreak of the Emergency. The Governor, in a telegram to the Secretary of State dated 12th March,

1951, which dealt with the appointment of the new Attorney-General, said, *inter alia*:—

“It would also enable me to carry further the consideration of separation of functions of law and order, and of the Attorney-General, which, as you know, I have been considering.”

The separation of these two functions was also one of the many matters raised by the European Elected Members Organization in August, 1952 (*see* Chapter V, paragraph 142). From correspondence in the Colonial Office it is clear that the principle that the two offices of Attorney-General and Member for Law and Order should be separated had been accepted by the Secretary of State before the declaration of the Emergency, and early in 1953 he directed that responsibility for “law and order” be handed back to the Chief Secretary.

With the setting up of the ministerial system in 1954, both internal and external security became the responsibility of the Minister for Defence, and the Attorney-General became the Minister for Legal Affairs and responsible as such for only the two professional departments in the legal sphere, the Legal Department and the Registrar-General’s Department. His ministerial functions were thus confined within the professional field, in which he also has independent and quasi-judicial functions as Attorney-General. And practical experience of the ministerial system has demonstrated the wisdom of such an arrangement for, quite apart from the incompatibility of the wider functions and responsibilities with which the Attorney-General was charged under the former membership system, the burden of his duties and responsibilities as a law officer and minister under the ministerial system are at least as onerous as those of any other minister, without the addition of extraneous and non-professional executive functions and responsibilities such as he was called upon to discharge under the membership system.

11. In order to relieve the Member for Law and Order of much detailed work a new post of Secretary for Law and Order was created in 1949. His main function was to deal with most of the routine matters connected with internal security. He, of course, dealt direct with the Member for Law and Order, and not through the Assistant Chief Secretary. He also became responsible for the preparation of the Kenya Intelligence Review from information supplied by the Director of Intelligence and Security. This new post was therefore one of importance and responsibility and was filled by an administrative officer of some seniority on the principle (mentioned in paragraph 2 above) that an administrative officer is best qualified by training and experience to make the final assessment of intelligence. In arriving at the final appreciation the Secretary maintained close contact with the Chief Native Commissioner’s Branch. Copies were also sent to the Secretary of State and to Governments of neighbouring territories. (A summary of those incidents dealing with subversion and unrest that culminated in *Mau Mau*, which received mention in the Kenya Intelligence Summaries from 1946 onwards, are recorded year by year in Chapter V. It will be noted that these reports are in the main a factual record of incidents, and not intelligence appreciations.) In the event this post did not achieve fully what had been expected of it when it was created.

12. I shall now examine the somewhat indeterminate position of the Chief Native Commissioner who assumed the additional title of Member for African Affairs, the more important of whose functions are as follows:—

“The position of the Native Commissioner is that he is the member of Executive Council responsible to the Governor for ensuring the

proper conduct of African Affairs and as such he is to be regarded as the chief adviser to the Governor and Official Members on matters connected with native policy and administration, and his organization forms part of the Central Government.

While official communications should not be addressed to the Chief Native Commissioner direct, he is the active agent of the trust which Government exercises on behalf of the African people and therefore any officer addressing another Member is entitled to send a copy of such letter to the Chief Native Commissioner to call his special attention to any matter affecting Africans.

And the Chief Native Commissioner may, on reference to him or of his own motion, advise on any subject concerning Africans and may take steps to ensure that all advice tendered by him, unless modified by himself or rejected by the Government, is in fact carried out."

It will be seen that although he was the senior officer in the Administration he had no executive responsibility, except in so far as the small branch of African Affairs was concerned, which functioned as a section in the Central Secretariat. This branch consisted of a Commissioner for Social Welfare, a Manager of African Information Services, a Native Courts Officer and a Personal Assistant. His position in Government was essentially an advisory one, and it has been described very aptly, I think, by Sir Alan Pym as that of "fifth wheel to the Government coach". Whether the wheel trundled along gaily at the side of the coach, or shared the burden effectively with the other four wheels, would depend very much on how far the individual Chief Native Commissioner was able to impress his views on the Government.

13. Having outlined briefly the functions of the three Members mostly concerned with intelligence—the Chief Secretary (to only a minor degree), the Member for Law and Order, and the Chief Native Commissioner—I must now attempt to answer the question posed in paragraph 7: "What happened to the intelligence reports and other papers dealing generally with internal security once they reached the Secretariat?" The great majority of these were of course addressed to the Member for Law and Order although, on occasions, when wider issues were raised, they were addressed to the Chief Secretary, with perhaps copies to the Member for Law and Order and the Chief Native Commissioner. These reports, on their appropriate files, were then circulated to the Members or other officials concerned for noting or discussion. Spasmodic action was taken but with the isolated exception mentioned in the next paragraph there was no collective assessment of their reports: after an exhaustive reading of the many volumes of these reports I have been left with inescapable conclusion that they just "disappeared" into the Central Secretariat.

14. During 1950 much further thought was given to the improvement of the intelligence system following the spread of *Dini ya Msambwa* in East Suk, which came as a complete surprise to the Administration and culminated in the affray at Kolloa, the manifestations of the *Mau Mau* organization, and the spread of other disruptive influences. And in August an Internal Security Working Committee was appointed under the chairmanship of the Secretary for Law and Order. The original reason for the setting up of this committee was the consideration of proposals for a combined military/civil study and exercise dealing with the principles and practices of internal security in Kenya. This intention was later abandoned by the General Officer Commanding, East African Command, and the

terms of reference of the committee were modified and fixed in October, 1950, as follows:—

- (1) To assess the internal risk in Kenya, in the light of present conditions and trends;
- (2) To review broadly the scope and nature of existing schemes with a view to assessing generally their adequacy or otherwise to meet that risk.

The committee's report was submitted to the Governor on 27th November, 1951, and I shall be discussing the findings of this committee, and the reactions of the Governor to these findings, in Chapter V, paragraph 103, as they throw a useful and penetrating sidelight on the general attitude of Government to the political unrest in Kenya at that time. It was the intention to keep the committee in being to review the internal security situation at six-monthly intervals. No meeting was however held in May, 1952, owing to changes in personnel which were then taking place, and five months later the Emergency was declared.

Apart from this committee, whose main function was to be the periodical appraisal of defence schemes in the light of the current security risks, there was no organized body to direct and control the organization of intelligence and to assess the general import of intelligence reports.

15. In a minute dated 23rd April, 1951, and addressed to the Member for Law and Order the Governor wrote *inter alia*, "Kenya at the present time has by far the most competent and effective internal intelligence service that I have met in the whole course of my colonial service and when you try to analyse the reasons for that they appear to me to lie mainly in the fact that the work is centralized in the comparatively small directorate in Nairobi under a highly competent head."

16. I shall now summarize this review of the intelligence organization by discussing how far the Governor's appraisal of it, referred to above, was a true one. Kenya may well at that time have had as good a system, if not better, than most other colonial territories. It had an efficient and hard working Special Branch which, in relation to its size, produced a constant and voluminous stream of reports. But that was in fact as far as it went. As an efficient intelligence collecting machine, Special Branch suffered from the defect that it had no roots of its own outside Nairobi, except in Mombasa. Had there been sections of Special Branch operating in the Central and Rift Valley Provinces, it is possible that more precise details of *Mau Mau* activity and intentions would have been revealed, but, as will be seen from Chapter V, many detailed reports were in fact received from the provinces. Much evidence was therefore available and although this defect was a serious one, and had to be put right, it was not in my opinion a vital one.

There were two other defects of some significance. The reports from the police and provincial administration tended to remain in two streams and the importance of disseminating intelligence downwards from Nairobi was never fully appreciated. An outstanding example of this failure to appreciate the importance of disseminating intelligence, not only downwards but also upwards, is discussed in fuller detail in Chapter V, paragraph 131. Briefly, on 30th April, 1952, the Director of Intelligence and Security submitted a lengthy and authoritative top secret report on *Mau Mau* to the Member for Law and Order. Although this report was sent to neighbouring territories and to the Joint Intelligence Committee, Middle East, in June, it did not reach Government House until 17th August and was not circulated to the provincial commissioners until 25th September, 1952.

17. But the major misjudgment in this appraisal was that it assumed too readily that the collection and collation of intelligence reports by the Director of Intelligence and Security, and the passing of them into the Central Secretariat, was sufficient. The Director was rarely called upon to assess the full significance of these reports, and he was not in fact the proper person to make such a final assessment.

In effect, the final assessment of these reports was left to the mainly unintegrated efforts of the Attorney-General and the Chief Native Commissioner. This placed an undue strain, if not unfair burden, of responsibility on these two Members who, for reasons which I have touched on above, had to function under certain fundamental disabilities. This appraisal, in brief, failed to realize the paramount importance of a systematic and periodical assessment of reports by a body properly charged with the conduct of intelligence and adequately staffed with those best able to assess the full implication of these reports.

18. I claim no right of discovery here. This very serious deficiency in the Government machine was realized by the Governor very shortly after his arrival in Kenya on 30th September, 1952, to take up his new appointment.

Immediate requirement was advice on the reorganization of the intelligence service and after some interchange of telegrams with the Secretary of State, Sir Percy Sillitoe, Director-General of Security Services in the United Kingdom, arrived in Kenya in November, accompanied by Mr. A. M. Macdonald of the Security Service, to review the machinery for the collection and processing of intelligence. He reported with commendable speed on 28th November and the requisite bodies to collect and process intelligence were set up forthwith.



CHAPTER IV

The Evolution of Kikuyu Political Organizations

PROLOGUE: "*Plus ça change plus c'est la même chose.*"

(Old French proverb.)

1. *Mau Mau*, which first came to official notice under that particular name in 1949, although it had been spoken of earlier, was no new manifestation of Kikuyu subversion. It was the direct lineal descendant of a whole line of Kikuyu political societies, and was the violent manifestation of an anti-European embryonic African nationalism among the most advanced and most intelligent of the tribes in Kenya, a manifestation which had already reared its head in the very early days of government in East Africa. The gradual penetration of the white man in Central Africa, as elsewhere in Africa, was met with a varying reception. Some tribes readily accepted the new order imposed on them; some even welcomed it; others, like the Kikuyu, resisted it firmly. It is clear from the accounts of the early explorers, missionaries and administrators that of all the tribes that lived athwart the main trade routes from the Coast to Uganda, the Kikuyu were the most feared. C. W. Hobley (*Note 1*) who in 1894 was engaged in restoring order among the Kitosh and neighbouring tribes, described the Kikuyu as "a very turbulent and treacherous tribe". This characteristic was, as I have shown in Chapter II, the direct result of the life they had to lead, and should not necessarily be held against them. They, in their forested fastness, were surrounded by, and were at continual war with, the Masai and the Wakamba; their experiences at the hands of the Swahili trade caravans were often unfortunate. They somewhat naturally viewed all strangers with suspicion and within their own country and by their own methods of warfare (*Note 2*) they were a match for most of their invaders, including the Masai. Colonel Meinertzhagen, who served in the King's African Rifles in Kikuyu country in 1902/1903, was an astute observer of human behaviour as well as of nature. (*Note 3.*) He, with his somewhat indifferent troops, reinforced by Masai Levies, was in constant trouble with the Kikuyu, who often gave as good as they received. And in October 1902 he wrote:—

"But the Kikuyu are ripe for trouble, and when they get educated and medicine men are replaced by political agitators, there will be a general rising."

Note 1.—Mr. C. W. Hobley, C.M.G., Administrative Officer in 1890. Retired as Provincial Commissioner.

Note 2.—"The usual Kikuyu tactics were adopted of laying in wait for men going down to water, etc., and killing. In a short time Wilson's position became untenable and in 1891 he evacuated Dagoretti Post, established by Captain Lugard in 1890."

Extract from memorandum submitted by Colonel J. Ainsworth, C.M.G., C.B.E., D.S.O., to the Carter Commission in 1932. (Kenya Land Commission Evidence, Volume I, page 494.)

Note 3.—"Kenya Diary 1902-1906", by Colonel R. Meinertzhagen, C.B.E., D.S.O. Published 1957.

At that time white settlement had barely commenced and had not become a live political issue, although the Kikuyu had already, perhaps rather more by instinct than by reasoning, sensed a possible threat to their future. However, in his final assessment of the Kikuyu made when he left Kenya in March, 1904, Colonel Meinertzhagen wrote:—

“They are intelligent and I can see that with education they will turn out to be a great asset to East Africa, provided we do not let them brood over grievances.”

With the gradual advent of more settled conditions these war-like propensities were lost sight of, and it is important that this early background should be borne in mind as the very generally accepted view that the Kikuyu were cowardly and would not in the last resort take to open armed rebellion was based neither on history nor sound psychology. This in my view was one of the factors which had a very marked effect on the attitude of the Government and others to Kikuyu subversion in the period before the declaration of the Emergency. I shall be dealing with this in more detail in Chapter XVI.

2. The first recognized manifestation of Kikuyu political consciousness was the formation in 1920 of the Kikuyu Association, which in the next year was renamed Young Kikuyu Association, with Harry Thuku as its secretary and prime mover. Members on joining were required to take a solemn oath binding them not to sell their land to strangers. But, as will be noted in Chapter VI, there was nothing sinister in this oath-taking ceremonies conducted openly and in accordance with native law and custom were of frequent occurrence. Although land alleged to have been stolen by the Europeans from the Kikuyu had already become the stock-in-trade for the political agitator, the immediate causes of unrest at that time were the introduction of the *kipande* (the card of employment) and an increase in poll tax, coupled with a decrease in agricultural wages occasioned by the fall in world prices. Unrest due to the latter spread through Nyanza Province and Harry Thuku attempted on the strength of this to form a militant East African Association. But as the Government considered that his activities were “dangerous to peace and good order” he was arrested in March, 1922, and deported to Kismayu (then part of Kenya), although not without touching off a riot in Nairobi, when three Africans were killed. It is significant that during the course of the legal proceedings evidence was adduced by the Chief Native Commissioner that the main theme of Harry Thuku’s movement was—

“to stimulate emnity between black and white and to get the people to consider that they are in a state of slavery which has been imposed upon them by the Europeans.” (Note 4.)

It is a sad commentary that this theme has been, and continues to be, the mainspring, if not the very foundation, of so many of the African political movements. It is also the main theme of the subversive Communist propaganda. During that year a young employee of the Nairobi Town Council, then known as Johnstone Kenyatta, became a member of the Association. (In 1938 he relinquished his baptismal name of Johnstone and adopted that of Jomo, and will hereafter be referred to as Jomo Kenyatta.)

Note 4.—Paper relating to native disturbances in Kenya, March, 1922. Command 1691 (1922), pages 3-4.

3. After this initial setback the Young Kikuyu Association remained inactive for a time but was revived under the name of the Kikuyu Central Association by Joseph Kangethe and Jesse Kariuki, who became its first president and vice-president. It first came into prominence under this new title when, in late 1925 at Fort Hall, it petitioned the Governor, among other requests, for permission for Africans to grow coffee; for the appointment of a Kikuyu paramount chief; for the publication of the laws of the country in Kikuyu and, lastly, for the release of Harry Thuku. (*Note 5.*)

As the main battle cry of the K.C.A. was "to get back the land", it received its main support from the landless Kikuyu in Nairobi and in the settled areas. It was thus by its very nature anti-Government and anti-European, but for the first few years of its existence it managed to present a reasonably constitutional front, as will be seen from the following extract from the Native Affairs Department Report for 1928:—

"It is energetic, virile and enterprising and among its other activities publishes a monthly newspaper in Kikuyu, *Mwigwithania*, the contents of which have been for the most part quite unexceptional and deserving of much commendation."

4. It would be wrong to deny to some of the leaders of this movement all sense of patriotism. They were undoubtedly fired with a desire to help their people and to set right their wrongs, both genuine and imaginary. As I have shown in Chapter II, the stresses and strains which beset a primitive society in transition are very real. The tragedy was that they conceived only one way of achieving their aims, and that was by subversive activities and not by co-operation with the Government. The penchant of the Kikuyu in particular for intrigue may well have been responsible for this attitude. Neither could they resist the monetary rewards which flowed from battenning on the less sophisticated of their people, a failing which, as this historical survey shows, has characterized so many African political institutions, and a failing which has had the obviously undesirable effect of attracting to the movement those whose sole aim was to make a living out of agitation and thuggery. This all too familiar background is shown by the report from the District Commissioner, Nyeri, in 1927 of unrest in his district fomented from the Nairobi branch of the K.C.A.—the familiar pattern of clandestine political meetings held under the guise of religious gatherings, and the collection of funds to support agitation.

In 1928 Jomo Kenyatta joined Joseph Kangethe and Jesse Kariuki at the headquarters of the K.C.A. in Nairobi as general secretary. He also became editor of the Association's journal *Mwigwithania*.

5. For some time many Kikuyu adherents of the various Christian Missions had begun to ask themselves whether the Missions' insistence on monogamy and on the abandonment of certain Kikuyu customs, particularly that of female circumcision, was really essential to the status of Christianity. Polygamy was a common occurrence in the Books of the Old Testament and there was no specific injunction against it by Christ Himself in the New Testament. Moreover, the word for circumcision was translated in the Kikuyu version as *Kurua*, a word which to the Kikuyu covered circumcision of both sexes. There was, therefore, a tendency for indigenous Christian sects to be formed. These sects were also a reflection of the strong nationalist and religious tendencies of the Kikuyu. They were a means of religious expression and communal worship which enabled them to adopt and adapt Christianity while still retaining some of their tribal customs.

Note. 5.—*East African Standard*, 2nd January, 1926. The Association will now be referred to as the K.C.A.

It was against this background that an event took place in 1929 which had a profound effect on the future political scene in Kikuyu country. The Church of Scotland Mission decided to adopt a firm, if perhaps injudicious, stand against female circumcision and laid it down that teachers in its schools should relinquish their employment unless they made a solemn declaration that they had abandoned this practice. This ancient custom, although abhorrent to European thought, was common to many African peoples, and was regarded by the Kikuyu as an essential element in their social customs. A wave of resentment swept Kikuyu country, which led to an outbreak of violence in which an elderly woman missionary was mutilated and murdered. Although the Church of Scotland Mission later modified their views, this pronouncement gave a great filip to the anti-European teaching of the K.C.A. Not only had the Europeans stolen the land, but here was proof that the Europeans, through the Missions, were intent on destroying also one of the very foundations of the Kikuyu tribe. The immediate outcome was the setting up of two separate independent educational bodies—the Kikuyu Independent Schools Association, and the Kikuyu Karinga Education Association. As these Associations arose from a politico-religious clash, so later they increasingly became vehicles for Kikuyu nationalism.

From its inception the Kikuyu Karinga Education Association was in essence a purely secular society under the influence of K.C.A., and hence in general opposed to any form of Government or Mission control. It eventually became completely subservient to Jomo Kenyatta and through its schools and its affiliated African Orthodox Church the main framework on which Jomo Kenyatta organized the spread of *Mau Mau*. On the other hand, the Kikuyu Independent Schools Association, although many of its sponsors were members of the K.C.A., attempted to maintain a religious basis and to follow a non-political course. In this it largely succeeded until the fateful years before the declaration of the Emergency, when it all but succumbed to the onslaught of Jomo Kenyatta. By 1952 K.K.E.A. and K.I.S.A. became virtually synonymous. The history of the growth of these educational associations illustrates so well the unscrupulous financial exploitation of the Kikuyu's ardent desire for education and the dangers inherent in allowing an independent system of schools to develop with no proper supervision, that I have devoted a special chapter to them—Chapter VII.

6. Many Kikuyu witnesses and other have impressed on me the profound significance of this break with the Missions—a significance which, in their opinion, had it been fully recognized at the time by the Government, would have opened its eyes more clearly to the origins of political unrest in Kikuyu country. From 1929 the Kikuyu became a divided people—the Kikuyu Karinga, the traditionalists, who sought to maintain their anti-European attitude by an increasing adherence to Kikuyu customs and traditions, and the Kikuyu Kirore, those who in the main followed the teaching of the Missions and believed that the path of progress for the Kikuyu people lay in co-operation with the Government. The Kikuyu Karinga became progressively more and more anti-European and, as will be seen in subsequent chapters, eventually opposed blindly and destructively almost every reform proposed by Government, even though these were quite obviously of benefit to the people.

7. To return to the political scene, shortly after he became secretary, Jomo Kenyatta rallied members of the K.C.A. to his project of going to the Colonial Office with a petition of Kikuyu grievances and in 1929 he left for England accompanied by Isher Dass, an Indian Elected Member of Legislative Council with Communist affiliations, who had been long connected with the League Against Imperialism. Jomo Kenyatta submitted

a petition to the Colonial Office on behalf of the Association raising the usual points, but included with the demand for direct election by Africans to Legislative Council the remark that "ultimately the number of African representatives in Legislative Council should predominate". Before taking action, Dr. Drummond Shields, the Parliamentary Under Secretary, sought the advice of Government officials and others who were in England at that time, and agreed that Jomo Kenyatta's coming to the Colonial Office over the head of the Kenya Government had created a dangerous precedent, and that his early return to Kenya would be urged. (Note 6.) Although most of the complaints raised in the petition were spurious, some had substance, and the cause of his going to England could possibly have been removed if the Kenya Government had given them some thought. But there was at that time little real opportunity for bringing "political" grievances to official notice and Kikuyu complaints only reached Legislative Council indirectly, more often than not through Indian Members. It was therefore not unnatural that Jomo Kenyatta should have decided to go over the head of the Kenya Government direct to the Colonial Office. Although the Colonial Office took no direct action on the K.C.A. petition, a precedent had in fact been created. I do not suggest that a political body has no right of direct access to the Secretary of State, as this would deny to British subjects the fundamental right of petitioning the Crown. But the fact is that direct access to the Colonial Office through somewhat dubious sympathizers in the United Kingdom became an unwelcome and unsatisfactory feature of political activity, an activity which was much resented by the loyal and more moderate Kikuyu and which tended to inflate the importance of the agitators and which, of course, gave them unrivalled opportunities of exaggerating their own importance in the eyes of their less sophisticated supporters.

To return to Jomo Kenyatta, disappointed at his failure to obtain any direct satisfaction from the Colonial Office, he, with the help of Communist contacts, went to Russia in August, 1929, returning in October. On his return he lost many of his European supporters, including much of the sympathy of the League Against Imperialism. He contributed articles to such respectable papers as *The Times* and such disreputable papers as the *Negro Union*, which produced a most scurrilous and inflammatory article over his name. He next joined the Communist Party and in 1930 attended the Communist inspired International Negro Workers' Congress in Hamburg, proceeding to Berlin where he contacted leading Communists. In September of that year he returned to Kenya and in Mombasa stayed with James Beuttah. He was met at Nairobi by Grace Wahu, his first wife, Jesse Kariuki and George Ndegwa. He was reticent concerning his activities in Britain. However the visit was of short duration. There is no detailed record of how he spent his time in these months, and it was clear that he was anxious to pose as the accepted leader of the Kikuyu people, and that he spent much time collecting funds. But Harry Thuku, although in prison, was still considered the accepted leader, and remained the more influential leader of the two.

In the meantime, the K.C.A. had extended its influence into minor official circles, for it was stated at one of its meetings in 1930, and reported to the C.I.D. at the time, that all Kikuyu clerks in Government offices were prepared to supply the Association with advance information of any developments which might affect it. (Note 7.) The foundations of the

Note 6.—Memorandum by Canon W. J. Rampley (who was present at the discussions) submitted to the Chief Native Commissioner in January, 1954.

Note 7.—In 1939 investigations proved that evasion of the censorship imposed on all mail was facilitated by K.C.A. supporters in the sorting section of the Post Office.

efficient organization of Kikuyu intelligence, which was so effective during the first years of the Emergency, were thus laid early. In this year its president, Joseph Kangethe, was sentenced to two years' imprisonment and a fine of Sh. 150 for organizing a meeting which had been prohibited by a headman.

8. The next important landmark was the release of Harry Thuku from detention at the end of 1930. He had undergone a change of heart and before release had given an undertaking to oppose Government in a constitutional manner only, an undertaking which, to his lasting credit, he has faithfully and conscientiously kept to this day. Harry Thuku contacted Joseph Kangethe and Jesse Kariuki, who were then the protagonists in the political scene, but did not for a time take any active part in Kikuyu politics. His return coincided with opposition to the Government's proposal for suitable delegates to give evidence before the Parliamentary Joint Committee in London, the K.C.A. lodging violent protests against the choice of Chief Koinange, later to be so fervent a supporter of the K.C.A. and of *Mau Mau*, and notable for his intransigent nationalism. At that time Chief Koinange, although "not afraid fearlessly to represent the views of his people when he considered that there was cause for legitimate complaint" (*Note 8*), was the leader of an important body known as the Kikuyu Loyal Patriots. This body was a section of the parent body which had been formed in 1920 as the Kikuyu Association but changed its name in 1931 in order to stress its loyalty and to differentiate itself from the K.C.A., with which it was being confused. Many of its supporters were chiefs and headmen, and it was not unnaturally centred on Chief Koinange's clan lands in Kiambu. Its main, if not sole, concern was the land question. The K.C.A. decided to send its own delegation, and in 1931 Jomo Kenyatta and Parmenas Mukeri visited England and attempted to give evidence for the K.C.A., a visit which, in the case of Jomo Kenyatta, was to be prolonged for 15 years, whilst he represented the K.C.A., and misrepresented Kenya, in Great Britain. (*Note 9*.) With his departure from Kenya the publication of *Mwigwithania* lapsed and George Ndegwa acted as general secretary of the Association. On 16th June, 1932 Jomo Kenyatta gave evidence before the Kenya Land Commission (known as the Carter Commission) in London prior to its departure for Kenya. He spoke as general secretary of the K.C.A.

9. In 1932 Harry Thuku returned to the political scene and in a contested election he became president of the K.C.A., defeating the previous president, Joseph Kangethe. As president, Harry Thuku gave evidence for the Association on 16th February, 1933 (*Note 10*), before the Carter Commission on Land and before the Bush Commission on the Administration of Justice among Africans. He spoke, however, for a body rent by faction; the Association had split into two, as Joseph Kangethe and the much more extreme Jesse Kariuki formed their own faction and expelled Thuku, on the allegation that before his exile he had misappropriated Association funds, and re-elected Joseph Kangethe as president. As a result, in May, 1933, Harry Thuku unsuccessfully sued Jesse Kariuki, the vice-president, for defamatory libel and in June both factions held meetings to crystallize the position, and each faction elected its own president, vice-president and secretary.

Note 8—Provincial Commissioner, Central Province, 1937. Native Affairs Department Report for 1937.

Note 9.—From May to August, 1933, Jomo Kenyatta again visited Moscow and was reliably reported as having attended the Lenin School for Subversion.

Note 10.—Memorandum presented by the Kikuyu Central Association, Nairobi, dated 1st December, 1932. Kenya Land Commission Evidence, Volume I, page 191.

10. Apart from the K.C.A. several other Kikuyu bodies presented memoranda to, or appeared before, the Carter Commission. Most of these represented purely local interests, but two were of some importance at that time. The first was the Kikuyu Loyal Patriots, mentioned in paragraph 8, for whom the main representatives were Chief Koinange and Chief Waruhiu. The second was the Progressive Kikuyu Party, whose memoranda stated that it had been:

“formed in 1928 in order that there might be a political body capable of expressing the views of the large numbers of Kikuyu in Southern Nyeri who hold moderate opinions in matters politically.”

It professed loyalty to the Crown and claimed an active membership of over 200. (*Note 11.*) It came into existence in 1929 under the aegis of, and in support of, the Church of Scotland Mission in its campaign against female circumcision.

11. The storm abated in 1935 when Harry Thuku, realizing that moderation and constitutional methods were an anathema to the irresponsible majority, withdrew from the K.C.A. and founded the Kikuyu Provincial Association (to be referred to hereafter as the K.P.A.), leaving the K.C.A. in the hands of the extremists.

12. During the next four years, until the declaration of the war, the struggle between the newly formed K.P.A. and the K.C.A. continued unabated; somewhat surprisingly the K.P.A. prevailed. From its genesis the K.P.A., which was open to all Kikuyu, adhered to a policy identically opposite to that of the K.C.A., seeking co-operation with the Government and refraining from interference in the affairs of other tribes. This line of conduct was enjoined in an article on its constitution, reading:—

“Every member of the organization will be pledged to be loyal to His Majesty the King of Great Britain and the established Government and will be bound to do nothing which is not constitutional according to British traditions or do anything which is calculated to disturb the peace, good order and government.”

The objects of the K.P.A. were, in brief, advancement of the interests of Kikuyu in Kenya and adjacent territories; negotiation and settlement of differences which may arise between members of the K.P.A. and employers or members of other African associations; and, generally, the power to promote the welfare of members of the K.P.A. These laudable and very proper objectives, which to the impatient and headstrong younger generation appeared anaemic in contrast to the K.C.A.'s full blooded policy of opposition and embarrassment to Government on all issues, regardless of the public interest, were calculated to appeal to the older and more balanced elements in the tribe, but were unlikely to engender universal enthusiasm. As a result, the K.P.A. evoked little support or interest during the first two years of its existence and indeed Harry Thuku, towards the end of 1936, commenced negotiations for a merger with the K.C.A. for, not being devoid of personal ambition, he could not view with equanimity the distasteful prospect of relegation to the political limbo without a following. Fortunately for the infant association his overtures were accepted only on terms with which he found it utterly impossible to comply. These were that he should refund the money he was alleged to have appropriated before he was exiled. His rejection of the insulting conditions proposed by his opponents heightened his prestige among the moderates and his struggling body assumed lustier proportions.

Note 11.—Kenya Land Commission Evidence, Volume 1, page 102.

13. In the meantime, the leaders of the K.C.A., being relieved by Harry Thuku of the incubus of moderate opinion, set about their self-appointed task of opposing Government when and where suitable opportunities presented themselves. Its newspaper *Mwigwithania* was revived on 1st June, 1935, and the Association then commenced agitation in support of the Tigoni squatters, who were reluctant to move to an area reserved for them, sending a petition to the Secretary of State in support of their defiance of Government orders. At the end of the year a colourful, if somewhat bogus, character appeared on the scene. Acting under the auspices of the Kikuyu Independent Schools Association, Jesse Kariuki brought "Archbishop" William Daniel Alexander, the self-styled primate of the African Orthodox Church of South and East Africa, to Kenya. I have mentioned in paragraph 6 above the growing tendency among some Kikuyu towards separatism in religious and educational affairs and the main object of this visit was to establish the embryo Kikuyu African Orthodox Church on a sounder footing, and to give a semblance of episcopal respectability to the hierarchy of the clergy. During his 18 months in Kenya "Archbishop" Alexander associated almost entirely with prominent K.C.A. members and his actions consequently became subject to the surveillance of the C.I.D., but he managed to keep out of the political limelight, and in fact the District Commissioner, Fort Hall, considered that his presence was beneficial to the peace of the district. After a year of intensive baptism in the reserve the flow of converts commenced to dwindle, with adverse effect on the episcopal stipend. He transferred his efforts to Kikuyu squatters in the Rift Valley and endeavoured with little success to replenish his coffers by increasing the baptismal fee from Sh. 2/50 to Sh. 5. On 7th July, 1937, he disappeared unobtrusively from the Kenya scene, leaving behind him four "priests" whom he had "ordained". His designated successor, the "Rev." Arthur Gatundu Gathuma, whom he had chosen from the ranks of the Kikuyu Karinga Education Association, was a prominent member of K.C.A. and virulently anti-British. The seeds of dissension had been sown and within a year the "Rev." Daudi Maina and the other two ministers who were, like the majority of the Kikuyu Independent Schools Association, moderate in outlook, seceded and founded a new body, the African Independent Pentecostal Church, allied to the Kikuyu Independent Schools Association. From then onwards the Orthodox Church became more intensely Kikuyu and by the time the Emergency was declared Jomo Kenyatta had become its deity. The African Independent Pentecostal Church managed to maintain an essentially Christian background. For fuller details see Chapter VII.

14. During 1936 the K.C.A. intensified its efforts to collect funds for the ostensible purpose of sending youths to England for overseas education and to deflate Jomo Kenyatta's mounting indebtedness. Using its usual, if unavowed, policy of opposition to all Government measures, it agitated against the Tana Electric Power Scheme, regardless of its potential benefit to the Colony's economy. It was also particularly active in infiltrating the Laikipia District, where it was noted that many members were seeking and accepting positions as overseers and teachers without particular regard to the emoluments offered. At that time it was still far from strong, and although it had branches in Thika, Fort Hall and Nyeri, and small cells in the European areas, it functioned generally from the Nairobi Headquarters which were a focus for detribalized politicians with nothing to lose by preying on their uneducated and gullible fellows. In 1937 a branch was opened at Limuru, the first known branch in the Kiambu District, with a view to prolonging resistance at Tigoni and to provide legal advice on payment. This afforded a useful source of income to the local committee, including George Ndegwa who, having deserted Harry Thuku, became the secretary of the new branch.

15. But progress was considered to be too slow and in 1938 the K.C.A. was reconstituted under the same president and vice-president, with George Ndegwa as acting general secretary—locum tenens for Jomo Kenyatta in England—and Job Muchuchu as treasurer, and a campaign for increased membership was put in train. The new body commenced operations with a recorded membership of 286 in May. This had risen to 1,201 in June and 1,919 in March, 1939. Its professed target was a membership of 10,000. Pursuing its policy of embarrassing Government by all convenient means, this group next decided to interfere actively in the affairs of other tribes.

In the Machakos District a serious situation was arising among the loyal Kamba tribe as a result of the Government's decision that the reserve must be destocked of thousands of head of useless cattle. Agitation against this very necessary measure was being fanned by a small group of Kamba agitators with whom the K.C.A. made common cause. In July, 1938, 1,500 Kamba tribesmen marched on Nairobi in protest against this destocking policy. The Indian, Isher Dass, mentioned above, acted as a go-between between their leader and the officials. After further trouble in the Kamba reserve, Government thought it advisable in September to deport to Lamu its leader, Samuel Muindi, an ex-policeman. In 1939 the Kamba members of the K.C.A. formed their own political body under the title of the Ukamba Members Association. As this body included only uninfluential Kamba agitators repudiated by their tribe with its long tradition of loyalty, and used the same post box and offices as the K.C.A., it was obvious it was merely an extension, and entirely under the control, of the Kikuyu parent body.

Dissatisfaction over land problems in the Taita District also invited attention and contact with the Taita agitators followed, these being duly enlisted in the K.C.A. ranks. Encouraged by his success in securing a precarious footing for his association among these tribes, Jesse Kariuki, still the dominating personality in the K.C.A., then visited Kisumu in an endeavour to start a parallel organization among the Nyanza people, but his overtures were rebuffed. (*Note 12.*) The K.C.A. had also begun to interest itself in the growing movement for the establishment of trades unions, and it was known that it took a leading part in inciting labour troubles in Mombasa which led to the strike in 1939.

16. Towards the end of the inter-war period solid if slow progress had taken place in the Kikuyu reserve and, in spite of the more determined efforts on the part of the K.C.A. to spread its influence, the more modest shades of opinion represented by the K.P.A. were in the ascendant. This was attributable to two factors: firstly, the K.P.A.'s policy of constitutional approach was considered more conducive to the successful settlement of grievances in the reserves than the precipitate and ill-judged methods adopted by the K.C.A.—a contributory factor of great importance was that the reserves were not at that time riddled with a subversive Press; and, secondly, the personal appeal of the president, who had already demonstrated his loyalty to the Kikuyu cause by suffering imprisonment, and his ability as an outstanding practical farmer. The K.C.A. was however gaining some ground, particularly in Kiambu District and, what was more sinister, in the

Note 12.—In 1923, with Government encouragement, Archdeacon Owen, Church of England Missionary, formed the Kavirondo Taxpayers Welfare Society in an endeavour to canalize political unrest in Nyanza Province into constructive channels. But the deep-seated Bantu-Nilotic rivalry soon raised its head, and by 1925 it was found necessary to divide the K.T.W.S. into Bantu and Luo branches. This split was emphasized in 1934 when a predominantly Bantu North Kavirondo Central Association, modelled on the K.C.A., appeared on the scene. The K.T.W.S. became increasingly a Luo organization.

settled areas through its control of the Kikuyu Karinga Schools. And its increasingly subversive activities had come under the scrutiny of the C.I.D., which was then responsible for political intelligence.

17. The commencement of hostilities in 1939 afforded the K.C.A. extremists their long sought for opportunity of participating in active measures to free themselves from the burden of British domination. Though the Association sent a lukewarm promise of co-operation to the Government this was a mere façade, as it did not pledge loyalty to the Crown and, in fact, took all steps within its power to aid the enemy and follow its own disruptive aims. On the other hand, Harry Thuku scored heavily over his opponents by openly denouncing them as disloyal and by forwarding a resolution from the annual general meeting of the K.P.A. to His Majesty's Government pledging its loyalty and support. It is of interest to note that at a public meeting held at that time Harry Thuku warned Peter Mbiu Koinange, who was becoming involved in the K.C.A., though professedly an educationalist, to concern himself solely with education and eschew politics. Peter Mbiu Koinange, the son of Chief Koinange, had recently returned from America and had founded the Kenya Teachers' Training College at Githunguri, which was later to become the storm centre of the Kikuyu political scene. (*Note 13.*) The K.P.A. further underlined the gulf existing between it and the K.C.A. by its wholehearted approval of the Kenya (Native Areas) Order in Council 1939, which was bitterly resented by the K.C.A., and by generous contributions to the War Welfare Fund, both from its own resources and from the unsolicited contributions of individual members.

18. During the earlier months of 1940 the K.C.A. became more openly subversive and, through its many cells in the settled areas of the Rift Valley and Central Provinces and a new but flourishing branch in Mombasa, it endeavoured to persuade the populace that the war news disseminated by the Government was false, making every effort to induce a distrust of wireless bulletins, one of the Government's principal media for keeping the African abreast of world events and supporting his morale. Disquieting but well founded reports disclosed that in those areas of the reserves where the K.C.A. was firmly established, large quantities of native weapons were being manufactured or imported from the Kamba, with a view to resisting conscription should this be imposed. These arms were also intended for use in support of any invasion which might be launched from the north for, as it later transpired, the K.C.A. was in touch with Italian agents as possible allies.

It is neither necessary nor perhaps appropriate to give in detail the increasing amount of evidence which came into Government hands, nor the sources of that information which came both from without and within the K.C.A. itself. But this culminated in May, 1940, with information that the K.C.A. leaders were visiting the Italian Consulate. The Italians were of course at that time neutral, but distinctly unfriendly. Furthermore, in areas of the Kikuyu reserve where the K.C.A. had support, e.g. Kiambu, prayers for a German victory were openly offered by its supporters.

19. The time was now judged ripe for drastic counter-measures, and under Government Notice 465 of 30th May, 1940, the K.C.A. was declared to be an illegal society. At that time it claimed a paid-up membership of

Note 13.—Peter Mbiu Koinange was born about 1902, and spent from 1927 to 1935 in America, where he took a B.A. degree at Ohio Wesleyan University, and an M.A. degree at Columbia University. In 1936 he took post-graduate studies at St. John's, Cambridge, and in 1937/1938 studied for the London University Teacher's Diploma, but failed. On his return to Kenya he was a close associate of the K.C.A. leaders, Jesse Kariuki and George Ndegwa. See also paragraph 23 of this chapter, and Chapter VII on the Kikuyu Independent Schools.

about 7,000. Twenty of the leaders were arrested, including the chief agitators of the Ukamba Members' Association and the Teita Hills Association, and the headquarters offices at Badru House, Government Road, Nairobi, were searched and closed. In justification of this action, if anyone needed it, Government was in a position to prove—

- (a) that the K.C.A. had introduced a secret oath describing the British as the enemy and had attempted to arrange that Government servants taking this oath, which was of course incompatible with allegiance to the Crown, should do so under a pseudonym;
- (b) that the K.C.A. was in illegal possession of Government documents;
- (c) that it had issued false and misleading publications regarding destocking, alleging that Government was concerting wholesale slaughter of stock, and thereby attempting to subvert the loyalty of members of H.M. Forces, particularly those recruited in the Kamba areas;
- (d) that the leaders of the K.C.A. were in contact with the King's enemies or potential enemies.

Though a considerable quantity of papers was removed from the Association headquarters, little documentary evidence was discovered which could be adduced in support of the charge of consorting with the enemy. When Badru House was searched the files for 1938 and 1939 were found scattered in chaotic disorder and all the 1940 files were missing. There are grounds for believing that the latter, after many vicissitudes, were finally burnt in Nyeri in 1941. Among other interesting discoveries were papers revealing Chief Koinange's intimate association with the K.C.A. Investigations into the Association's affairs disclosed that no accounts had been kept and that no assets existed. The Secretary, Jesse Kariuki, appeared to have held virtual control over all funds, including donations solicited for the upkeep of the Teachers' Training College at Githunguri.

20. The proscription of the K.C.A. in May, 1940, at first brought a shadow of disquiet and apprehension over the minds of many of Harry Thuku's less intimate adherents. It was feared that the K.P.A., also a political body, although adopting very different methods, might meet a similar fate. Harry Thuku immediately countered these misgivings by the issue of a communiqué to his followers advising them that they were in no way implicated and should continue to carry out the Association's policies calmly and without heed to false rumours, resting secure in their fundamental loyalty to the Government. At the annual general meeting in September, 1941, the K.P.A. passed a resolution in favour of soil conservation to which it pledged its full support, and also drew attention to several grievances in a very reasonable manner, as it was fully entitled to do, incidentally voting a donation to the War Welfare Fund. With the eclipse of the K.C.A., the Association had extended its membership and was able to construct and open new offices in Nairobi.

21. The reaction of the Kikuyu to the proscription of the K.C.A. was generally favourable and the war period saw little political activity. Many Kikuyu joined the Army in non-combatant units and most were busy and contented making money. But it was hardly to be expected that the K.C.A., although proscribed, would disappear from the political scene, and as early as February, 1941, a secret intelligence summary noted that a secret executive of five had been appointed to keep the Association in being until more favourable times. Throughout 1942 and 1943 it remained comparatively torpid, but a few secret meetings were convened under cover

of a business concern conducted by Solomon Memia, a former member of the K.C.A. executive committee, and known as the Kikuyu Farmers and Traders Association. And it received an infusion of energy on the release of a number of its former leaders towards the end of the latter year, the remainder being set at liberty in November, 1944. These releases were of course warmly welcomed by the faithful few and were followed by assertions from Joseph Kangethe and Jesse Kariuki that it was their intention to reorganize the K.C.A. once again.

22. Towards the end of 1943 the representation of Africans in Legislative Council became a burning issue, and several prominent Africans, including known adherents of K.C.A. policy, cast themselves in the role of embryonic statesmen. One of these was Peter Mbiu Koinange, mentioned in paragraph 17 above, whose petition, endorsed by signatures of his supporters, eventually reached the Secretary of State. In the event, Eliud Mathu, a well educated Kikuyu, was nominated as the first African Member of Legislative Council in 1944. The K.P.A. promptly offered him the use of their new offices free of charge for six months. This nomination led to the first sustained effort of the Africans to create a "congress organization" to cover the Africans of the whole Colony, and was an important landmark in the political evolution of the African in Kenya. Eliud Mathu, feeling the need for a political organization to support him in Legislative Council, and no doubt following the similar pattern of European and Indian congress organizations, formed the Kenya African Study Union as a forum of all shades of articulate African opinion unhampered by the bounds of tribalism. Its aims as originally declared were:—

(a) To unite the African people towards an African nation.

(b) To foster the social, economic and political interests of the African.

At its second Annual Delegates' Conference held in 1946 it changed its name to the Kenya African Union (to be referred to hereafter as the K.A.U.) Harry Thuku was appointed chairman of this new Association, but his tenure of office was all too short.

23. With the end of the war, the never-ending struggle between the moderates and the extremists was renewed with greater intensity. The ex-K.C.A. leaders who had recently been released were not slow to recognize the potential value of this new organization, and very soon after his return from detention, Job Muchuchu, the former treasurer of the K.C.A., advised his audience at a secret meeting held in Fort Hall to support the Kenya African Study Union, with the obvious intention of subverting it. These leaders found a much more favourable atmosphere for agitation. Thousands of the younger generation of Kikuyu, many of whom had travelled far afield and had tasted some of the less respectable fruits of civilization, had returned to their country. The bonds of tribal discipline, which even before the war were loosening, now meant little to them. Harry Thuku was much too moderate in his views. He was also considered by many Africans, and particularly by the leaders of the K.C.A., to have betrayed their cause and, after only three months of office, he resigned the chairmanship of the Kenya African Study Union and his place was taken by James Gichuru, a prominent member of K.C.A. Though his personal ascendancy and his influence in his own Association (the K.P.A.) had passed their zenith, Harry Thuku was still a force with which to reckon, for in 1945 it became known that the K.C.A., already insinuating itself into the Kenya African Study Union, was plotting his assassination. But signs of a decline gradually became apparent, and more and more members of the K.P.A. were unable to resist the rising tide of subversion. Though

remaining a member of the K.A.U., and in touch with the more moderate leaders, Harry Thuku was progressively eclipsed by a newer generation of politicians. The K.P.A., however, continued to exist and, as will be seen later, bravely opposed *Mau Mau* by all the means at its disposal, and it remained a rallying point for those more elderly Kikuyu who realized the basic evil of *Mau Mau*.

24. The K.A.U. leaders were now faced with the necessity of proving in a successful political organization that there was a "community" to represent. For them, as Eliud Mathu told the 1946 conference, it was necessary to forget tribal differences—no easy matter in Kenya with its many and differing tribes, and this problem was made no easier by the fact that even at that stage K.A.U. already appeared to many as a Kikuyu body—the K.C.A. in a new guise. In that year, however, a new and powerful influence appeared, or rather reappeared, on the scene. In 1945 Jomo Kenyatta, who had spent the latter years of his sojourn in England in semi-retirement, applied to the British Government for permission to return to Kenya. This was reluctantly granted, as it was legally impossible to forbid his return, and he eventually arrived at Mombasa in September, 1946, accompanied by the well-known Uganda agitator, Semakula Mulumba (Note 14), having left his European wife in England. He was met by Peter Mbiu Koinange. Shortly after his arrival he made immediate contact with his old K.C.A. associates. He also called on the Governor, saying that he wanted to take an active part in public affairs, and hinted that he should be nominated immediately as the African representative of Legislative Council. The Governor suggested that as he had been away from Kenya for so long, he should begin by making a start in local government. He did not pursue this suggestion. (Note 15.) Was this the time that Jomo Kenyatta made a final decision to devote his energies and not inconsiderable gifts in relentless opposition to the Government? Was this the point of no return? This is perhaps an idle speculation, though not without interest, as Special Branch at that time received reliable information that his close ex-K.C.A. associates were apprehensive that he might desert to the Government side and they discussed compelling him to take the all-powerful *thenge* oath as a proof of anti-Government intentions. Whether he took this oath or not, or whether it was even necessary, will never be known. What is known is that his immediate actions showed quite clearly that he intended to oppose Government. In one of his first private speeches, reported by Special Branch, he announced that he disliked Europeans and Indians and that in the course of time they would all be removed from Africa. He set to work with commendable speed and as early as 28th October, 1946, the District Commissioner, Fort Hall, reported as follows to the Provincial Commissioner, Central Province:—

"During the last three months there has been a marked deterioration in the morale and discipline of this district.

The main cause of this appears to be the return of Jomo Kenyatta to the Colony, which has been hailed by the African Press, and his starting up again, in a most virulent form, the activities of the K.C.A. It is clear that a heavy tide of subversive propaganda,

Note 14.—Semakula Mulumba, a Muganda, was later to conduct the Bataka subversive movement in Uganda from the safety of Hampstead Gardens, London, by making full use of His Majesty's mail.

Note 15.—*African Afterthoughts*, by Sir Philip Mitchell, page 259. Further efforts were however made to interest him in some constructive work, and in March, 1947, he was appointed to the African Land and Utilization Board. He was a regular attendant, but his contributions to the deliberations of this Board, although showing notable political acumen, were rarely constructive, and he resigned in June, 1949. He did, however, attend, by invitation, one meeting of the reconstituted Board in May, 1950.

which includes strong anti-European feeling and encouragement to flout the authority of Government and local authorities, is flowing from Nairobi to the Kikuyu districts.

It is known that the old leaders of the K.C.A. in this district, namely Jesse Kariuki, Joseph Kangethe, Job Muchuchu, James Beuttah and Henry Kiiru, are again taking a very active part in fomenting this political unrest."

25. The history of K.A.U. during the next few years from 1947 until the declaration of the Emergency in 1952 is the history of the continuing struggle for power between the moderates and the extremists on its executive committee; this in effect, although probably not within the original intentions of the leaders themselves, resolved itself into a struggle between the Bantu Kikuyu and the rest. There were some Kikuyu on the side of the moderates, notably Eliud Mathu, but the seal on the future was firmly set when Jomo Kenyatta was elected president of K.A.U. on 1st June, 1947. I do not intend in this chapter to deal with the detailed history of the internal intrigues that went on in K.A.U., as much of this will be covered in Chapter V, where I shall, by quotations from actual reports submitted to the Government, show the gradual but inexorable build-up of *Mau Mau* under the seemingly respectable façade of K.A.U. I shall, however, complete this chapter by giving the broad outlines of its gradual evolution from a well-intentioned forum of African opinion, which had the tacit sympathy of Government, to a mere undercover shell for subversion—a form of evolution which appears so often to be the fate of African political organizations. In Jomo Kenyatta and the K.A.U., all the Kikuyu organizational strands eventually met—independent schools; the Teachers' Training College at Githunguri; age-group organizations; ex-soldiers' associations; trades unions; and, lastly, the K.C.A. But in the earlier days they were often reported on and treated as separate entities or manifestations of political unrest. In this way there was a tendency for their true import as part and parcel of the broader picture of subversion to be missed. This is of some importance and was, as I shall mention in my final chapter, one of the many factors which in my opinion had its effect on the delay in the declaration of a State of Emergency. Although many reports from many quarters stressed the fact that K.C.A., *Mau Mau* and eventually K.A.U. were indistinguishable, had there been a properly constituted body to assess the true import of these various facets of subversion a truer overall picture of the final objectives of all this subversion might have emerged.

26. As Jomo Kenyatta had now emerged as the central figure it will be convenient at this stage to discuss very briefly some of the sources of his strength and the methods he adopted to achieve his aims, which were synonymous with those of K.C.A. formulated in the years before the war. (See paragraph 14 above.) In brief, these were the elimination of European and Indian influences in Kenya and the setting up of an all-African state. He arrived back from his long sojourn of 15 years abroad supremely confident of himself. He had a commanding and magnetic personality, and in the inner circles of K.A.U., which he dominated, he was dictatorial. As a mob orator he was without equal at that time and with great skill suited his words to his audiences. He often made constructive speeches but was also an adept in cloaking his inner intentions in such a way that the meaning, while abundantly clear to most of his audience, was sufficiently "safe" and vague to escape action by the authorities. Although he was fully aware that his movements and speeches were being watched, he was probably not always aware of the extent of this coverage. This is borne out by evidence I have received from a source independent of Government. Most of his public speeches were covered either by a reporter from *Baraza* or a locally appointed agent, and Jomo Kenyatta was well aware

when this was the case. But on some of the occasions, when he was making speeches to a more select audience, *Baraza* would receive a report from one of those present who, no doubt, for some local or personal reason, had some axe to grind. After a time a very distinct pattern arose. The former speeches were on the whole guarded and often constructive, but the latter were as often as not plainly subversive. (*Note.*—The attention of Government was drawn to this in 1951.) His command of English was excellent and he was fully conversant with the modes of British thought, not excluding the great and almost fanatical respect paid to freedom in all its forms and to the law, both of which, with calculated cunning, he exploited to further his own ends. Some time before the Emergency he confided to a friend of his, who must for various reasons remain anonymous, the two important precepts, among others, which guided his actions. Firstly, it was easy to deceive the white men in their courts of law as they only trusted the written word or evidence of an eye-witness: therefore, commit nothing to writing and make certain that illegal acts were only done in the presence of those who could be fully trusted. The second was Machiavellian in its simplicity: in speeches on the aspirations of Africans always mention the word “democracy” as this word was dearly respected by Left-wing sympathizers in the United Kingdom. He also had a full knowledge and understanding of the psychology of the Kikuyu and was able to blend the technique of revolution, undoubtedly learnt while he was in Russia, with an appeal to superstition and to the strong sense of tribal destiny which the Kikuyu possessed. In this way *Mau Mau* gradually but inexorably assumed the character of a tribal religion, albeit a religion based on evil, which bore remarkable resemblance to the witchcraft and black magic practised in Europe during the Middle Ages. (*Note 16.*)

27. There is no doubt that the ideal for which he aimed was first and foremost the growth of K.A.U. as a strong political organization covering the whole of Kenya and once this had been achieved he would emerge as the African leader of an all-African Kenya, in which the Kikuyu would be the dominant influence. A start had to be made somewhere and to achieve his objects it was essential that he should gain full control of the Kikuyu and have the Kikuyu reserves solidly behind him as a base for operations. He therefore set about strengthening K.A.U. and dominating the Kikuyu simultaneously.

With the first object in view the constant theme in all his speeches, and one to which there could be no possible objection, was the importance of the adage that “strength could only come through unity”, and that all Africans must therefore support K.A.U. But there was another all important reason for supporting K.A.U. Jomo Kenyatta’s ultimate objectives, which he knew could only be achieved by subversion, had to be achieved in secrecy, but he and his associates had to work in the open. It was therefore of the utmost importance that K.A.U. should continue to present to the outside world the appearance of a properly constituted body representative of all Kenya African opinion dedicated to achieve the legitimate national aspirations of the Africans by constitutional means. This was necessary, not only to avoid conflict with the Government, but also to mislead liberal opinion in the United Kingdom and, last but not least, to retain, as far as it was possible to do so, the allegiance of the more moderate African opinion, not only among the Kikuyu, but also among the other tribes. This general line of conduct is not, of course, uncommon in the evolution of rebellion, but it needs great skill and firm leadership. In his objective of

Note 16.—*The Psychology of Mau Mau* by Dr. J. C. Carothers. (1954.) Dr. Carothers makes the interesting observation that these outbreaks became more pronounced in the middle of the 13th Century and at the end of the 17th Century when the Christian faith was on the decline. Many Kikuyu were at that time beginning to doubt the Christian faith.

building up the façade of K.A.U., Jomo Kenyatta was largely successful, as K.A.U. was not finally banned by Government until 8th June, 1953. He all but succeeded in ranging the Kikuyu behind him and behind the façade of K.A.U., and would almost certainly have done so, but for the small minority of Kikuyu who, with the utmost bravery, withstood the onslaught of intimidation and murder which preceded the declaration of the Emergency and continued to do so for the duration of the Emergency. (Note 17.) He, however, failed to build up K.A.U. as an all-African union—by a combination of circumstance and his own personal failings. This latter failure might not have jeopardized his final plan had the rebellion been successful. His twin Achilles heels were the stand made by those loyal and predominantly Christian Kikuyu who foresaw the ultimate disaster of domination by the atavistic *Mau Mau*, and his autocratic bearing which antagonized the leaders of the other tribes.

28. In the preceding paragraph on the ultimate aims of Jomo Kenyatta I have, to some extent, departed from my accepted practice in this first part of the historical survey of basing my remarks on facts which were in the possession of the Government at the time. Although much of what I have written was in fact known or suspected by Special Branch and the Administration, and reported to Government before the Emergency, it is mainly against the background of what actually happened in 1951 and 1952 that there appeared a reasonably coherent picture of these aims. (Note 18.) My excuse for so doing is that I hope it will enable the reader to follow more clearly the political and personal manoeuvrings which took place in the hierarchy of K.A.U. during these years. And it is important to bear in mind that the K.C.A., although an unlawful society, continued to function as an entity within K.A.U., and was synonymous with *Mau Mau*.

29. Shortly after the assumption of the presidency of K.A.U. by Jomo Kenyatta in 1947, his dictatorial attitude caused the defection of an influential member from Nyanza, W. W. W. Awori, who resigned his two posts of general secretary and editor of its paper *Sauti ya Mwafrika*, and who was opposed to Jomo Kenyatta's obvious efforts to resurrect the K.C.A. His resignation was not at first accepted, and he did not finally leave K.A.U. until early in 1948. This break was unfortunate for the Union and at a mass meeting held at Kakamega in July, attended by Eliud Mathu, attempts were made to form branches of K.A.U. throughout Nyanza, but they never took root as K.A.U. was already suspect in that area as a purely Kikuyu organization. At meetings of local K.A.U. committees in the settled areas of the Rift Valley Province held at that time it was announced that any Kikuyu failing to subscribe to Githunguri College would be fined by the K.C.A., and his fine handed over to the College. But the overt references to K.C.A. both in the vernacular press and verbally, alarmed Jesse Kariuki, who warned members to be more guarded in their utterances. The only noticeable effect of Kariuki's warning was the adoption of pseudonyms such as *Andu a Ndemwa Ithatu*—"The People of the Three Letters". In the secret ceremonies which started about that time, oaths were often administered in the name of "The People of the Three Letters". The recipients of these oaths could interpret this variously as K.C.A., K.A.U. or *Mau Mau*.

Note 17.—Another decisive factor in the defeat of *Mau Mau* was the dogged bravery of the isolated European farmers, men and women, who for more than three years guarded their farms from the ever present danger of fanatical *Mau Mau* gangs. They refused to leave, although many were murdered.

Note 18.—Secret report on *Mau Mau* by the Director of Intelligence and Security of 30th April, 1952. (Chapter V, 126, 129.) Top secret letter from the Commissioner of Police to the Member for Law and Order of 14th July, 1952. (Chapter V, 139.)

30. George Ndegwa, the secretary of K.C.A., who had failed to take Kariuki's warning to heart (*Note 19*) next perpetrated a gaffe, which was to cost him dear, by writing to the Registrar-General on 21st June, 1948, applying for the registration of the K.C.A. newspaper *Mwigwithania*, and signing himself as "Secretary, Kikuyu Central Association". That this was not an isolated incident arising from K.C.A. "redivivus" is demonstrated by a subsequent letter written by the same man convening a meeting at Uplands on 15th August, 1948, also signed as "Secretary of the Kikuyu Central Association". Ndegwa was arrested, charged with being a member of an illegal society, and sentenced to a year's imprisonment. Documents found in his possession indicated that there were at that time 17 branches of this illegal society functioning early in 1948 and these documents also corroborated the very close contact between it and K.A.U. That the association was rapidly expanding was further demonstrated at a meeting in September of Kikuyu residents in South Nyanza, when no less than 173 persons freely admitted membership of the society to the district commissioner. Joseph Thuo succeeded Ndegwa as secretary of K.C.A.

31. At the fourth annual conference of K.A.U., held on 4th July, 1948, Jomo Kenyatta, having been re-elected president, calmly announced that the other officers would be chosen by a committee of branch chairmen who were, almost without exception, members of K.C.A. He wished to maintain the façade of a multi-tribal union and the obvious reason behind this manoeuvre was to ensure that the non-Kikuyu members would, as far as possible, be persons to his liking. He announced the names of these office bearers on 9th September. Although only three of them were Kikuyu, the affairs of the central committee were dominated by the Kikuyu—Jomo Kenyatta, ex-Senior Chief Koinange, Mr. Eliud Mathu, an uneasy partner, and Jesse Kariuki. The latter, who was also vice-president of K.C.A., was at that time appointed travelling inspector and executive officer of K.A.U., a post which afforded an admirable disguise for active operations on behalf of K.C.A. and the foundation of new branches. Throughout this year the central committee continued, however, to present a reasonably constitutional front, the main activities of K.A.U. being centred on the work of the more subversive district committees. Another reason for the slackening of K.A.U. activity was the absence in Europe of Peter Mbiu Koinange: he returned to Kenya on 26th December.

32. From 1949 onwards the K.A.U. central committee continued to be dominated by its Kikuyu members, all of whom were members of the unlawful K.C.A., and K.C.A. itself was emerging as the highly subversive *Mau Mau* association. The K.C.A. oath included an injunction to withhold all information on K.A.U. and, as events in 1950 show clearly, this oath and that of *Mau Mau* were indistinguishable. In addition to the high level conclaves, the squatter unrest still simmering in the Rift Valley engendered numerous branch meetings. The Association was rapidly gathering strength, and by April, 1949, some 80 branches were known to exist. At this juncture, Government decided to act in the hope of obtaining concrete evidence against the managers, but a search of their homes produced nothing relevant, merely making them more cautious, for they issued instructions that all future communications on K.C.A. business should be oral only (Chapter V, 43).

In June it became apparent that the K.C.A. was in communication with the leaders of the extremist Bataka movement in Uganda and, to

Note 19.—Jomo Kenyatta also failed to take warning, as among the papers found in his possession at his arrest on 20th October, 1952, was a copy of a letter dated 24th July, 1948, addressed to the "Leaders of the K.C.A." and signed "Your leader, Jomo Kenyatta".

further the common cause, was engaged in planning a general strike, timed to coincide with an outbreak of violence in the Protectorate, with the object of pinning down reinforcements from Kenya. An immediate demonstration of land and air power convinced the leaders that active interference in this direction would be futile.

Ndegwa returned to the scene in August, but in no chastened frame of mind, for, on being welcomed by Kenyatta, he announced his intention of persisting in the fight for freedom.

Although the presence of non-Kikuyu on the central committee tended to moderate its public pronouncements, the speeches at K.A.U. meetings in the districts of the Central Province and the settled areas of the Rift Valley Province were becoming increasingly bold and subversive, with the general theme of "the stolen lands" and the eviction of the Europeans from Kenya constantly being stressed. And, in spite of the efforts of the district commissioners to seek their co-operation, the branch K.A.U. officers became increasingly destructive. But K.A.U. had not yet achieved a stranglehold on the reserves. As the Provincial Commissioner, Central Province, stated in his annual report for this year:—

"It is pleasing to record how little headway they made, and that sounder and more moderate elements were in the ascendancy, on whose efforts much of the progress recorded in this report is based."

33. At the fifth annual conference, held on 30th October, 1949, Tom Mbotela was somewhat surprisingly appointed vice-president. In the previous year he had been a trustee and in 1946/47 he had occupied the post of assistant editor on the K.A.U. newspaper *Sauti ya Mwafrika*. He had no particular tribal affinities (his father was from Nyasaland and his mother a Mkamba), but he was a person of some local consequence, being the K.A.U. representative on Nairobi African Advisory Council, and was known to hold moderate and constitutional views. These were shown at a large public meeting of K.A.U. held in Nairobi on 5th February, 1950, where he stated that the aim of the K.A.U. should be:—

- (a) To unite the Africans in Kenya.
- (b) To prepare to defend all Africans in Kenya.
- (c) To fight for the African in education, labour and housing matters, and for freedom in the Press.
- (d) To fight for equal rights with the European.
- (e) To fight for freedom of speech.
- (f) To fight for universal franchise.

These aims could be accomplished if the leaders of the Union were united, but must be sought through non-violence and full co-operation with the Government. While the aims were those of Jomo Kenyatta, the method of achieving them was definitely not, and it can only be assumed that Jomo Kenyatta acquiesced in this appointment as he wished to maintain the façade of constitutional respectability. But this appointment heralded the beginning of a two-year struggle between Jomo Kenyatta and Tom Mbotela, which was so soon to begin, and which did not end until Tom Mbotela was assassinated by *Mau Mau* gunmen in the native location of Nairobi on 26th November, 1952.

34. Early in March, 1950, the East African Trades Union Congress, under the leadership of Fred Kubai and Makhan Singh, an Indian Communist, who was the prime mover, was planning a boycott of the civic

celebrations which were to be held during the visit of their Royal Highnesses the Duke and Duchess of Gloucester, to present the Royal Charter at the end of March, raising the status of Nairobi to that of a city. Fred Kubai, the stormy petrel of the highly subversive trades union movement, was a prominent member of K.C.A. and the accepted leader of the strong arm "Forty Group" (see Chapter V, paragraphs 12, 51 and 61). The report of this intended boycott caused the K.A.U. central committee to define its position and, at a meeting on 7th March, not attended by Jomo Kenyatta, it issued a Press communiqué under the authority of Mr. Eliud Mathu, Tom Mbotela and Joseph Katithi, which stated that the K.A.U. had decided to make it public that it disassociated itself from such a boycott. This communiqué was obviously not to the liking of Jomo Kenyatta and, in an interview with the *Daily Chronicle*, an Indian newspaper which supported Makhan Singh, he repudiated the communiqué and summoned with Tom Mbotela and Joseph Katithi to explain their actions. Tom Mbotela's retort was that he was not rich enough to take a taxi to Githunguri to discuss every issue that arose. Jomo Kenyatta was, however, in a quandary and, after representations by Mr. Eliud Mathu that unless the whole Union stood by the communiqué a split was inevitable, he agreed at a mass meeting of K.A.U., to be held on 15th March, to say that the African did not want Indian domination, but, when the time came, he avoided this embarrassing statement, which was hardly surprising in view of the indebtedness of the Kenya Teachers' Training College at Githunguri to Indians. Instead, and addressing his remarks directly at Fred Kubai and John Mungai—another so-called trades union leader—he accused them of harming African unity.

I have mentioned this episode as it illustrates well the inherent schism in K.A.U.—Mr. Mathu, Tom Mbotela and Joseph Katithi moderate but staunch supporters of African nationalism, with no undue Indian influence on the affairs of K.A.U.; Jomo Kenyatta jealous of and disliking Tom Mbotela, but wishing to avoid at all costs losing the most welcome Indian financial aid to Githunguri; Peter Mbiu taking a different view of Indian assistance (he visited India from July to October); and, lastly, James Beuttah who was entirely recalcitrant, and who was out for trouble, with or without the help of the more disreputable Indians. I should add that there was no official Indian support whatsoever for the boycott; in fact, the very opposite. The boycott was a complete failure.

Subsequently, on the night of 30th March, an African attempted to assassinate Tom Mbotela, but the pistol jammed, and two nights later an African fired at Muchohi Gikonyo, a Municipal Councillor, but caused only a slight injury. The obvious inference was that the East African Trades Union Congress instigated the shootings, and on 19th May Fred Kubai was arrested and charged with attempted murder. Although his collaborator was convicted, he was acquitted (Chapter V, 61). It later came to light during the Emergency that the pistols used were part of an armoury acquired by the Koinange family.

35. About this time efforts were made by the East African Indian National Congress to hold a joint meeting with the K.A.U., with the object of presenting an Afro-Asian front to the European objections to the proposed constitutional changes in Tanganyika. The Indian community had for some years identified itself with what it considered the legitimate political aspirations of the Africans. This was understandable in view of the recent acquisition of independence by India. There was nothing unconstitutional in such a meeting, and it was held in Nairobi on 23rd April and attended by a very large crowd. Five resolutions, which were passed unanimously, may be summed up by the resolution which appealed to the Government of the

United Kingdom and the Trustee Council of the United Nations Organization to take effective steps with a view to promoting the political, economic and social progress of the inhabitants of Tanganyika Territory and to save it from the designs of domination by the Europeans of East and Central Africa. A final resolution proposed by Makhan Singh, which called for the immediate declaration of independence for all East African territories, with a democratically elected Government, was carried by a majority. It caused genuine embarrassment to the more moderate Africans and some foreboding among the more far-sighted Indians whose political outlook was not warped by an anti-European prejudice.

Further attempts were made by the East African Indian National Congress to seek common ground with K.A.U., and in July Jomo Kenyatta, Peter Mbiu Koinange, Tom Mbotela, Joseph Katithi and Jesse Kariuki were invited to attend the next congress session to be held in August. When the time came, none of them attended, both Jomo Kenyatta and Peter Mbiu Koinange making polite excuses that they had other engagements. Although the latter might have been tempted, it was obvious that Jomo Kenyatta had no intention of becoming too closely attached to the coat-tails of the Indian politicians.

36. It was during this year that K.C.A. at last appeared in the open under the guise of *Mau Mau* in the Kikuyu areas, and following two prosecutions, one in Naivasha and the other in Kiambu, *Mau Mau* was, in August, proscribed as an unlawful society. Throughout these areas *Mau Mau* was steadily at work through the medium of K.A.U. branch committees and making some progress. But the affairs of the central committee, in spite of the efforts of its vice-chairman, Tom Mbotela, were not making much progress and little headway was made in the spreading of its aims in the non-Kikuyu areas. It had already become too suspect there as a purely Kikuyu organization. At one time the central committee was homeless, owing to the attachment of its office for the payment of rent; in October a further attachment warrant was executed for the payment of a debt of £55 to an Indian printing press for the printing of its paper *Sauti ya Mwafrika*. As Jomo Kenyatta controlled the considerable income derived from collections at branch meetings, and had other uses for these funds, the central committee was continually short of cash. The editor of a new weekly African newspaper commented sarcastically:—

“If Africans were unable to run their own Union, how could they run their own Government?”

Mr. Fenner Brockway, on behalf of the Congress of Peoples Against Imperialism, addressed a mass meeting of K.A.U. in Nairobi on 8th September, and on Jomo Kenyatta's proposal K.A.U. affiliated to the Congress.

37. On 6th November Jomo Kenyatta and Peter Mbiu visited Tanganyika where they stayed at Moshi with the representative of the Kilimanjaro Union in that area. Kenyatta asked to be notified when the Union became more powerful; he would then consider the K.A.U. joining forces with it.

38. At a public meeting of K.A.U., held in Nairobi on 25th December and presided over by Jomo Kenyatta, a resolution was passed welcoming the recent Declaration of Policy by Mr. James Griffiths, the Secretary of State for the Colonies. This declaration reaffirmed that “the central purpose of British colonial policy is to guide the people of the colonial territories to responsible self-government” and stressed that the word “people” included both immigrant communities and Africans.

39. Moves to affiliate the K.A.U. with a wider pan-African movement became apparent during the year. In June Jomo Kenyatta, as president of

K.A.U., received a letter from the "African League", inviting the Union to send two delegates to a conference on "Democratic Rights for Africans" to be held in the House of Commons in July. In October the Secretary of the African Association at Dar es Salaam visited Kiambu, where he had discussions with Peter Mbiu Koinange, Jomo Kenyatta and ex-Senior Chief Koinange on a more limited project of closer political association between the nationalistic movements in East Africa. The framework on which they would build was a recent Memorandum on the Constitution of the Republic of East Africa which Peter Mbiu Koinange had written. These meetings were also attended by three Baganda from Uganda, and it was decided to extend invitations to all recognized African national movements, with the object of achieving a united Africa which would be recognized by the United Nations Organization. It was suggested that the organization should be called the African National Congress and that Jomo Kenyatta should be its first president. Further moves in this direction came to light in December, when Peter Mbiu was asked by the secretary of the Congress of Peoples Against Imperialism to contact and exchange information with the Ghana Farmers Congress and the Convention Peoples Party (Dr. Nkrumah's party) on the Gold Coast.

40. To return to the more limited horizon of K.A.U., the widening rift between Jomo Kenyatta and Tom Mbotela was shown when Tom Mbotela addressed a letter to the District Commissioner, Kiambu, in September, 1950, pointing out that by its constitution, K.A.U. was entirely different from that of K.C.A. and *Mau Mau* ("this terrible affair"), and asking for permission to hold meetings in the Kikuyu districts:—

"So that I can rectify the position to the people."

Tom Mbotela knew that Jomo Kenyatta was the force behind *Mau Mau* and that only he could halt its progress, and during the course of the next 12 months he arranged many public meetings in which every chance was given to Jomo Kenyatta to denounce *Mau Mau*. Jomo Kenyatta invariably evaded the issue with great skill and cunning. These speeches are dealt with more fully in Chapter V, paragraphs 71, 72, etc.

41. The pattern of the activities of K.A.U. became more evident during the year. In the Kikuyu areas the branch committees were almost without exception dominated by the professional agitators, spurred on by frequent visits by Jomo Kenyatta (*see* Chapter V). They were already for the most part becoming little more than *Mau Mau* committees. At the headquarters in Nairobi the moderates, under the leadership of the vice-chairman, Tom Mbotela, endeavoured to keep K.A.U. on an even keel, but were being undermined by the growing antipathy between Tom Mbotela and Jomo Kenyatta.

42. I must now return to Harry Thuku, the other moderate, who clearly recognized *Mau Mau* as the enemy of African progress. His association, the K.P.A., remained in obscurity throughout 1947 and 1948, but again attracted attention in 1949 when certain members were found to be acting in concert with K.C.A. in agitation arising from squatter rights in the Rift Valley. Thuku again insisted on a balanced constitutional approach to this problem, but his advice went unheeded for he now had little control over his less responsible adherents.

In 1950 the decline, accelerated by increasing attendance of K.P.A. members at illegal meetings, indicated either that his grasp on the reins was now feeble or that, as some feared, he had actually affiliated to K.C.A. in

pursuit of certain joint aims. The latter conjecture was an unjust appreciation of his character for, apprehensive of the penetration of *Mau Mau*, and in a final endeavour to consolidate his disintegrating association, he convened a meeting of the so-called secret council of K.P.A. in November. This was a misnomer for it met openly and its deliberations were no more or less secret than the meetings of any other managing committee.

As a result of its conclusions, Thuku advised the members of all branches of K.P.A. that such a meeting had been held, asking them to provide additional funds and to increase their membership to enable progress to be advanced by right and not by force. He wrote:—

“I want you to be very careful of the *Mau Mau*, which is very bad and dangerous. I do not want to hear of any member of the K.P.A. associating with it. We have never seen such a movement in our land before, and it will be stopped by Government very quickly. The main point is that you should make sure you are neither forced nor enticed to go to oath meetings.”

Unfortunately Thuku's prognostication of the early eradication of *Mau Mau* proved over-optimistic and in January, 1951, he found it necessary to issue a further warning at a meeting of the Othaya branch, also expressing his anxiety at the lack of enthusiasm for joining K.P.A., and appealing for encouragement to be given to the younger members of the tribe to align themselves on the side of the association.

Though tottering from lack of support and its inability to offer the heady wine gushing in quantity from the fountains of K.C.A. and *Mau Mau*, Kenyatta evidently considered it was still a power to be reckoned with and, in accordance with his policy of endeavouring to unite all African movements in the furtherance of his schemes for Kikuyu domination, addressed Thuku in February, 1951, soliciting K.P.A. support for K.A.U.'s publicity campaign in favour of the introduction of legislation to amend the constitution of the Legislative Council.

Harry Thuku declined and, disheartened at the defection of so many of his followers and his loss of stature as a political leader, he withdrew into the wilderness, seeking solace in farming, while his moribund association slowly dwindled away from sheer inanition and lack of inspiration, for none of his principal lieutenants was of comparable calibre.

43. Mr. James Griffiths, Secretary of State for the Colonies, arrived in Kenya on 17th May, 1951, and left again on the 26th. This visit engendered much political activity on the part of all three communities, and to prepare for it a meeting was convened jointly in Nairobi on 13th May by K.A.U. and the East African Indian National Congress, for the purpose of opposing the European policy of parity, and a resolution to that effect was duly passed. The resolution referred to “this mass meeting”. It was in fact attended by some 4,000 Africans but only 50 Indians. On 22nd May Mr. Griffiths met Tom Mbotela with other members of the African Advisory Council, and on 24th May Mr. Griffiths met Jomo Kenyatta and Peter Mbiu informally at Chief Waruhiu's house at Kiambu and accepted a memorandum addressed to him by K.A.U. As there is no record in this historical survey of what may be called the legitimate political aspirations of the Africans, a copy of this memorandum is attached as Appendix B.

44. In June Jomo Kenyatta ensured the election of Fred Kubai and another man as chairman and vice-chairman of the Nairobi branch of the K.A.U., by the expedient of drawing their names out of the hat. Fred Kubai, who has already appeared on the scene of this survey and will appear again, was, apart from his subversive control of the trades unions, the recognized

leader of the Kikuyu thugs in Nairobi. The other was a most undesirable character, also connected with the trades union movement. Some of the Kikuyu leaders viewed these appointments with concern, fearing that Jomo Kenyatta had "dug himself a pit from which he may find it hard to extricate himself". Tom Mbotela, the vice-president, viewed it with even greater concern, and wrote to the Government that:—

"No communications from that branch should be entertained without the assurance that it has been submitted through the Union's head office and endorsed either by the president, vice-president or secretary."

This letter was sent without the knowledge of Jomo Kenyatta.

45. Whether this letter came to the notice of Jomo Kenyatta is not known, but at a meeting of the central committee of K.A.U. on 3rd September he made the position of Tom Mbotela more precarious by suggesting he was keeping the president in the dark and trying to run the Union himself. Others present hinted that moneys forwarded to headquarters remained in Tom Mbotela's pocket, and it was decided to form a committee to enquire into the disposal of the money. But perhaps the most significant development at this meeting was the adoption of a K.A.U. flag. This was to have a black background, with a red centre, containing a design of a shield and an arrow in the lower half. Jomo Kenyatta said that it would become the Dominion flag when Africans obtained self-government and thereafter he flew it at his house at Githunguri.

At a further public meeting of K.A.U. held on 7th October in order to collect money to send a delegate to the United Nations Organization assembly in Paris, Jomo Kenyatta surprised his audience by saying that many Africans had spoken against Tom Mbotela, but this was unjust as he was a sound member of the Union. It was thought that the reason for this *volte face* was that Kenyatta believed that Tom Mbotela would shortly get a seat in Legislative Council and that it would therefore pay to keep in with him.

46. The co-operation between K.A.U. and the East African Indian National Congress did not long survive the joint meeting held in May. It was not viewed with any favour by Jomo Kenyatta and, at a meeting held at Githunguri on 8th October, attended by Peter Mbiu Koinange and Jesse Kariuki, to discuss the delegate to be sent to Paris, Jomo Kenyatta warned those present not to allow the Asians, by intrigue, to dominate the position. The destiny of the Africans was the concern of the Africans only.

47. When the time arrived for the annual election of K.A.U. office-bearers, Jomo Kenyatta had presumably had second thoughts about Tom Mbotela and at the annual general meeting, held on 4th November, 1951, he remained president, but both Tom Mbotela and Joseph Katithi disappeared from the scene. No vice-president was elected and J. D. Otiende was elected secretary. A number of branch representatives, particularly from Nyanza, had come to Nairobi determined to oppose the Kikuyu *bloc*. The Kikuyu political leaders were much disturbed at this threat, and in order to pacify his critics, and as a sop to Nyanza opinion, Jomo Kenyatta agreed to the nomination of Richard Achieng as the second delegate to accompany Peter Mbiu Koinange (*Note 20*) to the United Nations Organization assembly. Later, in private, he said that as Nyanza Province contained a lot of money, it might be tapped if one of their people were sent to the United Nations Organization assembly. Although only two of the nine office-

Note 20.—He left Paris for England in November where, except for a short visit in July, 1959, to see his aged father, he has remained. He was later joined by Achieng Oneko.

bearers were Kikuyu, the executive committee of nine were all Kikuyu, except for Jesse Kitabi, a Mkamba; Fred Kubai was also "elected". It was almost 100 per cent *Mau Mau*.

48. On 28th November the assistant secretary of K.A.U., Paulo Ngei (Mkamba), presented a memorandum to the committee meeting of K.A.U., drawing attention to the fact that the Union aimed to improve the lot of the Kikuyu, while other tribes were drawn in merely to give the Union a representative appearance, and to provide funds. Because of these criticisms Paulo Ngei was relieved of his post. It was clear that the recent elections had allowed Kenyatta to dominate the Union completely and the appointments of Otiende (Jaluo) and Nangurai (Masai) to the main committee were merely nominal and made only to allay criticism that the Union was in fact a Kikuyu one only. It was equally clear that the non-election of Tom Mbotela had removed the only opponent who had the mental capacity to challenge Jomo Kenyatta. Although in the wilderness, Tom Mbotela still remained an ardent member of K.A.U., and in a letter he wrote to the *Mombasa Times*, dated 24th November, he denied that he did not favour African self-government for Kenya. He supported self-government on a constructive long-term scheme, based on a solid economic, social and political foundation. In the long run he would like to see in East Africa an unselfish government, in which members of all races would play their active part, with the sole exception that the African people would be in the majority, by virtue of their being natives of the country. Again, at a branch meeting held in Machakos on 15th December, he repeated his former opinion that while he would like self-government, he would prefer first to see a long-term plan towards that goal. It served no purpose to demand self-government without any constructive plan to meet it. A firm foundation would first have to be built on an educated élite of doctors, engineers and scientists.

49. From the beginning of 1952 the central committee of K.A.U. failed even to present a nominally constitutional façade. It, like its district branches, was completely dominated by *Mau Mau*, and there is little to add to the history of the growth of this, the first concrete effort of Kenya Africans to form a Colony-wide organization. It continued however to hold meetings and to sponsor memoranda, and in a memoranda presented to Government on the occasion of the Royal Visit in February, its demands for African elected members had risen from 12 to 24. I shall, however, comment briefly on some of its more noticeable meetings. Perhaps one of the more remarkable meetings of the executive committee took place on 9th February, just after the death of His late Majesty, King George VI. Senior Chief Koinange, as chairman, called on those present to stand and observe a two-minute silence, as a sign of respect to His late Majesty. He then complained that the gift to Her Majesty, Queen Elizabeth the Second, of land at Sagana, would encourage white settlement. The latter utterance was regarded by many of those present as being in bad taste.

50. An enthusiastic public meeting of K.A.U. was held in Nairobi on 15th March to celebrate the return of Richard Achieng from England. After describing his reception in Paris, at the Colonial Office, and by members of the Congress of Peoples Against Imperialism, he referred to the trouble the Colonial Office was having with the Scotch and the Irish. Kenya was, he claimed, the only country left under the control of the British (a surprising statement, which was no doubt believed). The Africans of Kenya should aim at the day when they could thumb the Britisher on his way out. A coloured student, recently returned from South Africa, supported Achieng in even more violent terms, but at this Jomo Kenyatta, perhaps seeing the

red light of sedition, silenced him and said there was no objection to Europeans remaining in the Colony, provided the land was more equitably shared.

51. A less decorous meeting of the central committee of K.A.U. took place on 30th April in which the Kikuyu/Luo antipathy came to a head. Jomo Kenyatta, who was drunk, expressed dissatisfaction at the way in which the accounts were being handled and ordered that payments must be passed by the committee. J. Otiende objected and accused Jomo Kenyatta of getting drunk on K.A.U. funds. An uproar ensued and after further exchange of abuse, J. Otiende hurled the cash book at Kenyatta. A month later Jomo Kenyatta deposed J. Otiende as general secretary, ostensibly on the ground that he had offered himself for nomination to Legislative Council.

52. Further evidence of Jaluio dissatisfaction was shown in a spirited letter of resignation tendered by the Jaluio secretary of the Eldoret branch to the executive committee in May in which he wrote that it had become clear that the funds of K.A.U. were being used corruptly and left the public with no sense of conviction as to its actual objective. The leaders seemed to be quite untrustworthy and unfaithful in the eyes of the public in general.

53. Jomo Kenyatta, Richard Achieng, Fred Kubai and Jesse Kariuki had meanwhile, and under the guise of K.A.U., started on their grand tour of collecting money and whipping up enthusiasm for *Mau Mau* by visiting the coast, to be followed by visits to the Rift Valley Province and culminating in the notorious mass meeting at Nyeri in July, which heralded the intensification of the campaign of violence and intimidation. As these are dealt with in Chapter V I shall not comment on them.

The identity of K.C.A. with *Mau Mau* became abundantly apparent by 1951; by the end of that year Jomo Kenyatta had eliminated all moderate influence and K.C.A./*Mau Mau* was amalgamated with, and in undisputed control of, K.A.U., with unfettered scope to pursue the long standing K.C.A. policy of intemperate hatred and opposition to Government and the immigrant races in the name of K.A.U., until its excesses brought it to its disastrous débâcle on 20th October, 1952.

54. The immediate reaction of the less responsible elements of left-wing opinion to the declaration of the Emergency was to accuse the Kenya Government and H.M. Government of using the *Mau Mau* rebellion as an excuse to stifle all expression of "legitimate" African aspirations. Many went so far as to assert that *Mau Mau* did not exist and had been conjured up by the Kenya Government for this express purpose. Mr. Eliud Mathu's reported statement on his arrival in London in August, 1952, that he had not heard of *Mau Mau* may have given some credence to this view. The Government was however at pains to avoid any justification for such charges and, in spite of the inherent dangers, was anxious to encourage the growth of a party of moderate Africans pledged to constitutional, as distinct from violent, means. It was hoped that the African Members of Legislative Council would prove that in the new circumstances they were on the side of non-violence. K.A.U. was therefore allowed to continue in existence under the presidency and vice-presidency of F. W. Odede and W. W. W. Awori, and it carried on a fitful existence for a few months. But the infection of *Mau Mau* had gone too deep and the nationalist feelings engendered by the trial of Jomo Kenyatta and his associates at Kapenguria, and encouraged by the "international" array of lawyers for the defence, proved too strong. Many of the leaders of K.A.U. stated publicly that they still stood behind Jomo Kenyatta and K.A.U. was proscribed on 8th June, 1953.

55. So ends this chapter, and a chapter on the history of, at first Kikuyu and later African, political associations in Kenya. It is a history of the unending struggle between the moderates and the extremists and, as is so often the case in Africa, the extremists won. Chapter V will give a more detailed history of how the extremists set about their task. It was all too easy as the concepts of freedom nurtured over the centuries by the British race inhibited the Government from taking the steps necessary to prevent their usurping of power. They clamoured for freedom, but the only freedom they wanted was freedom to impose their will on the people they claimed to set free. It is a sad and highly disturbing fact that so many of the so-called leaders of these national movements see only one way of achieving their ends, and that is by taking advantage of the natural and inherent liberalism, which guides our colonial policy, to subvert the mind of the great bulk of their people, by a coolly calculated campaign of hate, falsehood and intimidation. Without this they know that they cannot succeed. An ordered evolution, which many Africans appreciate, is not for them—it would deny to many of them the prospects of immediate personal power. But I shall be commenting on this later in this historical survey. (*Note 21.*)

EPILOGUE

“It should also be emphasized that *Mau Mau*, K.A.U., K.C.A., the Nyeri Education Society, the Kikuyu Independent Schools Association, the Merchants Association, etc., are all the same old stiffs working under different guises in order to increase the number of public meetings they can hold and the amount of money they can extract from a gullible public.”

District Commissioner, Nyeri; September, 1951.



Note 21.—I found much assistance in compiling this chapter from a pamphlet, *The Development of Political Organizations of Kenya*, by Mr. George Bennet, Oxford University Institute of Common Studies.

CHAPTER V

Origins and Growth of Mau Mau

PROLOGUE: *"It has now been clearly established that this regional set-up had one resounding result, namely, the swift enslavement of the Kikuyu tribe. Mau Mau terrorism has almost completely shattered the average African's spiritual equilibrium to such an unbelievable extent that a new extremism, a new barbarism and, as such, a new type of African fanatic, are automatically being created."*

("Henry", 9th August, 1952. (Note 1.))

1. I have, in Chapter II, discussed briefly what may be called the psychology of *Mau Mau* and the sociological and tribal background which favoured the growth of this violent revolutionary movement. In Chapter IV I have sketched in outline the growth of Kikuyu political organizations, eventually crystallizing into the Kenya African Union, which almost from its foundation in 1944 became dominated by the essentially revolutionary Kikuyu Central Association. In a perhaps somewhat vain endeavour to keep this chapter within manageable proportions, I am dealing with what may be considered as special facets of *Mau Mau* subversive activities in separate chapters—Public Meetings and the Vernacular Press; Independent Schools; and the Evolution of the Oath. In this chapter I shall trace the evolution of the *Mau Mau* Association which rose, phoenix like, from the banned K.C.A. At a certain period in time the K.C.A., which might almost be described as subversive in a reasonably orthodox manner, changed its nature and assumed a more fanatical mantle which had in many ways the nature of a religion. Gradually the words "*Mau Mau*" came into use to designate a secret and highly subversive association. These words were not heard of before the end of 1946; during 1947 there were circumstantial reports of secret midnight oathings; by 1948 these words were being voiced abroad. Neither their origin nor their meaning have ever been clearly established. (Note 2.) Was it more than a coincidence that Jomo Kenyatta returned to Kenya in September, 1946? In any case, the end of 1946 is the obvious date from which to start this chapter. I shall quote only from reports actually received by the Central Government at the time, and, unless otherwise indicated, these reports are taken from the pre-Emergency records in Special Branch. I shall also, where appropriate, indicate the Central Government's reactions to these reports, and in order to achieve a sense of continuity I have taken the liberty of commenting, as objectively as possible, on some of the reports and the Government's action; and I trust that I have not thereby gone beyond the letter of my somewhat restricted terms of reference.

2. My object here is to determine and record the actual information in the hands of the Central Government up to the time that the Emergency was declared on 22nd October, 1952. This, in effect, is probably the most

Note. 1.—Henry was the "nom de plume" of an educated Kikuyu who must remain anonymous. He had maintained close contact with *Mau Mau* prisoners and, of his own free will, submitted "despatches" to the Commissioner of Prisons. This particular despatch, which is of much interest and shows such a piquant sense of humour, is quoted in full in Appendix L.

Note 2.—See Chapter VI, on the Evolution of the Oath.

important chapter as it is only in this way that a proper assessment can be made of any deficiencies which made themselves apparent in the Government machine. One last word by way of a warning: a certain degree of overlapping with the other chapters is inevitable as *Mau Mau* eventually dominated every facet of Kikuyu subversion.

3. There was, as will be seen, a very large volume of information and intelligence; in fact what may be described as an almost frightening amount. So much so that readers of this chapter may find it difficult to understand how it came about that the holocaust of *Mau Mau* broke on a Government so apparently unprepared. These pieces of information as they came in will, in the light of actual events, be seen to fit together as neatly as pieces of a jigsaw puzzle to produce the final picture of *Mau Mau*. But I must here sound a note of caution; it is of the utmost importance to guard against the temptation of being wise after the event. It is too easy to abstract those pieces of intelligence which were at that time obviously connected with subversion, or which are now seen to be obvious manifestations of *Mau Mau*. I state this, not in mitigation of the lack of decisive action on the part of Government, nor in an attempt to pre-judge the issue, but these reports must be considered against the very much wider background of the immense Government activity in the post-war years, and also against the multifarious duties of Special Branch. *Mau Mau*, in the earlier years, was a highly successful secret society but was not "the only pebble on the beach". As I have said in the chapter on intelligence, there was a serious deficiency in the organization in that there was no body to conduct a regular periodic review of intelligence. But there were many other factors which contributed to, although they may not fully explain, the apparent slowness with which the Government took action. Not the least of these were the disabilities under which all colonial governments had at that time (and still have) to operate, the principal being the inherent difficulty of maintaining law and order in an age beset and bemused by the four freedoms mentioned in Chapter II. I shall however be discussing this more fully in the chapter on the law and public security, and in the final chapter. All that I here ask is that the above should be borne in mind when reading this chapter.

4. As I have stated in Chapter III, the K.C.A., which had gone to ground after it was banned in 1940, started burrowing nearer the surface as war activity declined, and by 1945 its leading ex-members had already established themselves firmly within the new Kenya African Study Group (to be renamed the Kenya African Union in 1946). In his annual report for 1945 the Provincial Commissioner, Central Province, remarks that the aims of the latter "are to emulate the proscribed K.C.A." That the released leaders fully intended to resuscitate the avowedly anti-Government K.C.A. is clear from a decision, taken at a secret meeting in October, 1945, and reported by Special Branch, that no active member of the K.P.A. (Harry Thuku's organization) or loyal employee of Government would be permitted to join. It is important to bear this in mind as the K.C.A., although seeking to increase its domination of K.A.U., continued to function as a separate entity.

But the general picture at the end of 1945 was one of peace and progress in the Kikuyu reserve. In his annual report for this year the Provincial Commissioner, Central Province, stated:—

"There is no doubt that during the last few years the native reserves have experienced an unparalleled wave of financial prosperity with the increased prices of agricultural produce, increased wages and large sums of money coming from military sources. . . .

It must be remembered that only a negligible portion of African savings has been in any way invested. Discontent may well show itself later, although freedom from serious political troubles and discontent in the reserve has been a remarkably pleasing feature of the last few years and was probably not unconnected with prevailing conditions of prosperity."

It is of interest to note in the light of future events that the Provincial Commissioner also reported a very general and encouraging progress in the important work of soil conservation throughout the Kikuyu reserve during that year, work which was vital to the continued existence of the Kikuyu in their reserve.

1946

5. The activities of K.C.A. continued throughout 1946, but received a great stimulus with the return of Jomo Kenyatta to Kenya in September of that year. Immediately on his arrival he rallied his old K.C.A. associates and was seldom seen without Jesse Kariuki, his erstwhile lieutenant. I have, in paragraph 23 of Chapter III, quoted the comments of the District Commissioner, Fort Hall, in which he stated that in his opinion the main reason for the marked deterioration in morale and discipline noticeable at that time was the return of Jomo Kenyatta and his reanimating, in a most virulent form, the activities of K.C.A.

The two following extracts from contemporary secret political intelligence reports submitted showed that unrest was not confined to Fort Hall.

"It is with growing amazement that I notice the increase in anti-European sentiment among at least one section of the African population in Nairobi. Recent debates have revealed in startling fashion attitudes of mind which I find surprising after 18 months in an urban African city." (District Commissioner, Nairobi).

"The outward signs of unrest among Africans is a pernicious African press, increased activities of the known political agitators and opposition to many forms of Government activity in the reserve, particularly if it is directed by Europeans or chiefs."

(Provincial Commissioner, Central Province, December, 1946).

But the general position in the Kikuyu reserve was not such as to cause any undue alarm. There was, however, a noticeable change in the general demeanour of many Kikuyu, both in Nairobi and in the settled areas, and this was having its effect in the reserves, but the great bulk of the Kikuyu had during 1946 continued to co-operate through the chiefs and headmen with the many projects for their welfare undertaken by the Government.

1947

6. During 1945 the stricter enforcement of the "squatter agreements" in parts of the Rift Valley Province, particularly in respect of reduction in the number of stock and the area allowed for tilling, led to a return to the reserve of a number of squatters from the farms where some had resided for many years. These "dispossessed" Kikuyu, coupled with those who had left the resettlement scheme at Olenguruone (*Note 3*), who had returned to the already overcrowded reserve, were a potential source of trouble of which agitators were not slow to take advantage. While it must be emphasized that the action taken was strictly in accordance with the Resident Native Labourers Ordinance, sufficient thought had probably not been given to the effect of these "evictions". As a protest, about 100 Kikuyu descended on Nairobi, but nothing came of this attempt to bring their

Note 3.—See Appendix C on Olenguruone.

grievances to public notice. In February, 1947, however, a better organized group of 300 ex-squatters invaded the grounds of Government House, demanding an interview with the Governor. Even after this was granted there was a display of truculence and nine of the leaders were arrested. As they refused to execute a bond of good behaviour they were committed to prison.

7. In February, 1947, Jomo Kenyatta was reported as supervising oaths of secrecy binding on members of the proscribed K.C.A. He made frequent tours throughout the Colony, delivering speeches and collecting funds. More noticeably he, with Peter Mbiu Koinange, paid a secret visit to Olenguruone in February, resulting in unrest. In May he strengthened his position both politically and financially by assuming control of the Kenya Teachers' Training College (*Note 4*) at Githunguri from Peter Mbiu Koinange who went to England to press the claims of his "college" as a future university, and to protest against the Colonial White Paper No. 210 (Interterritorial Organization in East Africa). From that time, as the Provincial Commissioner stated in his annual report for 1947, "Githunguri has in consequence become a political as well as an educational centre". Jomo Kenyatta had already set up his domestic establishment nearby. On 1st June of that year he was elected president of the K.A.U. after a public declaration that Africans would obtain their freedom only through bloodshed. His election was unopposed as the previous president, James Gichuru, had decided not to stand. The stranglehold of K.C.A. on K.A.U., although perhaps not fully recognized, was established.

8. Further manifestations of a centrally directed agitation showed themselves in a concerted effort to undermine the authority of the chiefs in their locations by the holding of unauthorized meetings, the sole objects of which were to interrupt and, if possible, to stop all effective Government action in the reserve. Up to July communal soil conservation had proceeded in the Fort Hall district as smoothly and effectively as in the previous year. On 21st July the K.A.U., under the chairmanship of Jomo Kenyatta, held a large meeting at Fort Hall which resolved that women should no longer take part in terracing work. The following day no women appeared for work, and by the end of August all communal labour was virtually at a standstill.

9. On 13th August the District Commissioner, Kiambu, held a *baraza* (a formal meeting of the Elders and tribesmen at which officials convey and discuss matters of Government policy) in Chief Kibathi's location at Gatundu where a gathering of young men, mainly from Nairobi, launched a strong attack, firstly on terracing, and secondly on Chief Kibathi, and the meeting had to be closed. On 15th August he saw Jomo Kenyatta who agreed to use his influence to dissuade the young men from their attack. On the 27th a large meeting was held at Gatundu, in spite of the fact that it had been expressly prohibited by Chief Kibathi. It was learnt subsequently that Jomo Kenyatta had visited Gatundu on 22nd August. On 3rd September the District Commissioner held another *baraza* at Gatundu at which he informed the people that the alleged charges against the chief were completely unfounded. One of the elders attempted to address the meeting, but was immediately howled down amid some commotion. The District Commissioner then ordered the gathering to disperse but this took some time and he sent Chiefs Koinange and Muhoho to order it to do so. The agitators were busy during this period collecting money to pay for the taxis which had brought them from Nairobi to the meeting. The police were then ordered to disperse the crowd, which they did without incident.

Note 4.—See Chapter VII on the Independent Schools.

10. Two days later he was confronted by a much more serious situation. For some months Jomo Kenyatta and his associates of the K.C.A. had been engaged on the forcible collection of funds for the ostensible purpose of the Kenya Teachers' Training College at Githunguri. On 4th September all employees of the Uplands Bacon Factory, approximately 200 men, went on strike. The immediate cause was the refusal by the management to accept a demand put forward by the strikers for the discharge of a clerk who had refused to contribute towards this fund. A Labour Officer met the strikers on that day, but achieved nothing, for the very adequate reason that the strike was instigated for purely political motives. On 5th September the strikers, in a truculent mood, had assembled at the station, accompanied by a large number of Africans from a nearby Kikuyu reserve. The Labour Officer, supported on this occasion by a District Officer, met the strikers, but as the position appeared serious the District Commissioner, Kiambu, was summoned and went to the scene with a detachment of Kenya Police, followed shortly by the Superintendent of Police in charge of Central Province with further police reinforcements. The District Commissioner attempted to talk to the strikers, but they were not amenable to reason owing to the inflammatory tactics of the agitators, and it became necessary to move the crowd of supporters from the station area. After due warning action was taken by the police to disperse the crowd; a riot developed and it became imperative for the District Commissioner to instruct the police to open fire on the rioters who were starting to envelop the baton squad. Three of the rioters were killed and six were injured. The Government forces, including both the District Commissioner and the Police Superintendent, suffered minor casualties from stones. Subsequently, 21 Kikuyu were found guilty of rioting and sentenced to two years' imprisonment, the most noteworthy being the Nairobi agitator, Chege Kibachia, who was leader of the African Workers Federation (Chapter XIV). This was an event of some significance as it was the first show of open violence instigated by the leaders of K.C.A.

11. Similar agitation started about the same time in Fort Hall district against Chief Ignatio when, on 24th August, James Beuttah and Isaac Gathanju held a meeting which had been prohibited by him. The meeting finished with a fierce tirade and attack against the chief, the direct result of which, in the words of the District Commissioner, "has been practically the loss of Ignatio's authority in his location". This meeting was followed by a similar one on 9th September, which had been called again without permission and with the avowed intention of arranging for the people to fill in the soil conservation terraces which had been dug, and to graze cattle on those parts of the hillsides which had been closed throughout the district. The "ringleaders", including James Beuttah and Isaac Gathanju, were therefore arrested and on 17th September convicted for holding prohibited meetings. But this did not end the trouble. The District Commissioner was forced to give Chief Ignatio an armed guard and on 23rd September he held a *baraza* in the location in an endeavour to bring some order out of chaos. After some forceful talking he heard the alleged complaints against the chief, and promised to hold a full dress enquiry on 14th October. As he left to attend another meeting he was engulfed by a crowd of some 40 hooligans from Nairobi who insisted on the immediate resignation of Chief Ignatio. Pandemonium followed and, as the District Commissioner had purposely gone to the meeting without police, in order to escape any appearance of intimidation, he had great difficulty in extricating himself. At 2 a.m. that night he, receiving information from Chief Ignatio that he was to be attacked by Nairobi thugs, collected some police and went to the latter's house, but nothing transpired. Trouble was not however at an end, for a riot occurred near Chief Ignatio's village

on the night of 28th September, and the guard was forced to fire on the crowd, one of whom was killed and one injured. A Commission of Enquiry found that the firing was justified. A police levy force was drafted to this location which, "together with a strict enforcement of the regulations concerning assembly and the collection of money, went far to remedy the situation before the end of the year". (*Note 5.*)

12. That this agitation was centrally directed was shown by a Special Branch report for September, 1947 (*Note 6*) which recorded the formation in Nairobi of the Gikuyu Maranga African Union, whose particular object was to enquire into soil conservation and the activities of chiefs. It was anti-Government, sponsored by Mwangi Macharia and backed by the "Forty Group". The *Anake wa Forty*, as this group was called, was aptly described at the time by the District Commissioner, Nyeri, as "a term which covered anybody who had done practically anything in 1940 and who was or could be induced to pay the entrance fee; it was nothing but a collection of hooligans and thugs". (*Note 7.*) An illuminating insight into the aims and methods of this group, which eventually became the "strong arm" of *Mau Mau*, was given in a report sent in by the District Commissioner, Fort Hall, which recorded the proceedings of a secret meeting organized by the Union and held in Fort Hall district on 7th September. Extracts of this are given in Appendix D.

13. Although this is referred to fully in Chapter XIII, it is necessary at this stage to comment on the law governing public meetings.

In July, at Embu, a man was prosecuted and convicted for holding an unauthorized political meeting; he appealed. The appeal was dismissed but the sentence was reduced, and the judgment of the Supreme Court was reported in the press in such a way that the Africans gained the impression that the appeal had in fact succeeded and they were free to hold such meetings as they wished without permission being sought.

Since 1937 public order in the reserves had been regulated by the Native Authority Ordinance, Section 8 (i), which read as follows:—

"8. Any headman may from time to time issue orders to be obeyed by the natives residing or being within the local limits of his jurisdiction for any of the following purposes:—

- (i) prohibiting natives . . . from holding or attending any meeting or assembly within the local limits of his jurisdiction which in his opinion might tend to be subversive of peace and good order."

The general practice had been for headmen to issue general orders prohibiting all meetings for which permission had not been given. The onus was then on the convenor of the meeting to apply for permission. And this practice had been confirmed by a secret circular issued to all district commissioners by the Chief Native Commissioner on 11th December, 1946. Following this Supreme Court judgment, Legal Circular No. 16 was issued in July which pointed out that the correct legal interpretation of this section was that the headmen could only prohibit specific meetings which were likely to cause a breach of the peace, and could not issue a general instruction prohibiting all meetings.

Note 5.—Annual report for Central Province, 1947.

Note 6.—Kenya Intelligence Summary, September, 1947, paragraph 195.

Note 7.—It is significant that the year 1940 was the year that the K.C.A. was banned. It was also the year of the Kikuyu Age Group (Rika 40) which contributed a large number of Kikuyu to the forces.

14. This circular placed the Administration in general, and the headmen in particular, in an almost impossible position, as the onus was on them to ascertain when meetings were to be held before they could be prohibited, and on 19th September, 1947, the Acting Provincial Commissioner, Central Province, addressed a long secret letter to the Chief Secretary on the serious threat to good government which would result from complete freedom of speech. The following are the most important extracts from this letter:—

“Law and Order:

(1) I regret to have to inform you that during the last few weeks there has been a marked deterioration in the political situation in the Central Province and that agitation against Government and Europeans is increasing rapidly and, in my opinion, may well lead to a general defiance of properly constituted authority unless firm steps are taken to prevent this. I have already reported personally and verbally to H.E. the Acting Governor, yourself and the Member for Law and Order and I now submit a detailed report on the situation . . .

(7) While it would be improper for me to criticize the directions given in this circular to magistrates, I have no hesitation in saying that since that circular was issued the situation has deteriorated very rapidly and it is generally accepted that the political element has gained a considerable victory . . .

(9) Since then a number of meetings have been called in Nairobi, Kiambu and Fort Hall in particular, and in other districts of the province as well. These meetings have shown a marked deterioration recently and political agitation has increased, and anti-Government and anti-European sentiments have become more violent. It is becoming increasingly obvious that this agitation is organized and that the meetings are backed by a crowd of politically-minded agitators from Nairobi. In recent instances these meetings have gone far beyond the limits of rightful public assembly at which people meet to discuss their own private affairs, and they are now subversive gatherings at which the agitators of Nairobi whip up anti-Government feeling.”

After citing a number of instances where meetings had been held since the beginning of August without prior permission, or in defiance of prohibition orders issued by the headmen, the more important of which have already been mentioned above, the Acting Provincial Commissioner continued:—

“(11) I am fairly certain however that both the African Workers Federation and K.A.U. are concerned, for it is noticeable that people like James Beuttah and Mwangi Macharia belong to one or other of these societies. It is also well known that a few days before his arrest Chege Kibachia was in the vicinity of Uplands and it was shortly after this that the riot occurred there. I am also fairly certain, though I could not prove this, that Jomo Kenyatta is intimately concerned with these activities and whilst he may say one thing in public he is probably stirring up trouble and organizing this campaign against the Government and the European . . .

(14) I have no hesitation in saying that if we are to rely on the Native Authority Ordinance and the sanctions imposed by it, the position will certainly not improve, and unless this unruly element is stamped on very firmly and quickly they will succeed in suborning the steadier sections of the community and we shall, before very long, have to deal with mass civil disobedience. It is unnecessary for me to

emphasize how retrograde a step this would be and how unfair on the mass of the people who, through lack of proper legislation, we are failing to protect from this attack on their allegiance.”

The Acting Provincial Commissioner then quoted a letter received from Senior Chief Njiri Karanja (*Note 8*) in which he implored the Government to stop these meetings. He added that chiefs one and all endorsed this moving letter and were rapidly losing heart.

“I consider it absolutely essential that we should be given powers to prohibit all public meetings except with the written permission of the district commissioners and under conditions imposed by them, and that there should be very much more drastic penalties inflicted for disobedience. I am fully aware that it will be difficult to convince the Secretary of State of the desirability of such legislation, when such promises have been given to the right of public assembly and free speech. But it is not freedom of assembly and speech that these people want. They want to undermine all the institutions of good government which are largely accepted by the mass of the population and this is part of a definite anti-European movement sponsored by people who have visited other countries and have imbibed their ideas . . .

Unless such legislation can be introduced I foresee the greatest possible danger of all the Administration becoming impotent in this province with consequent loss of progress that has been made by the mass of the people themselves, both in local government and the preservation of the land.”

15. It is of interest to observe that the only immediate response to this letter was a demi-official note from the Member for Law and Order saying that the Governor had asked him to point out that, as the subject of his memorandum was concerned with law and order, it should have been addressed to the Member for Law and Order, with a copy to the Chief Secretary and to the Chief Native Commissioner. He continued:—

“Please do not think that this is intended merely as criticism, but he is particularly keen on getting the member system working properly.”

In reply, the Acting Provincial Commissioner rejoined that the Chief Secretary himself had asked for the report.

16. The letter however had the desired effect, and early in November a notice, issuing from the office of the Member for Law and Order, was widely publicized. It read as follows:

“In view of the fact that certain meetings held in places of public resort in the Colony have recently resulted in disorder, it is intended to exercise a stricter control than has been the practice hitherto. In this connexion the attention of the public is drawn to the provisions of section 33 of the Police Ordinance, 1930, which provides, *inter alia*, that any person who wishes to hold a meeting or form a procession on any public road or street or at any place of public resort shall first make application for a licence to a superior police officer or to an inspector in charge of the police force in the place where it is intended to hold the meeting or form the procession, or to an administrative officer where there is no superior police officer or inspector in charge in such place, for permission to hold such a meeting or form such a procession.”

Note 8.—At the beginning of the Emergency, Senior Chief Njiri nailed a Union Jack to the flag pole in his fortified Home Guard Post, and there it remained. An excellent history which recounts the bravery of the Kikuyu Guard has been compiled by Mr. S. H. Fazan, C.M.G., C.B.E., but not yet published. 667 were killed by *Mau Mau*, but the “Guardsmen” and the Tribal Police accounted for 4,686 terrorists, 42 per cent of those killed during the Emergency.

17. In November the District Commissioner, Fort Hall, reported that:—

“By October, however, Jomo Kenyatta appeared to be regretting the riotous growth which had sprung from his seeds and during the tour of the Fort Hall district with the District Commissioner he did his best to eradicate it. His followers were however by then finding the new life far too pleasing to give up willingly, and Jomo Kenyatta’s influence appeared to be as small as his reception was poor.”

He may have been genuinely concerned with the maintenance of law and order. But more probably he realized the dangers to his long-term plans of proceeding too precipitately. As I have already indicated in paragraph 9, Jomo Kenyatta was an adept in the art of appearing not unreasonable in public, while fomenting agitation in secret. This may be one of the occasions on which he exercised this art.

18. In December an incident took place which, although it had no direct connexion with *Mau Mau*, was symptomatic of the fanatical outlook attaching to pseudo-religious bodies. On 20th December a small sect of religious fanatics calling themselves “*Dini ya Jeso Kristo*”, under the leadership of Reuben Kahiko, had started collecting near Gatundu to proceed to a Christmas gathering in the Fort Hall district. Claiming that it was God’s will, they inflicted grievous bodily harm on a tailor who refused to make them a banner. The police intervened, and it was unfortunate that the police officer who arrived at the fanatics’ village to arrest them was new to Kenya and inexperienced; in tragic circumstances he was murdered, and two African constables died of injuries. The leaders of the sect were all arrested and strong action taken against them. The Kikuyu themselves expressed their horror and disgust at the outrage, co-operating to the full in effecting the arrest of the fugitive offenders.

19. The District Commissioner, Fort Hall, ended the year 1947 with the following highly significant secret intelligence report to the Director of Intelligence and Security:—

“There is a very strong rumour circulating that all the wrongs of the Kikuyu will be simultaneously righted by the murder of all Europeans. This has come from two sources, but in neither case did the source say when ‘der tag’ was going to be.”

This was the first reference to what was eventually recognized by mid-1952 as one of the stated objectives of *Mau Mau*, the murder of European farmers, with the object of eliminating European influence.

20. The eventful and restless year of 1947 in the Central Province was summed up as follows in the Provincial Commissioner’s annual report:—

“The events of 1947 in the Central Province conformed to a pattern—most marked in Nairobi and Kikuyu districts, but discernible in different degrees elsewhere. The pattern, which can also be traced in other parts of the Colonial Empire and the world, is one of political unrest fomented by unscrupulous agitators working often consciously against the common good and thriving financially on the troubles created.

This extremely uncomfortable condition became evident immediately after the war and grew in intensity in 1946. At the beginning of 1947 the stage had been reached where the handful of African agitators, backed by a virulent vernacular press, were extending an undesirable influence over the thoughts and feelings of a large proportion of the Kikuyu tribe. This influence was used to support a movement which was apparently anti-European and anti-Government; its headquarters were in Nairobi and its chief active supporters were found among the

urban riff-raff. There is no doubt that the calling of a Colony-wide general strike was planned, and the serious incidents which occurred in Kiambu and Fort Hall were easily traceable to Nairobi-sponsored agitation.

This grave state of affairs was fortunately handled with firmness and discretion by the Government, the Administration and the police on the spot, with the result that there was a marked improvement in the general situation by the end of the year.

The democratic theory of free speech must, in the public interest, be conditioned by its effect on the people, and for this reason it became necessary, owing to the inflammatory lies spread by agitators at meetings, on which they have thrived financially, for Government to authorize and control all public meetings under the Police Ordinance. The Kikuyu in particular are astonishingly gullible and susceptible to exaggerated talk and rumours of alleged grievances. It is however true to say that the lack of support given to the leading political agitators at the end of 1947 was due not only to an increasing disbelief in their genuineness and effectiveness, but to a growing belief that the Government is sincerely doing its best to advance the African economically, politically and morally. It would be doing a disservice to a large proportion of the reasonably educated Africans to associate them or their interests with the political agitators, and it is pleasing to record the support which has been forthcoming from these elements for the firm curbing of the unruly."

21. In the Rift Valley Province political unrest during 1947 was not sufficiently prominent to warrant mention in the Provincial Commissioner's annual report, but many isolated accounts were received of a noticeable change in the demeanour of many of the Kikuyu resident labourers in the settled areas, and of the existence of potentially subversive farm committees. A typical case concerned the labour on a farm at Eburru in the Rift Valley Province. As had long been the custom, presents of food were distributed to the labour at Christmas time; in 1947, for the first time, they were received with open sullenness. Subsequently a pamphlet, emanating from a "school" in Kiambu, strongly suspected of being the Kenya Teachers' Training College at Githunguri, was found containing instructions on non-co-operation with Europeans.

22. Prior to 1951 the individual reports from the provincial commissioners were not included separately in the printed annual report of native affairs issued from the office of the Chief Native Commissioner, so the somewhat disturbing background to the state of affairs in the Central Province was not fully publicized, although of course most of the incidents had been factually reported in the Press and in fact received fuller publicity in two debates in the January session of Legislative Council, on which I shall comment in paragraphs 24 and 25 below. In his foreword to the Report on Native Affairs for the years 1946 and 1947, the Chief Native Commissioner did not attempt any overall appreciation of the political scene but did mention the growing suspicion with which some Africans, particularly the Kikuyu, were viewing the effort of Government to improve conditions in the reserves. In support, he quoted two events of some importance which should now be recorded.

At a meeting of the Locational Council of the Tetu location, held in July, Chief Muhoya put up a spirited defence of the cattle dipping scheme, and for this he was set upon after the meeting by an unruly mob, only just managing to escape unscathed. Twenty of those concerned were convicted of riot, and dipping continued on a voluntary, but much reduced, scale.

The second event concerned Karatina. It was political agitation that determined the fate of the dried vegetable factory in the rich agricultural area at Karatina, Nyeri district. This factory, which had been built by the Government during the war to process vegetables for the Army, had brought considerable wealth to the local farmers, and a British firm of canners had undertaken to continue operating it through a mixed board of Europeans and Africans. Earnest efforts were made by the Chief Native Commissioner himself to persuade the local farmers to agree, but the gullible public were persuaded that if they turned down the proposal the Government would hand over the factory complete to an all-African company. This would have courted financial disaster, and the factory was dismantled.

23. The Kenya intelligence reviews, issued fortnightly, were, as I have recorded in paragraph 11 of Chapter III, compiled by the Director of Intelligence and Security and, after scrutiny by the Commissioner of Police and the Member for Law and Order, were despatched to the Colonial Office in the name of the Government. They were, of course, seen by and sent with the approval of the Governor. As one of the objects of this historical survey is to ascertain the extent to which events and reports were brought to "official" notice, I shall at the close of each year indicate those incidents directly relative to the subversive activity culminating in *Mau Mau* which were considered of sufficient importance to receive a mention in these reviews. In 1947 the formation of the anti-Government and anti-soil conservation Gikuyu Maranga African Association was reported (paragraph 12) and also the resignation of W. W. W. Awori (paragraph 28 of Chapter IV).

24. But before ringing down the curtain on 1947, mention must be made of two important debates which took place in Legislative Council in January, 1948, but which relate to the political unrest so apparent in 1947. As they were interrelated and have a very considerable bearing on the whole future course of events, I have thought it advisable to quote some of the more important points raised.

The first debate was a motion tabled by Mr. S. V. Cooke, the Member for the Coast:—

"That this Council, believing that often agitation is a symptom and not a cause of unrest, views with grave concern the political situation in many of the native areas today."

The main gravamen of a long speech was that there was grave suspicion of promises made by Government. Mr. Cooke recalled that in the debate on the Draft Estimates he had accused the Government of lacking the confidence of the African. (In this debate, which took place on 24th November, Mr. Cooke stated "*inter alia*"

" . . . but I emphatically do accuse the Administration from the top to the bottom for being largely responsible for the present chaotic state of affairs.")

The motion was seconded, with reservations, by Mr. Eliud Mathu who agreed that the African's confidence in the Administration and the Government generally had been shaken. But he also drew attention to a point in regard to the Administration "which makes things difficult in the African areas in that the district commissioners and district officers are already overworked. They have too much to do". The Chief Native Commissioner stressed the very great difficulties which confronted not only the Kenya Government but also other Colonial Governments, due to the new surge of ideas of freedom engendered by the war. The Chief Secretary,

in a short speech which was very much to the point, warned the mover of the motion that:—

“He should not forget that agitation is often a cause of unrest.”

This debate no doubt served its purpose in focussing attention on the unrest which was developing, particularly, in the Kikuyu reserve. The motion however obtained only two votes. Although Mr. Cooke stressed that his motion was not aimed at the Administration, it was perhaps inevitable that Council, recalling his Budget Speech, thought otherwise.

25. The second debate, which took place on 9th January, arose from a motion moved by Mr. Eliud Mathu:—

“That this Council is of the opinion that Government should clearly state its policy with regard to public assembly, particularly as it affects Africans, and to remove all restrictions which are not essential to good government.”

The reason behind this motion was of course the extended powers taken by the Government to control the evil effects of the spread of subversion which had become so noticeable. Perhaps one of the more significant facts brought to notice during the debate was an extract from a memorandum which Mr. Mathu submitted to Government in July, 1947, to which he had had no reply. He quoted from it as follows:—

“Those who still cherish their former freedom and common rights bitterly resent having to apply for permission to meet together for any purpose whatever. Naturally the law is evaded and they meet at night behind locked doors with a sentry outside; they meet in caves, in the depths of banana groves or in swampy valleys away from the habitations of their fellow men to avoid detection. Yes, they meet together, these ‘free, happy Africans’ of His Majesty’s Colony of Kenya, like felons, with all the humiliating circumstances and methods they are forced to adopt; whispering and cursing the Europeans and their own headmen who administer an oppressive and unjustified law. One day their repressions are bound to burst out, with the usual unhappy consequences for all.” (*Note 9.*)

The attitude of the Government can be summed up in the following words of the Attorney-General:—

“Steadily, and more so during the last 18 months, the persons who have organized these meetings have been trying to work up the passions of the people who attended them. I am one of those who gets reports of these meetings, and it is my duty, and a very arduous duty because of the number of meetings held, to read the reports that come in of what is said at those meetings, and I have noticed an increasing tempo of lawlessness in the manner of conducting and addressing those meetings. It has given me a considerable amount of concern, and it was because I was so concerned about it that I thought the time was overdue when it was my duty, as the member responsible for law and order in this Colony, to draw the attention of the public to the provisions of section 33 of the Police Ordinance. That I did by notice which was published in early November.”

Note 9.—Some of these meetings mentioned by Mr. Mathu were, no doubt, the secret K.C.A. meetings referred to in paragraph 7. Although it was right and proper that Mr. Mathu should draw the attention of Government to the growing “malaise” among certain sections of the Kikuyu, resentment at the necessity to seek permission was not, as naively suggested by Mr. Mathu, the reason why Jomo Kenyatta and his ex-K.C.A. associates held these guarded meetings in secret. They had, by their very nature, to be secret.

In the course of his closing speech the Chief Native Commissioner said:—

“The policy is perfectly clear; it means freedom of assembly compatible with law and order and good government . . . I am not referring to public assemblies called by responsible political leaders, or responsible leaders of African opinion, but we must control rabble-rousers. I use that expression deliberately. I refer to the rabble-rousers who enter into our reserves or towns and set fire to the incredibly inflammable material which ignorance, lack of education, excitability and superstition breeds up in any native area at the present moment. . . . One rabble-rouser made an inflammatory speech at a public meeting in Fort Hall, and this is roughly what he said—it was certainly not seditious in my opinion—‘If you continue putting in terraces in Fort Hall the Government proposes to plant these terraces with trees, and before you know where you are Fort Hall will be a forest reserve.’ That is not seditious but the damage that particular rabble-rouser did was incalculable.”

26. I make no apology for the length of the quotations from these two debates, and for a certain amount of repetition. They took place at a critical stage in the history of Kenya. The whole course of events in this year showed that the K.C.A. *redivivus*, and under the accepted leadership of Jomo Kenyatta, had started in earnest its campaign to disrupt the authority of Government among the Kiyuyu. Although *Mau Mau* had not yet reared its ugly head under that particular name, the seeds of its conception had been implanted. These speeches also illustrate well the great “dilemma” which faced the Government, and to which I have referred in Chapter I, the dilemma of reconciling the concepts of freedom, nurtured in a western civilization and quite earnestly pursued by most individuals in the world, to a society only just emerging from a culture in which freedom was an entirely unknown concept.

It is also noteworthy that the Government realized at that time the paramount importance of maintaining law and order, and by the end of 1947 its authority had been re-asserted in the reserves. And a reference to the annual report of native affairs for 1946/1947 will show that the Government was not only concerned with law and order; in spite of an acute shortage of personnel and finance great progress was being made in all the more constructive efforts to improve the well-being of the Kikuyu reserve.

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27. In January Chief Makimei of Kiambu, who had been accused and found guilty of assault, lost his appeal on legal technicalities and what was considered to be trumped up evidence. In commenting on this in his annual report the Provincial Commissioner said:—

“His prestige did not suffer as it was apparent to most people that the charge had been falsified for political reasons and reflected, in the result, a fortunately rare gap in our judicial system which led senior officers of the Administration to pay Makimei’s £100 fine out of their own pockets.”

Divisional Chief Waruhiu was also at that time obliged to face an attempt to undermine his authority in the Resident Magistrate’s Court in Nairobi, on a charge of assault brought by a young man of the dissident political and trouble-making type. As the District Commissioner, Kiambu, stated:—

“It was deplorable that this loyal and efficient chief should have to suffer the indignity of appearing in the dock to answer this scurrilous and unfounded charge.”

28. During the earlier part of the year agitation against soil conservation continued in Fort Hall district and led to a minor political upheaval known as "The Revolt of the Women" in two locations of that district. Disruptive elements outside the district continued to agitate against the co-operation of women in soil conservation work, and this later led to a full-scale descent of the women themselves to district headquarters. This, as the District Commissioner commented, marked a growing tendency for women to become "mixed up" in politics, a tendency which was entirely alien to normal Kikuyu custom, indicating that agitators had been at work.

29. In March two Kikuyu squatters employed at Ngata Farm at Njoro were assaulted for refusing to join an illegal squatters' organization. They complained to the police, and the persons concerned in the assault, all of whom were Kikuyu working on the farm, were arrested. Nine of them were squatters and three of them casual visitors from the reserve. In the subsequent trial it was divulged that all Kikuyu labour was being intimidated to subscribe Sh. 100 to a "United Natives Organization", the purpose of which was to promote strikes and foment other trouble in the settled area. The Kikuyu concerned were repatriated to the reserve, and in his letter to the District Commissioner, Nyeri, the Director of Intelligence and Security said that there were definite indications that this organization was connected with K.C.A., one obvious link being the fact that the defence counsel was provided by George Ndegwa, who still functioned as general secretary of the proscribed K.C.A. What is perhaps of more interest, although it was not recorded officially at the time, was the fact that during intervals in the hearing the witnesses, in conversation with the police, referred openly to the organization as being that of *Mau Mau*.

30. Unrest was not confined to one farm, as the Director of Intelligence and Security received reports in June that oaths were being imposed on squatter labour through Njoro and Elburgon by "the people of the three letters" (Chapter IV, 28). But it was not possible to prosecute owing to lack of witnesses. It was also noticeable that Jomo Kenyatta made several journeys to these affected areas at that time, and shortly afterwards it was reported that a meeting of the K.C.A. leaders took place at Githunguri. Either by inadvertence or intention the summons to this meeting, a copy of which was found among the documents in his house after his arrest in October, 1952, and figured in his trial, were addressed to "the leaders of the Kikuyu Central Association" and signed "I am your leader, Jomo Kenyatta". The above was confirmed by a report from an African minister which was sent personally on 6th June to the Chief Native Commissioner by a Kikuyu-speaking missionary of long standing. After referring to the oath-taking place in the Rift Valley Province, the minister stated:—

"The attraction used by K.C.A. to get the ignorant to take the oath is that Jomo Kenyatta and his followers state that Jomo has information that all land between Gilgil and the Kiambu reserve is going to be given back to the Kikuyu and will be at his disposal. He will, of course, divide it up only among the faithful who have taken the oath.

An undesirable feature of the oath, which causes me great concern, is that it is taken at the dead of night."

31. On 21st June, 1948, George Ndegwa perpetrated a gaffe, which was to cost him dear, by writing to the Registrar-General applying for the registration of the K.C.A. newspaper *Mwigwithania*, and signing himself "Secretary, Kikuyu Central Association". He was arrested, charged with being a member of an illegal society, and sentenced to one year's imprisonment. Documents found in his possession indicated that there were 17 branches of K.C.A. functioning early in 1948.

32. Early in the year X, a retired administrative officer of wide experience, had, in an interview with the Governor, stressed the dangerous spread of subversion by Jomo Kenyatta. (Sir Philip Mitchell in his book *African Afterthoughts* (page 258) refers to this interview, commenting that X had admitted that "he had nothing to go on but rumour and tell-tale".) As may be gathered from the above comment, he made little headway. As he was in his opinion in a position to obtain sufficient evidence to enable the Government to take action against Jomo Kenyatta, he continued to press the matter. On two occasions he collected witnesses but on both of them failed to persuade the Government to take the evidence. On the second occasion he made tentative arrangements for a Nairobi magistrate to record the evidence, but the Attorney-General intervened on the grounds that such action would not be appropriate as Special Branch were already taking an interest in this matter. Not satisfied, X addressed a personal letter to the Governor on 14th August relating what had happened, and after giving details of some of the more obvious of Jomo Kenyatta's subversive activities, he gave the names of some Kikuyu who had voluntarily agreed to give evidence in Judges Chambers, before Jomo Kenyatta, if proceedings were instituted under the Deportation (Immigrant British Subjects) Ordinance. Each made it clear that his testimony would be given if he were assured that others would also come forward, and that some protection of life and property could be expected. They had no personal grudge against Jomo Kenyatta, but were only concerned about the harm he was doing to the community in general, and the trouble he would inevitably bring to the country. Consequently, the Director of Intelligence and Security, accompanied by an Assistant Secretary representing the Chief Native Commissioner, visited Limuru for the purpose of taking this evidence. In reporting to the Member for Law and Order on 22nd September, 1948, the Director of Intelligence and Security said that although these witnesses substantiated many of the statements they had made to X, the evidence was in fact very inconclusive. In ending his letter, the Director of Intelligence and Security said:—

"I do not wish in any way to minimize the potential danger of Jomo Kenyatta's activities but, on the other hand, cannot conceive anything more likely to raise his prestige than proceedings based on unsatisfactory evidence, as whether lying or not, the witnesses that have been interviewed cannot fully support X's allegations." (Note 10.)

33. On 21st September the Director of Intelligence and Security reported to the Member for Law and Order that a new movement, the *Mau Mau*, believed to be a branch of K.C.A., had appeared in Naivasha. Although the words "*Mau Mau*" were already becoming known in the settled area (see paragraph 29), this was the first reference to them in an official document.

34. The first allusion to possible unrest in the Independent Schools is contained in the District Commissioner, Fort Hall's report for September:—

"It may be fancy, but in dealing with schoolboys of the impressionable age during the last two months it has seemed to me that they

Note 10.—I shall be commenting on this Ordinance in Chapter XIII. Very briefly, under the Deportation Ordinance, 1923, replaced by a more comprehensive Ordinance in 1949, a Judge of the Supreme Court sitting in Chambers may, after hearing evidence to his satisfaction on oath that the person concerned is conducting himself so as to be dangerous to peace and good order, recommend to the Governor that that person be deported. The "standard" of evidence required was, of course, the same as that required in the normal courts of law and, as was so often to be the case, much of this particular evidence, although no doubt true, was hearsay.

are imbued with a somewhat suspicious sullen attitude which I would certainly suggest has an anti-European flavour. All schoolboys, and particularly Africans, are normally carefree and happy. Those I have seen recently appear, when confronted by me, to be on the defensive and, if possible, deliberately disrespectful. It is a poor day when there are signs, to me at least, of the schoolmasters passing on to impressionable youth active anti-racial feeling."

35. On 13th December the Director of Intelligence and Security reported to the Member for Law and Order that on 7th November a meeting took place in Njoro Market, at which the *thenge* oath was administered to boycott Indian traders in the reserves. This was part of a general campaign against Indian traders, and he also reported that on 13th November Jomo Kenyatta attended a secret meeting of K.C.A. at Kaloleni, when the boycotting of Indian traders in the native reserves was discussed. Jomo Kenyatta declared that this would have the effect of chasing them away to their own country and, having once got rid of the Indian, there would next be a boycott of labour on the European farms, and the settlers would then have to leave the country. After Githunguri was built, Missions would also be unnecessary and would be eliminated. He therefore urged everyone to join K.C.A. to give effect to the above.

36. The Director of Intelligence and Security also reported at that time that no less than 46 branches of K.C.A., together with the names of 1,834 of their members, were now known. It was clear from the many reports received that the real leaders, including Jomo Kenyatta and his associates were all sheltering behind the cloak of K.A.U. and pseudo respectability.

On 28th December Peter Mbiu Koinange returned to Kenya from his sojourn of some 20 months in the United Kingdom, where he had perhaps legitimately been "representing" K.A.U. interests. He had shared a house with Semakula Mulumba from Uganda (Chapter IV, 24). It is of interest to note here that the potential power of the K.C.A. was recognized by the professional agitators of other territories, as earlier in the year Special Branch had come into possession of a letter addressed by Semakula to Henry Muoria, editor of the Kikuyu paper *Mumenyereri*, asking him to keep K.C.A. in touch with Semakula's activities on behalf of the African cause.

37. The District Commissioner, Fort Hall, reviewed the general situation during 1948 in his December report as follows:—

"We have reached the end of the year which has been notable for its quietness and general apathy. It is not too pessimistic to say however, that storms are brewing and gale warnings should be sounded on an ever increasing scale."

This reflected the general picture throughout the Central Province, and was summed up by the Provincial Commissioner in his annual report as follows:—

"The year presents a picture of steady progress and the most welcome feature is the general return of the African, after the upheavals of 1946 and 1947, to co-operation with the Government. This, without doubt, is due to the Government's firmness in the suppression of hooliganism and irresponsibility. All districts report a happier atmosphere, although some district commissioners realistically feel that the year has been more of a lull than the opening of a better era."

Apart from a general reference to the problems and difficulties of administering the very large population of Africans in the settled areas and

a particular reference to the boycott of Indian traders, mentioned in paragraph 35 above, the Provincial Commissioner, Rift Valley Province, in his annual report for 1948 somewhat surprisingly does not comment on the increased unrest among the squatter labour, except to note that "there is definite evidence of a 'go slow' policy among the younger labourers, though the older generation remains unaffected."

The only event recorded in the Kenya intelligence review for this year was the arrest and conviction of George Ndegwa (*see* paragraph 31).

1949

38. In his report for February, 1949, the District Commissioner, Fort Hall, reported the continuance of secret meetings of prominent K.A.U. members, usually at Job Muchuchu's house, or at James Beuttah's. He also said that terracing was still at a low ebb and that the K.A.U. meetings held at the end of 1948 had reduced the monthly output to a miserable level.

39. In March the District Commissioner, Kiambu, reported that:—

"It is said that Eliud Mathu, Peter Mbiu Koinange and Jomo Kenyatta are to tour all the Kikuyu Independent School Association and the Kikuyu Karinga Education Association schools early in March. It is not known what the particular object is, if any. The continued quietness of the district is apt to make one suspicious. The subversive political temperature appears to be rising."

The objective, so far as the latter two were concerned, which was the complete subservience of these organizations to their political aims, became apparent at a later date (*see* Chapter VII on Independent Schools). But missionaries were at that time much concerned with the anti-Christian agitation sponsored by Jomo Kenyatta. In a comprehensive appreciation of this movement prepared for his superiors, a copy of which was sent to the Chief Native Commissioner, the Rev. Martin Capon stated that all the indications were that ideological war had been declared in Kenya; shortly after his return in 1947, Jomo Kenyatta had started "preaching" that he was the great saviour and the Kikuyu must get back to their old religion—"Christianity is like the weevils which destroy the corn, and we are the corn". He also made it clear that Peter Mbiu Koinange, although expressing loyalty to the Government and Church when talking to Europeans, had taken a very different line when addressing Kikuyu Christians, and he was at the back of much of the Kikuyu scheming against Christian education.

40. The two following extracts from the secret intelligence reports of the District Commissioner, Thika, for the months of April and June are of interest:—

"An African chief from Fort Hall who was visiting the settled area, asked a European coffee farmer this question: 'Why does Government allow Jomo Kenyatta to come out to our reserves and cause trouble; he had told many people that they should engage in petty theft and keep on annoying Europeans as much as they can, so that they will eventually be forced to leave the country. Jomo Kenyatta gives us chiefs much trouble which could be prevented if Government was able to assist in keeping this man away.'

The Labour Officer, the Superintendent of Police and myself have had a number of discussions with regard to the obtaining of secret information. Both the former declared that they have never experienced such difficulty in obtaining information of a political nature, and that there appears to be definite move afoot to prevent the leakage of information being received by officers of Government of any kind."

During the year, reports from many other sources confirmed the latter. Commenting on this in November, the District Commissioner, Meru, stated:—

“I am inclined to think that the local politicians have had orders to keep quiet until Peter Mbiu Koinange has mapped out his new plan of campaign.”

41. The following are extracts from a letter addressed personally to the Governor by Colonel Meinertzhagen (*Note 11*) dated 6th April, 1949, and delivered personally by him to Government House on the following day:—

“I was at Nyeri this morning when I renewed my acquaintance with a local chief of the Kikuyu, with whom I had been on very intimate terms when I was stationed at Nyeri in 1902 and 1903. In those days he used to talk very openly with me and often gave me information which he did not give to officers of the Administration.

This chief tells me he fears an outbreak of violence by the Kikuyu, the core of discontent and unrest being based on land hunger and the belief that Europeans have taken Kikuyu land without adequate compensation and that much interference has been imposed on tribal customs by European religious bodies and administrative laws.

He fears an outbreak of violence against Europeans, involving murders on a large scale under the direction of a secret society now in existence called ‘*Maw Maw*’, whose influence in the tribe is rapidly growing and whose oaths, taken in utmost secrecy, are binding on those who are compelled to take them.

I asked this chief why he had not informed the district officer, and he replied that he would not be believed. He particularly asked me to inform the *Bwana Mkubwa* in Nairobi.

You will no doubt be able to confirm or refute this information through official channels. I may add that I believe this chief and do not consider his warning exaggerated.”

I have been informed by Colonel Meinertzhagen that no acknowledgment of this letter was ever received and I have been unable to trace its existence in the papers at Government House or at Nyeri, or in the Central Government files. Neither does the then Governor recall having seen the letter, but he was at that time living at Ngong, as Government House was the temporary home of the Duke of York School, but the assumption must be that it was sent to the Director of Intelligence and Security.

42. The K.C.A. was now very close to the surface indeed, maintaining only a thin crust of secrecy as a shield against Government interference. Its programme of secret meetings under the “umbrella” of K.A.U. continued unabated and the accounts of the proceedings at three meetings, procured by the authorities, revealed that one Joseph Thuo, an employee of the reputable periodical *Baraza*, had succeeded the imprisoned George Ndegwa as secretary. This underlined the ever closing connexion between K.C.A. and K.A.U. At one of these meetings Joseph Thuo called for an intensified effort to increase membership, giving the post box of the K.A.U. newspaper *Mumenyereri* as a secret address for the K.C.A. This was in fact the post office box number of the headquarters of K.A.U. Another of these meetings was held by night in Jomo Kenyatta’s house at Githunguri, the K.A.U.

Note 11.—See *Note 3* to paragraph 1, Chapter IV.

stronghold, to welcome Peter Mbiu Koinange (*Note 12*) and Henry Muoria : Dedan Mugo, the self-styled president of the Kikuyu Age Groups and the organizer of the K.A.U. sponsored collection for the Kenya Teachers' Training College, was also present. Joseph Thuo enjoined the meeting to increase the K.C.A. armoury by making weapons to supplement those stolen from the military (*Note 13*), so that when the time came the European could be evicted by force.

43. In addition to these high level conclaves, the squatter unrest still simmering in the Rift Valley engendered numerous branch meetings. Some 80 district branches, spread throughout the reserves and the settled areas, were known to exist. The Government could not, of course, base a prosecution on these reports without compromising its delicate sources of information. At this juncture however it decided to act in the hope of obtaining sufficient concrete evidence against the known managers to substantiate a charge of managing a proscribed society, and on 4th May the houses of Dedan Mugo, Jesse Kariuki, Joseph Kangethe and Joseph Thuo were searched, but nothing relevant was discovered. Shortly after this it was learnt that, as a result of these searches, instructions were issued that all future communications on K.C.A. should be by word of mouth.

It was at this time that Jesse Kariuki, the erstwhile vice-president of K.C.A., was appointed to the post of travelling inspector of K.A.U., emphasizing still further the identity of interests between K.C.A. and K.A.U.

44. In the Kenya intelligence review for 17th June (paragraph 546), the Director of Intelligence and Security reported that frequent meetings of squatters, both local and those returned from the Rift Valley Province, were being held in the Limuru area.

"It was clear that these people have a grievance and while a sense of grievance persists it will continue to be fostered by K.C.A. This situation, unsatisfactory from the security point of view, will persist with the possibility of coming to a head at any time."

45. In his report for October the District Commissioner, Kiambu, stated:—

"The general political atmosphere is tending to deteriorate with the popular question of land as the breeding ground for subversive propaganda. As indicated in this report, there is exceptionally fertile ground at the moment in various directions for stimulating the growth of subversive seed."

46. In December, 1949, the District Commissioner, Thika, reported:—

"Natives are openly talking of the Kikuyus' assertion that they will one day take over Kenya, and the Europeans will be driven away.

There still appears to be a considerable amount of discontent, mixed with political agitation, regarding the signing on of resident labour. A headman, who considers himself politically well informed, is also too frightened to sign on, and states that Jomo Kenyatta wishes all Kikuyu to leave European farms so that the latter will have to go."

47. While political tension waxed and waned during 1949, it at no time reached serious proportions, and the position at the end of the year

Note 12.—From July to October Peter Mbiu was in India as a guest of the Indian Government, by arrangement with Mr. A. B. Pant, the Indian Commissioner for East Africa. For further details see Chapter X.

Note 13.—See Chapter XI, paragraph 1 on Firearms.

was summed up by the Provincial Commissioner, Central Province, in his annual report as follows:—

“Considering that the K.A.U. is Kikuyu dominated and that it largely represents the disreputable and more destructive elements in political movements, it is pleasing to record how little headway it made and that sounder and more moderate elements were in the ascendant and on whose efforts much of the progress recorded in this report is based. For this satisfactory state of affairs I must pay tribute to the administrative officers who handled their districts wisely, firmly and with discretion. It would gravely impair future progress, as it has done elsewhere, if we were to abdicate the right to govern and control hooligan elements and abandon the interests of the large majority of the sane African citizens, who are apt to be howled down at political meetings, for the sake of political slogans.”

48. As already noted, many reports were received of the subversive activities of K.C.A. among Kikuyu squatter labour in the settled areas of the Rift Valley Province, but there was little concrete evidence of overt action. The Provincial Commissioner, however, in his annual report for 1949, expressed concern over the lack of contact between the Administration and the many thousands of Africans employed on the farms and in this connexion he quoted the following remarks recorded by the District Commissioner, Nakuru:—

“It must be admitted that from the administration point of view contacts between this large African population and the district commissioner are deplorably insufficient. Some slight liaison is afforded by Advisory Councils, but these operate only in the towns and in the rural areas there is no channel for dissemination of information, or in the reverse direction for the communication of grievances.

Under present circumstances the only direct contact for the African labourer or squatter is maintained by the Labour Department, the officers of which visit individual farms and also hold joint *barazas* of employees from groups of farms. That this goes part of the way towards a solution of the difficulty is undeniable, but it is not the final answer to the problem.”

49. For this year the Kenya intelligence summary recorded on three separate occasions the unrest among the Rift Valley squatters, both in the Rift Valley Province and at Limuru, fostered by K.C.A., K.P.A. and the Kikuyu Karinga Education Association (*see* paragraphs 44 and 32). It also reported the growth of K.C.A., and the search of houses of the known managers (*see* paragraph 43).

1950

50. In the course of an organized and highly successful “Charter Week”, Nairobi was elevated to the status of a City by Royal Charter presented to the Mayor by H.R.H. the Duke of Gloucester on 30th March. During the preceding weeks, however, the K.C.A. and the Communist-dominated East African Trades Union Council, which operated almost entirely in Nairobi, had conducted a virulent campaign against the granting of a charter, and among the wild and obviously inspired rumours which were circulating in the neighbouring Kiambu district was one that Nairobi, having become a city, would be extended for 32 miles to include large areas of the Kiambu reserve, and another that 12,000 families were to be removed from Kiambu to make way for European settlement. Both rumours were of course without any foundation, but were well calculated to cause intense local unrest.

51. The above agitation emphasized the fundamental split in K.A.U., and the moderates, led by its vice-president, Tom Mbotela, who was at that time K.A.U. representative on the Nairobi African Advisory Council, gave full support to the granting of the charter and the civic celebrations. But he did so at great personal risk, as on the night of 30th March, the very night that the charter was granted, he was menaced by an assailant who spoke Kikuyu and drew a pistol or revolver which fortunately misfired. A guard was put on his house and on the next night three shots were fired at a policeman, one of them being from an ambush near his house; on the following day, 1st April, a shot was fired by night at close range at City Councillor Muchohi Gikonyo as he was closing his shop. Tom Mbotela, as I have shown in Chapter IV on Kikuyu Political Organizations, was struggling manfully to maintain K.A.U. as a properly constituted body of African opinion. He, with Councillor Gikonyo, had resisted strongly the agitation being engineered by K.C.A. on the question of banning the city celebrations, and there is no doubt that, because of this, attempts were made to assassinate them. Political assassination had reared its ugly head for the first, but not the last, time. (*Note 14.*)

52. On 4th April the City African Affairs Officer addressed a secret letter to the Director of Intelligence and Security, with a copy to the District Commissioner, Kiambu, and the Chief Native Commissioner, saying that a responsible and reliable Kikuyu, who was seriously concerned with the prevalence of political agitation in the Kiambu reserve, had reported to him:—

“That a number of Kikuyu political agitators in the Kikuyu area are going about the reserve administering an oath binding the oath-takers to complete silence concerning any political activities that the agitators may indulge in. He mentioned Dedan Mugo and the editor of *Mumenyereri* as being two prominent leaders. The form of oath is said to be as follows: A man and his wife are sworn jointly, blood being taken from the pubic area of each person and mingled; they are then bound together by goat’s intestines. It is said that a charge of Sh. 80 is made, which no doubt is pocketed by the agitators.”

This was confirmed in the special monthly intelligence report submitted for March by the District Commissioner, Kiambu:—

“Two or three instances of Africans being intimidated and forced to take an oath of secrecy, and not to divulge agitator activities to the authorities, have come to light. There is reason to believe that the K.C.A. is at the bottom of the matter and that there have been many other instances that have not been reported. It seems that people are taken from their huts at night and, usually, both man and wife are forced to take the oath under threats of violence. I take a most serious view of the matter and every effort is being made to get further information and, if possible, to get a specific case into the court. This is not easy, since the victims are exceedingly scared and reluctant to make open accusations.”

53. In his fortnightly intelligence report dated 11th April addressed to the Director of Intelligence and Security, the Assistant Superintendent of Police, Kiambu, submitted a long statement on illegal oath administration and the activities of the K.C.A., supplied by an informer who had been persuaded to take the oath:—

“The objects of which are to remove all Europeans and to obstruct the Government by all means. The leading personalities in this movement are Jomo Kenyatta . . .”

Note 14.—Tom Mbotela, after a long and determined stand against *Mau Mau*, was assassinated on 26th November, 1952, shortly after he had been appointed a City Councillor.

54. The situation rapidly and progressively worsened, and in the opinion of the District Commissioner:—

“It became urgent that action should be taken, even though this would render it less likely that we would be able to get sufficient evidence against the main organizers, Jomo Kenyatta and . . ., who are believed to be at the bottom of it.”

At a meeting between the Provincial Commissioner, the Assistant Commissioner of Police, the District Commissioner, Kiambu, and the Superintendent of Police, held on 13th April, it was decided that a case file against those connected with this oathing campaign should be opened with a view to prosecution under section 62 of the Penal Code, with the result that on 29th April Dedan Mugo, Solomon Memia (*Note 15*) and 25 other Kikuyu were arrested. Dedan Mugo s/o Kimani was charged with unlawfully administering to Johanna Njuguna s/o Kamau on 31st March an oath purporting to bind him to obey the orders and commands of the K.C.A., which had been declared a society dangerous to good government and the Colony. The other accused were charged with being present at this unlawful administration. The trial took place in Kiambu at the end of June and at the beginning of July all the accused, being found guilty, were sentenced to varying terms of imprisonment.

During the course of his testimony, Johanna said that he had admitted being a police informer, and Dedan had told him that an *ozin* would be administered to him so that he could no longer help the police. He understood the oath was to make him a member of the K.C.A. He was then told to swear before God and the association to be loyal to the land, never to say anything about the activities of the association to his enemies, and to obey its commands. He must also never tell anyone he had taken the oath.

Dealing with the ceremony itself, Johanna said he stood in front of an arch and was given two pieces of either sheep or goat's meat and told to bite and swallow a piece of each seven times. Dedan then gave him a banana stem, containing the blood of one of these animals, which he had to sip seven times; it was then passed round his head and legs seven times, after which Dedan dipped a twig in the animal's entrails and placed the end of it against his (Johanna's) mouth. He did this seven times. During the course of this ritual he was told if he mentioned the ceremony to anybody he would die. Finally, Dedan made the sign of the cross in blood on his forehead, saying: “I do this in the name of Jesus Christ.”

55. Meanwhile, the oathing ceremonies which had for some time been reported as taking place secretly in the settled areas in the Rift Valley Province, and particularly in the Naivasha area, were exposed when 39 Africans were arrested on 12th May in connexion with an oathing ceremony held on Colonel R. Hurt's farm during the night of 17th March.

On the night of 22nd April a Kikuyu, one Njehia s/o Kinuthia, arrived at the farmhouse of Mr. S. V. Aitchison (a Kenya Police Reserve officer), which was next door to that of Colonel Hurt, covered in blood. It transpired that Njehia had been forcibly oathed the month previously but had been too frightened to report it to anyone and had just been assaulted because he had refused to become an active member of *Mau Mau*, and because his son had reported another *Mau Mau* oathing ceremony to a European. Mr. Aitchison then recalled that Kinuthia, Njehia's son, had

Note 15.—Dedan Mugo, who had been a member of the Local Native Council from 1946 to 1949, was, in fact, Jomo Kenyatta's right-hand man at Githunguri—paragraph 42 above.

Solomon Memia had long been a member of K.C.A. and it was under his leadership that K.C.A. was revived surreptitiously in 1941, only one year after it had been banned. (Chapter IV, paragraph 21.)

complained to him some ten days previously of an assault, but he had not fully understood the circumstances. He then investigated the case more thoroughly and reported to the police, with the result that on 31st May 1950 Kikuyu, one Masai and one Kisii were charged jointly under section 62 (1) of the Penal Code with administering an unlawful oath, purporting to bind Njehia s/o Kinuthia to be of the *Mau Mau* association. On a second count, eight of the accused only were charged jointly with administering an unlawful oath to one Kinuthia s/o Njehia on 12th April, 1950.

On 28th June the Acting Resident Magistrate, Nakuru, found all 19 accused guilty and sentenced them to varying terms of imprisonment, the maximum being five years with hard labour. Four of the accused, who were women, were each sentenced to six months' imprisonment. In his judgment the magistrate recorded:—

“The evidence is such that there can be no doubt all the accused who did not actually administer the oaths did consent to these acts.

There can be no doubt that the 19 accused, some of whom are partially educated, have reverted to, or still are, in no better mental or moral state than the African in the days of Livingstone. The decent African in this country is entitled to the fullest protection of the law against such barbarous physical and mental compulsion as has been disclosed in this case. This case has disclosed the existence of an evil and subversive association, and this will be reported to the proper authority.”

56. This trial led to proscription of *Mau Mau* (see below), but it also had a most unfortunate sequence. At the instigation of his employer, who doubted his complicity, Mabrougi s/o Kadagoya, a Masai, who was one of those convicted, appealed on the following grounds:—

- (a) generally that he was not present;
- (b) that there was no evidence to support the charge that he administered the oath.

Now section 62 (1) of the Penal Code reads as follows:—

“Any person who—

- (1) administers or is present at and consents to the administering of any oath or engagement in the nature of an oath, purporting to bind the person who takes it in any of the following ways . . . is guilty of a felony.”

The Court of Appeal, in its Judgment No. 315/50, held that there was sufficient evidence to substantiate the charge of being present, but that “where we think the magistrate did go wrong in his judgment in this case is that he failed to appreciate the exact nature of the charge”. Although the section of the Penal Code under which the accused was charged was all-inclusive and covered *either* the active administration of an unlawful oath *or* the willing presence of the accused at that administration, the actual charge sheet before the court contained only the words “unlawfully administered”. And as the only evidence before the court related to his willing presence at the ceremony, and not to his active participation in the ceremony, the appeal succeeded. Had the charge been *properly* framed to include the alternative *or is present at*, it would have been possible for the magistrate to have convicted the accused either of the offence of administration of an oath, or of being present at the administration.

On these grounds the Court of Appeal had no option in law but to quash the finding and sentence on the accused, and on the eight other accused who were similarly placed: all were released. The Member for Law and Order did consider a retrial of these nine, but no further action was taken.

This trial, with its subsequent appeal, was recognized by all, both in the reserves and the settled areas, as the first major test of strength between *Mau Mau* and the forces of law and order, and the news of these releases spread far and wide, giving a great filip to the supporters of *Mau Mau* and causing consternation among pro-Government Africans who, not being conversant with the intricacies of the law, could only assume that the powers of the Government to take effective action against *Mau Mau* were seriously curtailed. On 17th November, 1950, the Divisional Police Headquarters, Nyeri, reported:—

“There can be no doubt that *Mau Mau* leaders will make good capital out of the result, and it is thought that the oath campaign position will now become delicate.”

Disquiet was also felt over a large area by European farmers, who for some months had been seriously concerned with the increasing lawlessness artificially encouraged by this oathing campaign which the authorities had been unable to halt, and as the judgment of both the magistrate and the Court of Appeal indicated with no shadow of doubt that the accused was guilty of a felony covered by section 62 (1) of the Penal Code, there was added to this consternation a bitter resentment at the way in which this appeal had been launched, on what was in fact a clerical error on the part of the prosecution.

57. This disquiet and consternation was evinced in a letter dated 30th November addressed by the Naivasha Settlers' Association to the Chief Secretary, which recounted many instances of the increasingly subversive influence on *Mau Mau* on farm labour. Among them were attempts to ruin a farm by packing it with *Mau Mau* labour—this was achieved by either intimidating the headman, or introducing a competent “wrecker” as headman: the black-listing of farmers who gave information on *Mau Mau*: the general intimidation of loyal labour by means of cursing and physical violence: the placing of road blocks or stones on lonely roads at night: and attempts against the chief Crown witnesses in the *Mau Mau* cases by poison or otherwise.

In his observations on this letter, addressed to the Member for Law and Order and dated 19th January, 1951, the Senior Superintendent of Police, Rift Valley Province, wrote that, in his opinion, there had not been any noticeable deterioration in conditions on farms since the release of these men: there had, however, been complaints of physical violence or intimidation arising from *Mau Mau* activity and convictions had been obtained in five of these cases, and a further case was pending before the courts. In one of the complete cases, some of the accused were acquitted on appeal. No particular reports of the other activities mentioned had come to notice, but a watch was being maintained. Furthermore, some farmers were in the habit of attributing any local farming misfortunes to *Mau Mau* activities. In conclusion, the Senior Superintendent of Police said:—

“The *Mau Mau* situation in the Naivasha area, and indeed throughout the province, is being closely watched, both by the authorities and the settlers . . .

It is, of course, difficult to obtain evidence from Africans regarding *Mau Mau* activities, but the police are concentrating on this important work. The Provincial Commissioner, Rift Valley Province, is in agreement with the substance of this report.”

A “suitable” reply was sent to the Naivasha Settlers' Association, assuring them that the Government was doing everything possible to counter this dangerous movement, both by normal police and court action, and also by counter propaganda.

In commenting on the letter from the police, the Secretary for Law and Order, in a minute dated 25th January, 1951, supported the view that many untoward incidents were wrongly attributed to *Mau Mau*. The subsequent course of events showed, however, that the forebodings of the Naivasha Settlers' Association were only too true. As subversion increased, so did lawlessness, and although many illegal acts could not be attributed directly to *Mau Mau*, they reflected of course the general state of lawlessness induced by *Mau Mau*. I mention this here as symptomatic of the view often held and expressed by the Central Government that reports of *Mau Mau* activity were on occasions exaggerated. I shall be commenting on this more fully in Chapter XVI.

58. Notice was however taken of the Naivasha case, and on 13th June the Acting Governor addressed a confidential minute to the Chief Native Commissioner in the following terms:—

“There has been a good deal in the press recently, and also a number of people have spoken to me, about the *Mau Mau* association. I understand that it is fairly widespread and the number of members is fairly great. It is a matter which is very much your responsibility and no doubt you have already had enquiries and investigations made, but fairly soon I should like to see a report on it, and to know whether any special action ought to be taken.”

Consequently a memorandum on the *Mau Mau* association, dated 2nd August, 1950, was submitted to Executive Council (*Note 16*). The Chief Native Commissioner ended the memorandum by saying:—

“In view of the unlawful practices of which members of the *Mau Mau* association have recently been convicted, and having regard to the probability that this association is really the proscribed Kikuyu Central Association under another name, it is suggested that there are ample grounds for declaring it unlawful under section 69 of the Penal Code, and a decision of the Governor in Council is sought on this point.”

On 4th August, 1950, Executive Council, by its Minute No. 624, advised approval of the proscription of the *Mau Mau* association under section 69 of the Criminal Code.

A point of interest emerges from this memorandum. The Acting Governor, in a minute to the Chief Native Commissioner dated 5th August, suggested that for an important matter of this kind the memorandum appeared to him to be totally inadequate. The memorandum was, as was stated, based on information supplied by the Director of Intelligence and Security, and it is clear from the preceding paragraphs of this chapter that much more was known about *Mau Mau* than appeared in the memorandum. But there were unofficals on Executive Council and although they were bound perforce by an oath of secrecy, the Director of Intelligence and Security was not in a position to reveal the full extent or sources of his information. It is however noticeable that, apart from a passing reference to Kiambu, the memorandum is based entirely on the *Mau Mau* cases in Naivasha. No mention was made of the successful prosecutions in Kiambu. I mention this for two reasons. Firstly, although the phrase “*Mau Mau*” had become current in the settled areas, it had not at that time come into use in the reserves. And, secondly, although Special Branch documents at the time show that in its estimation K.C.A., K.A.U. and *Mau Mau* were indistinguishable, there was always the tendency in its records and reports to treat them as separate entities. This in my opinion was a factor which militated against the full appreciation of the extent of the *Mau Mau* danger at that time.

Note 16.—A copy of this memorandum is attached as Appendix E.

60. For some time the ill-organized trades union movement had been dominated by the self-styled East African Trades Union Council, a purely political and subversive organization controlled by an Indian Communist, Makhan Singh, and Fred Kubai, both of whom had already become recognized as dangerous and unscrupulous agitators (*Note 17*). In May it was decided to take action against E.A.T.U.C. and to obtain a decision in the court as to the legality or otherwise of the Congress. It was expected that the Congress would attempt to call a general strike in protest, which it did. Makhan Singh and Fred Kubai were arrested, and a widespread strike, which lasted for some days, began in Nairobi on 18th May. This strike was essentially political in origin and intent, claims for higher wages being added as an afterthought to the main demand, which was for the release of the leaders and the recognition of the Congress as an official trades union. Municipal and industrial labour was much affected, mainly as the result of intimidation, but Government and Railway employees for the most part stayed at work.

At first the strikers, who were mainly Kikuyu reinforced by the city thugs, tried to hold mass meetings in Pumwani Park, and the police were busy breaking up these gatherings. Finding that the police were well able to deal with large crowds, the strikers changed their tactics. Small groups of thugs roamed the city, particularly in the Asian residential area, assaulting houseboys and others whom they found at work, while others intensified the campaign of intimidation in the locations. Most of the victims were Nyanza Africans: and when the police began to enrol special constables to deal with the gangs, they flocked to enlist, anxious to retaliate upon their Kikuyu assailants. This was virtually the end of the strike, which then petered out on 25th May.

61. Fred Kubai, who had been released after the payment of a fine of Sh. 110, was however arrested on 19th May and charged with attempted murder by shooting of Councillor Muchohi Gikonyo (*see* paragraph 51 above). He was committed for trial in August and finally acquitted on 16th February, 1951, though his co-accused was convicted. In the course of his judgment the trial judge remarked:—

“Fred Kubai is quite unworthy of belief on any material point. The case against him is one of the gravest suspicion. It is difficult to imagine a case which has gone nearer to conviction without the court being able to convict.”

62. Early in May the District Commissioners, Nairobi and Kiambu, reporting to the Member for Law and Order, said that they had received reliable information that at the time of the Dedan Mugo incident some 480 Kikuyu were oathed on two consecutive days, and that since his arrest a boycott of local businesses belonging to loyal Africans had started. The oathing was obviously widespread, and the District Commissioner, Kiambu, had already expressed in April his belief that it had spread to Fort Hall and the Rift Valley Province. Referring to this matter in his report for May he said:—

“Action taken last month resulted in the virtual cessation of the administration of unlawful oaths—although the period of restlessness engendered by the strike produced some more cases. There will undoubtedly be further instances and attempts to resuscitate an atmosphere favourable to such ceremonies can be expected.”

The allegation of oath taking having spread to the Fort Hall district was dealt with by the District Commissioner in his special intelligence reports

Note 17.—For further information *see* Chapter XIV on *Mau Mau* and the Trade Unions.

for April and May. His conclusion was that, although an oath of allegiance to the Kikuyu Independent Schools Association had been administered, it had been taken voluntarily and was not therefore illegal. He concluded:—

“There is absolutely no evidence as yet in support of the Kiambu Police report that illegal oath taking is widespread throughout the district.”

Paulo Mungai, the recently elected district chairman of the Kikuyu Independent Schools Association, who had administered the oaths, had, at least for the time being, persuaded the District Commissioner that all was well. Subsequent events proved that the District Commissioner was mistaken, as these oathing ceremonies in the schools were part of the organized campaign to subvert the K.I.S.A. to *Mau Mau*; also the fact that oaths were taken voluntarily did not make the ceremony legal.

63. On 6th July the District Commissioner, Kiambu, reported that:—

“An unconfirmed report has been received to the effect that although men have ceased organizing and participating in unlawful oath ceremonies, women in Chief Josiah’s location have been carrying on. If this is true the matter is serious. At present I am of the opinion that the report may be inaccurate. For a woman to administer a Muma oath would be utterly contrary to Kikuyu custom—although it must be admitted that until the Dedan oaths were started it was also unknown for a woman to have a Muma oath administered to her.” (See Chapter VI.)

He also reported:—

“Like the Koinange family, Jomo Kenyatta seems to be lying very low.”

64. On 21st July the District Commissioner Nyeri, addressed a letter to the Provincial Commissioner, with copies to the Chief Secretary, Director of Intelligence and Security, and the Superintendent of Police, Nyeri, in which he said:—

“I am at present working on the following theory which is, I think, of sufficient importance to justify a special interim report—that there exists in this district an organization, *the members of which are centrally trained and directed*, which has as its aim the eventual disruption of Government’s activities and authority: the organization is at present insufficiently powerful to provoke any breach with Government, but aims by subtle methods to attract a sufficient following to be able to put into operation at a future date some form or forms of civil disobedience, backed by a substantial proportion of the population.

2. The dangers inherent in such a planned and centrally directed organization are obvious. The evidence in support of the theory is at present meagre, although there is considerable belief, both on the part of officers and chiefs, that such an organization does exist.”

Continuing, the District Commissioner mentioned the rumoured conspiracy to assassinate leading pro-Government Africans with a view, apparently, to causing a Public Commission of Enquiry to be sent out from England before whom evidence of “oppression” could be given and by whose subsequent recommendations further “freedom” could be won for Africans. “This train of reasoning is slightly tortuous but is presumably based on the results of enquiries into riots in Uganda and on the West Coast as a result of which increased constitutional powers were granted to Africans. This alleged conspiracy to assassinate leading pro-Government Africans was referred to by the District Commissioner, Nairobi, in his letter of 17th May, 1950, to the Director of Intelligence and Security, copy to you, and in subsequent correspondence.”

There is no indication in the Secretariat files, other than "initialing", that any particular action was taken on it.

65. In a report on the Kenya Teachers' Training College at Githunguri addressed to the Provincial Commissioner, Central Province, on 25th July, the District Commissioner, Kiambu, wrote:—

"It is a major financial swindle at the expense of the African public for the benefit of the organizers. Collections alone from 1949 are known to have been not less than £10,500 and there is absolutely nothing to show. There is good reason to believe that the college organizers are identified with the leaders of the proscribed K.C.A., and are at the bottom of the administration of the secret unlawful oaths taking place in this district and in the Rift Valley Province.

The hold that this subversive element is gaining over the common people seems to be getting stronger and stronger, particularly on the young boys and girls. This subversive activity is closely linked with the Kikuyu Karinga Education Association schools and is bent on sabotaging the more reasonable Kikuyu Independent Schools Association schools and mission schools. It is highly desirable and important that there should be an investigation into the financial affairs of this Teacher Training College. It will no doubt raise a political storm, with accusations of attempting to smother legitimate African aspirations in the education field, etc., but if unmolested it will become bolder and bolder and a political storm will develop in any case."

This report had an interesting sequel. On the night of 11th-12th August the safe at the college was stolen. It was removed by lorry, dumped some nine miles away, and opened. There was no cash in the safe but, as the District Commissioner, Kiambu, reported:—

"There were numerous features of the 'burglary' that indicate that it was faked. Not the least significant was the behaviour of the disappointed 'thieves' in burning the contents of the safe consisting, apparently, of all the accounts."

There was, therefore, a strong presumption that the report of 25th July had "leaked out" and the Provincial Commissioner decided to conduct a personal enquiry. Owing to lack of confidential staff, both he and the District Commissioner, Kiambu, had handled the report personally. He had however sent the report under confidential cover to the Director of Education in Nairobi: investigations there proved inconclusive, but it is of interest to note that at a K.A.U. meeting held at Magine on 15th October the chairman boasted that there were many loyal K.A.U. supporters in all offices and departments of Government and that K.A.U. could procure advance information on any action that the Government might plan. (Intelligence report by the District Commissioner, Kiambu, dated 2nd November, 1950.)

66. Early on the morning of Sunday, 27th August, 1950, Chief Nderi reported to the District Officer, Nyeri, that a large meeting of the K.C.A. was then taking place at Kyandu in the Thegenge location and that many people had been forced to take the Muma oath. Chief Nderi was accompanied by an informer who had escaped after being made to take the oath. The District Officer, having mustered an armed force of ten Tribal Police and 15 Kenya Police, proceeded to Kyandu with Chief Nderi and the informer. Kagumo Market was surrounded on the way and two men pointed out by the informer were arrested. On arriving at Kyandu, it was found that the main meeting had dispersed, presumably on hearing of the approach of the District Officer's party. The meeting had taken place in

the grounds of the Kyandu Roman Catholic School, with the consent and co-operation of the African headmaster. The actual administration of the oath took place in one of the school buildings, and there was ample evidence on the site in the remains of a slaughtered goat and the flaying knife used. The pelvis of a goat, which had been used for the ceremony, was found in the shirt of one of the men detained. In all 37 men were arrested. In his report the District Commissioner said:—

“There can be no doubt at all that this meeting in the Thegege location was the initial stage of a serious outbreak of anti-Government, anti-European activity planned to take place all over the district during the week beginning Sunday, 27th August, and ending Sunday, 3rd September. Information was received that a large meeting of the Kikuyu Independent Schools Association was to be held at the Mahiga K.I.S.A. school on the 1st, 2nd and 3rd September, to be attended by persons from all over the district, including Nanyuki, and also people from the Rift Valley. This meeting was allowed to take place in the belief that it was merely a cover for further illegal activities by the K.C.A. This meeting was covered by informers and after it had broken up, the chief reported that everything had been conducted in an orderly manner . . .

Many members of the K.C.A. were known to be present at the Mahiga meeting and I have no doubt at all that had the previous events in Thegege not been promptly and ruthlessly dealt with, this would have turned out to be a most serious anti-Government demonstration along the lines known to be preached subversively by such agitators as Morris Mwai . . .

The outbreak in Thegege is the first that has occurred in this district and the circumstances in which it took place all go to prove the theory propounded in my interim secret intelligence report dated 21st July.” (see paragraph 64 above.)

Fifteen Kikuyu, subsequently charged with and found guilty of administering or being at the administration of an unlawful oath, were sentenced to varying terms of imprisonment.

67. A suggestion was made at a meeting of the European Elected Members of Legislative Council in July that they would very much welcome the holding of *barazas* by district commissioners on farms to deal with Government's attitude both to the *Dini ya Msambwa* and the *Mau Mau* organization. In a letter to the Chief Native Commissioner, dated 24th August, the Provincial Commissioner, Central Province, said:—

“I have consulted unofficial, as well as official, opinion on this point and there is a general agreement that it would be a mistake to hold such *barazas* which might draw the attention of the labour to such societies and fire them with a curiosity to belong to them.”

The Rift Valley Province had, however, decided to hold such *barazas*, and in a letter dated 20th August to the Chief Native Commissioner, the District Commissioner, Nakuru, reported:—

“In the Naivasha area, where the Provincial Labour Officer and I, with the assistance and the wholehearted co-operation of unofficials, held six *barazas* in two days, it was abundantly evident that the *Mau Mau* association was only too familiar to our audiences, which were 90 per cent Kikuyu, and there can be no possible doubt that your instructions to hold such *barazas* were not only justifiable in the extreme but have been, according to general gossip filtering through to us, productive of appreciable results in combating the spread of the association . . .

I suggest that it is most unlikely that a disease, which appears to have its origin in a source of infection in the Kikuyu reserve, has spread in one direction only, and would strongly recommend that our local efforts might be enhanced by similar action in other known or suspected foci. Disquiet at the spread of *Mau Mau* throughout the Kikuyu labour in the settled areas in the Rift Valley Province was widespread, e.g. at a meeting of the Solai Association, held on 17th August, all present seemed to take a very serious view of this organization and a good deal of concern was expressed."

68. Owing to the increase in *Mau Mau* activity in the Central Province and the settled areas of the Rift Valley Province, two police officers were, in August, posted to the C.I.D. headquarters at Nyeri and Nakuru for special duty in connexion with *Mau Mau* investigations and prosecutions. The Assistant Superintendent of Police's first assignment was a full enquiry into the build-up of *Mau Mau* in Nyeri which led to the Kyandu incident (see paragraph 61 above). The result of these investigations which formed part of his report, with comments by the Director of Intelligence and Security, was sent to the Member for Law and Order and the Chief Secretary on 25th September. In brief, by working back from Nyeri, the report showed that the recent compulsory oath taking in Nyeri was purely the work of the K.C.A., directed by persons in contact with Githunguri, and having as its object the unification of the Kikuyu masses in the reserves. Unfortunately, however, no evidence could be obtained to implicate the K.C.A. as a body, nor was it possible to charge any of those who figured behind the scenes, and a case could only be substantiated against 15 of the local ringleaders who put the instructions emanating from Githunguri into practice. This report confirmed, by a painstaking investigation, the views of the District Commissioner, Nyeri (see paragraph 66 above), and is therefore of considerable importance.

69. On 4th October the District Commissioner, Nyeri, wrote:—

"The Nyeri chiefs report that *Mau Mau* is still carrying on its activities. They are of the opinion that secret oaths are still being administered, but that it is very difficult to obtain reliable information. They are also convinced that these ceremonies are being held in other districts of the province, and in the settled areas also."

The latter was confirmed by a report from the District Commissioner, Nanyuki, submitted on 2nd October:—

"On 22nd September I received a letter from an African minister of the Church of Scotland that a few nights previously, on Mr. S. S. Bastard's farm, there was a gathering of employees from neighbouring farms. (Messrs. Minns and Hutchison, and Major Soames.) A number of Africans took the oath. The master of ceremonies was apparently Mr. Bastard's cook. Two of the loyal adherents to sound Christian training refused to take the oath."

From a separate source of information the Nyeri police reported that the oathing ceremonies were taking place in the school which Mr. Bastard had built and staffed at his own expense. In the hope of obtaining sufficient concrete evidence to warrant prosecution, the police requested Mr. Bastard to continue employing the cook, which he did. (*Note 18.*) This

Note 18.—This incident had a dramatic sequel. In February, 1953, Mr. and Mrs. Bastard, and their married daughter, who was visiting them from England, were attacked by their farm labour, instigated by the aforesaid cook. They were fired at at short range when crossing an open veranda at 9.30 p.m. They beat off the attack but were in a state of siege the whole night and no help arrived until the following morning, when their neighbours, hearing garbled reports of the attack, assumed that they had been murdered.

was the first report of an oathing ceremony in the settled area of the Central Province, and was of particular interest as it confirmed the reports (see paragraph 77 below) that an essential feature of the *Mau Mau* organization in the settled areas was the enrolment of the more influential personalities on the farms as oath administrators. It also corroborated the growing realization that the network of Independent Schools was an integral part in the organization for the spread of *Mau Mau*.

70. The following are extracts from a confidential letter addressed to the District Commissioner, Nyeri, by Tom Mbotela and dated 23rd September, with copies to the Chief Native Commissioner, the Provincial Commissioner, Central Province, and the District Commissioner, Fort Hall. It was entitled "Re: *Mau Mau* Association".

"It is with profound regret that I am writing to inform you that it has become obvious to me that some members and officers of the Kenya African Union branches have been taken part in either administering or taking illegal oaths in some parts of Kenya. I must therefore make it emphatically clear that this is entirely contrary to the constitution of the Kenya African Union.

For the last four or five months Mr. Joseph Katithi, the general secretary, and myself as vice-president, have been working very hard to drive it home to the people in the Rift Valley Province and in the Kiambu district that our Union has nothing whatsoever to do with the administration of oaths and that our constitution is entirely different from that of the Kikuyu Central Association and the *Mau Mau* Association, if they have any at all, and that our members should not, under any circumstances, have anything to do with this terrible affair."

Tom Mbotela added that he had been allowed to hold a certain number of K.A.U. meetings in Kiambu and elsewhere, and that the object of his letter was to seek permission to hold further meetings in Nyeri and Fort Hall "so that I can rectify the position to the people." Continuing, he said:—

"I personally appreciate the action which is being taken by the Government at present against offenders of this nature, but I at the same time strongly feel that African leaders must also co-operate in trying to get rid of the existing undesirable habit of administering these filthy oaths among the people. I have had discussions with some reputable Kikuyus, as well as some chiefs, and they are in full agreement that it is our duty to assist and to make our position perfectly clear regarding this matter."

71. In commenting on this letter to the Provincial Commissioner, the District Commissioner, Kiambu, was somewhat guarded in advocating a campaign of Kenya African Union meetings in the Kikuyu reserve. This was understandable as all the politicians were suspect and Tom Mbotela, although known to be opposed to *Mau Mau*, was not averse from extolling publicly some of the more controversial tenets of K.A.U. Moreover, so many of the K.A.U. meetings in the Kikuyu reserve had in the past been little else than *Mau Mau* meetings. He however agreed:—

"That any political African who will openly speak against unlawful oaths is all to the good, but before granting Tom Mbotela permission to hold any meetings, I suggest that he lists an agenda for approval."

The District Commissioner, however, wrote:—

“I believe that Tom Mbotela is genuine in his efforts to dissociate K.A.U. from *Mau Mau* activities, but admits that local K.A.U. leaders have been involved.”

In a subsequent meeting with the Provincial Commissioner, Tom Mbotela was informed that restricted meetings could be held only if he announced that the K.A.U. was not associated with *Mau Mau*, and if the two office holders who had been convicted of *Mau Mau* offences were publicly expelled from the Union. In his reply Tom Mbotela hinted very strongly that Jomo Kenyatta had advised K.A.U. branches to support *Mau Mau*. He also commented on his difficulty as a non-Kikuyu in carrying weight if he made any such announcement on his own. Such an announcement should really come from Jomo Kenyatta himself. He added that he had failed to draw Jomo Kenyatta into such an announcement at the public meeting in Fort Hall. He further said that *Mau Mau* was now stronger in the Rift Valley Province than it had been in 1949 and stressed that no permission should be given for the holding of meetings by the Kikuyu Age Group Association in order to collect money, as a great deal of seditious propaganda was carried out by the use of Kikuyu proverbs, which would be unintelligible to non-initiates. He hinted, too, that any funds so collected might well be directed to the illegal K.C.A.

72. During the next two years many meetings were organized, with the object of inducing Jomo Kenyatta to denounce *Mau Mau*. But by the skilful use of words he invariably succeeded in evading this vital issue, although he did on occasions manage to convey to the uninitiated that he had uttered a denunciation. Two such meetings were arranged by Tom Mbotela to take place in 1950. The first meeting, held in the *boma* at Kiambu on 15th October, was attended by Jomo Kenyatta, Peter Mbiu Koinange, Tom Mbotela and other leading political personalities. In his report of the meeting, dated 3rd November, the District Commissioner, Kiambu, said:—

“*Mau Mau* activities were stressed as not being connected with K.A.U., but they were not denounced as promised by Tom Mbotela, who subsequently wrote me a personal letter warning against Jomo Kenyatta and his “age group” collections. One thing that did receive support from Jomo Kenyatta was terracing, though it was chiefly with the object of avoiding K.A.U. getting a bad name for slanging agricultural policy and thus being prevented from holding meetings in the reserve.”

The second much publicized meeting had been arranged to take place in Nyeri on 17th December. It was reported by the District Commissioner, Nyeri, as follows:—

“The famous K.A.U. public meeting, at which Tom Mbotela was to denounce *Mau Mau*, did not in the event take place, in spite of the spate of advance publicity, both in the Press and on the wireless. Tom Mbotela arrived early, accompanied by Gideon Gaitwa and Henry Waweru but, after a brief stop, drove straight off to Nanyuki. He later return and visited Mathira Division. Although the Nanyuki contingent arrived and waited hopefully, none of the Nyeri members of K.A.U. put in an appearance. In the event, it proved that the meeting had been cancelled by Anderson Wamuthenya, the district chairman of K.A.U. The reasons for the cancellation are somewhat obscure, but the following are the two most widely held:—

- (1) that the Government were going to arrest, or alternatively photograph, all members of the public who attended the meeting;
- (2) that Jomo Kenyatta ordered Anderson to cancel the meeting, as he had always been bitterly opposed to the expulsion of K.A.U. members for *Mau Mau* activities.

The majority of public opinion, with which the writer agrees, favours the second of the above reasons."

73. To return to the Rift Valley Province, the District Commissioner, Nakuru, and the Senior Labour Officer, continued to hold a series of *barazas* over a wide area during September and October, and in his report on the Njoro area dated 30th October the District Commissioner said:—

"There can be no doubt that the minds of those whose farms or other labour employing organizations are permeated by the society are seriously exercised over its potential and present effect on their labour, and one or two individuals were apprehensive of recourse to open violence at some future date, unless the spread of the cult could be halted . . .

It is difficult to assess the real effect of these *barazas* as alone they cannot be expected to terminate subversion, but they probably afford a measure of discouragement to the principals, deter the waverers, and mobilize healthy public opinion."

In order to assess the extent of this subversion and to discuss methods of combatting *Mau Mau* in the Rift Valley Province, a meeting was held in the Provincial Commissioner's office at Nakuru on 27th November. Apart from the Government officers concerned, it was attended by the Member for Law and Order, the Chief Native Commissioner, Captain L. C. Spiers, Chairman of the Njoro District Association, and Mr. Knight, manager of the Beeston Saw Mills, Elburgon. The Inspector of Police (specially seconded for *Mau Mau* investigations) said that secret societies appealed to the Kikuyu by nature and that although many Kikuyu perhaps disliked this business, they were told that the land which the European would be forced to vacate would be divided among them. The movement was now firmly established over a wide area; in Nakuru it was known as "The Communists" and it was noticeable that it became increasingly active when Jomo Kenyatta visited any area. The meeting recognized that the long-term problem arose from the lack of any direct administration among some 400,000-odd Africans employed on farms and in other undertakings in the Rift Valley Province. In summing up the meeting, the Member for Law and Order agreed that an increase in Government propaganda was of prime importance and also that more staff was needed:—

"The essential danger of secret societies was that a stage could be reached where the ordinary peaceful citizen was more afraid of them than of the forces of law and order. It was consequently most necessary to ensure that this did not happen. There was need for concerted action throughout the Kikuyu country."

He undertook to examine the suggestion of imposing pass rules and also the possibility of legislation to prevent the collection of subscriptions of the kind mentioned. He would further examine the Vagrancy Ordinance with a view to the return of undesirable people to their reserves. During the course of the meeting many of those present considered that the only

effective method of dealing adequately with those who used violence was the extension of the punishment of flogging, but the Member for Law and Order said that, in his opinion, there was not the least possibility of the Secretary of State agreeing to this. In fact the current tendency was to restrict the number of offences for which flogging could be imposed.

Subsequently, an additional District Officer was posted to Naivasha, and a European Police Officer to Elburgon.

74. At a meeting of the provincial commissioners held under the chairmanship of the Acting Governor at the beginning of October, political unrest was one of the subjects discussed. The Provincial Commissioner, Central Province, considered that propaganda against the *Mau Mau* Association was useless and that legal action against offenders was the only line of action. In the districts the *Mau Mau* Association was closely associated with the K.A.U. Members of it were fanatical Kikuyu nationalists, anti-European and anti-Government, and as such were not susceptible to counter-propaganda. The Chief Native Commissioner suggested the taking of extended powers to deal with agitation as, for example, preventive detention, but the Member for Law and Order was of the opinion that the Secretary of State would not accept such a measure in peace time. As a sequel to this meeting, the Legislative Council on 28th November, approved legislation designed to tighten up the law against the administration of illegal oaths. A new section was inserted to make it a felony to be present at and consent to the administration by force of any oath or engagement, and the period within which a person compelled to take an oath against his will must report to the police was reduced from a fortnight to five days. These amendments to the Penal Code will be dealt with in more detail in Chapter XIII, on the Law and Public Security.

75. On 31st October the Divisional Police Headquarters at Nyeri, reporting on K.C.A. and *Mau Mau*, stated:—

“A meeting summoned by Elijah Kibichu, chairman of K.I.S.A., Mahiga, took place at Mahiga in Chief Taitu’s location on 15th October 1950. Some 40 Kikuyu were present, including Stephen Wachira and Willy Jimmy Wambugu. At the close of the meeting, which was held in strict secrecy, it was learnt that amongst other school affairs discussed, Willy Jimmy Wambugu had said that the names of all Kikuyus who take the oath and pay the contribution Sh. 60 are sent to Jomo Kenyatta. The names are then recorded in a large book kept by Kenyatta and only people whose names are recorded will be entitled to a free grant of land when the Africans achieve self government. The others will be expelled from the Kikuyu tribe.”

During the course of the next two years many reports of a like nature were received, one being that for greater safety against seizure the master register, called the *Njuku*, was hidden in the house of an illiterate old woman who was not aware of its importance. It was never found, and may never have existed. But the significant point is that its reputed existence had great propaganda value; by joining *Mau Mau* a definite stake in land was registered. (See paragraph 30 above.)

76. Nyeri Divisional Police weekly intelligence report of 20th November contained a most valuable section entitled: “The Future Political Outlook”. In this report the Assistant Superintendent of Police stated *inter alia*:—

“In all cases it is felt that the matter is not one to be looked at from a purely local point of view. It is maintained that future political

activity should be judged on the feelings and the mood of the Kikuyu tribe as a whole, there being a common national aspiration and a distinctly common field of thought, great belief in a handful of leaders and a will to abide by decisions made at Githunguri. It is felt that the time is near when the masses will act in greater harmony, and when the majority will fall into line to fulfil common political purposes. Generally, the picture painted is a stormy one. It is said that the tension is growing, and a political consciousness with an evil outlook is already present among a dangerous portion of the tribe. Whilst it is considered that the Kikuyu leaders of today will never associate themselves with major disturbances, it is insisted that their policy is one of cunning and secret provocation—promoting ill-will against Government and the European community whenever possible, and aiming for the day when they can “innocently” declare themselves unable to control the fury of their followers and take a back seat whilst their flock engage in violent anti-Government activity. It is submitted that the day to day manner of the average individual Kikuyu, while presenting a normal exterior, gives a false impression of his state of mind, and that not until he sees his fellow Africans in numbers at a meeting, where he feels there is security from Government intervention, does he voice his thoughts and disclose his true political attitude.

All over it is felt that there exists, *inter alia*, a common object in all Kikuyu bodies or movements, whether they be K.A.U., K.I.S.A., K.C.A., *Mau Mau* or anything else. The object is said to be to teach the individual the importance of ‘fighting for his land, complete freedom, and the necessity of forcing the Britisher to abandon his interests in the Colony’.”

Apart from the report from the District Commissioner, Nyeri, referred to in paragraph 64 above, this is the first recorded attempt of an overall assessment of the Kikuyu political scene.

I have two comments to make on this report. The observation that the Kikuyu was prone to hide his innermost feelings under the cloak of a normal exterior was a most penetrating one, and was borne out by so much which happened before and during the Emergency—the ability to carry on a comparatively normal existence in the midst of what was little other than rebellion, until the moment arrived to answer the commands of *Mau Mau*. I have already commented in Chapter II on this schizophrenia engendered by the sudden imposition of an alien culture on a more primitive one. The other concerns the paragraph not quoted in which he writes—“the missionaries contacted in the district do not appear too perturbed”. This may well have been true of some missionaries in the neighbourhood of Nyeri, but this view was not held by all missionaries and church leaders, as on 19th October, 1950, the general secretary of the Christian Council of Kenya addressed a personal letter to the Chief Native Commissioner on the *Mau Mau* movement. He said:—

“A synod of the Presbyterian Church of East Africa, at a recent meeting, has specifically disassociated itself from the movement which it regards as something totally undesirable. The Motion was put forward by the African members and passed by them unanimously. There is reason to believe that the ‘Kikuyu Age Groups’ movement is sponsoring the *Mau Mau* drive. There is also reason to believe that the *Mau Mau* organization is growing rapidly in strength in the Rift Valley, especially among the Kikuyu. The position of the Kenya African Union with regard to *Mau Mau* is not clear. It is probable that most of the Kikuyu members support *Mau Mau*, and that the others do not.”

And earlier in the year the Rev. N. Langford-Smith had submitted a report dated 6th May to the District Commissioner, Kiambu, on the persistent but unsuccessful efforts of Jomo Kenyatta to subvert the African Anglican Church Schools, and a year previously the Rev. Martin Capon had drawn the attention of the Chief Native Commissioner to anti-Christian agitation being sponsored by Jomo Kenyatta and Peter Mbiu Koinange (*see* paragraph 39 above).

77. For many months rumours rather than reports had been received of surreptitious oathing ceremonies taking place in the many Kikuyu or half Kikuyu-Masai settlements on the Masai reserve between Narok and the Mau escarpment to the north. These were said to have started at Nairage Ngare in June, 1949. One of the more significant of these reports, sent in by Mr. Aitchison of Naivasha, was to the effect that at a meeting at Narok early in 1950, and attended by *Mau Mau* leaders from the Naivasha area, the edict had issued that the first people to recruit on farms were cooks and houseboys. In December, 1950 a report was received at the Southern Province Headquarters at Ngong that there had been a noticeable influx of Kikuyu to this area, particularly in the vicinity of Nairage Ngare. Owing to the remoteness of the area, and the pre-occupation of the administration with Masai affairs, it was not possible to take much action, and it was not until the very day the Emergency was declared that an oathing ceremony was detected, 33 pure and half-bred Kikuyu being arrested at Globite, but their convictions were later quashed by the Supreme Court. (*Note 19.*)

78. In his report dated 5th December the District Commissioner, Nyeri, said:—

“It is interesting to record that Chief Nderi is of the opinion that *Mau Mau* was originally formed some two or three years ago at the house of a man called Kirori Mutuku in Aguthi, at a meeting attended by Jomo Kenyatta and James Beuttah. The bulk of opinion is that the ceremony held at Banana Hill in Kiambu at the beginning of this year marked an intensification of campaign, rather than the birth of the movement.”

During the latter course of the year many reports of an important oathing ceremony having taken place in February or March at Banana Hill (some ten miles from Nairobi in the Kiambaa location of Kiambu and not far from Githunguri) were received. One version stated that this ceremony had taken place at Kiara, some two miles from Kiambu. This was later confirmed by many of the confessions made by those detained. There is no doubt that something in the nature of an inaugural ceremony took place in this area at that time, denoting the start of a more determined campaign of oathing (*see* paragraphs 52 and 53 above). But of perhaps greater interest is the reference to the “birth of *Mau Mau*” having taken place some two or three years ago, i.e., sometime in 1947. It was in July, 1947 that Mr. Eliud Mathu submitted a memorandum to the Government on clandestine meetings of Kikuyu (*see* paragraph 25 above). It is therefore a reasonable inference that a more sinister type of oath evolved about that time, recognized by the Kikuyu as being different from the normal and accepted oaths commonplace in Kikuyu society.

79. On the night of 13th December a spear tied to a long wattle pole was thrust at Chief Waruhiu through a window as he lay in bed in his house near Kiambu, but fortunately missed its mark. With the assistance of a police dog an early arrest of the assailant, who confessed, was made. As the man's wife had the previous day been fined by the chief for the

Note 19.—A fuller history of *Mau Mau* penetration into the Masai reserve and other areas, including Tanganyika (which Jomo Kenyatta visited at the end of 1950) and Uganda, is given in Chapter IX.

illegal possession of native spirit, it was naturally assumed that there was no political motive. But the District Commissioner, Nyeri, reported rumours circulating in the district to the effect that:—

“Although this attempt to assassinate Chief Waruhiu had failed, it would not do so the second time.” (*Note 20.*)

80. 1950 closed with reports from most districts of the Central Province and the settled areas of the Rift Valley Province of continued but covert *Mau Mau* activity, but one fresh manifestation appeared before the end of the year. Both the Provincial Police Headquarters and the District Commissioner, Nyeri, reported that:—

“A number of creditable sources of information have reported that the singing of night-time ‘sympathy’ hymns for those who have been imprisoned for illegal *Mau Mau* oath activities has commenced in many parts of the Kikuyu reserve. These hymns, which are said to be sung chiefly by women, also contain words of prayer for the families of convicted members of the *Mau Mau*. At one of these ‘singing ceremonies’, which took place near Mangu in the reserve above Thika on the night following the passing of sentence upon Solomon Memia, a hymn was sung which was worded as follows—

‘The first drops of Kikuyu blood have now been shed. The blood of the people of God (*Mumbi*) will stain the grass upon which our cattle grazes before our children can be free.’

So far, it is understood, these ‘singings’ have been done in secrecy with every effort being made to avoid both the chiefs and the headmen hearing of them.”

The District Commissioner, Kiambu, also stated:—

“There can be little doubt but that the splinter movement in the K.I.S.A. schools is closely allied to the *Mau Mau*. It would appear that Jomo’s master plan is to mould Kikuyu youth on the totalitarian method in these schools, while these same schools should be used as initiation grounds for the adults at night into extreme forms of Kikuyu nationalism, under the various titles of *Mau Mau*, Willy Jimmy Kiama, K.C.A., etc.”

An interesting sidelight on the above is an earlier report by a District Officer, Community Development, Nyeri, who, while visiting a C.C.M. school at Kiagunyu on 7th June found a “quiz” in progress on the following lines:—

“Q. Who is our leader?”	A. Jomo Kenyatta. (Applause.)
Q. Which is the organization which helps us?	A. K.A.U.
Q. Are the West Africans our friends?	A. Yes, we are all coloured brothers together. Etc., etc.”

81. I have dealt with the events of 1950 at some length by quoting fully from some of the many reports received (*Note 21*). I have done so because it was during this year that the many and varied facets of the campaign of *Mau Mau* subversion came more definitely to notice, and the general pattern of the overall plan of *Mau Mau* became more apparent, at least

Note 20.—It was the assassination of this loyal and influential chief by gunmen on 7th October, 1952, which finally sealed the decision to declare a State of Emergency (*see* paragraph 164).

Note 21.—For the months of November and December the district intelligence reports of the Central Province alone cover some 28 pages typed laboriously by the district commissioners, or perhaps less laboriously by their wives, if they were fortunate enough to be married to one who could type.

to those in the field who were in closest contact with it. But the horizon, although darkening, was not yet black. The annual reports from the Central and Rift Valley Provinces show that, under the guidance of the administration and the departmental officials, continuing advances had taken place in social and economic progress in the native areas. But the Central Government had realized the potential danger of the storm clouds which were beginning to gather, and action against *Mau Mau* within the limitations set by the law was being taken. By the end of the year 142 persons had been prosecuted in connexion with the administering of the *Mau Mau* oaths and 120 had been convicted. Much counter-propaganda was being undertaken both in the Kikuyu reserve and among the Kikuyu labour in the settled areas, and in both areas, but particularly in the reserves, there was still much antipathy and opposition to *Mau Mau*. The "strong arm" methods employed by *Mau Mau* adherents, particularly against women, had caused much resentment, but as the Director of Intelligence and Security commented:—

"While they would not participate of their own free will, it is doubtful if they would have the courage to stand out, much less against *Mau Mau*. The establishment of successful terrorism is also a tremendous gain."

Harry Thuku emerged once more on the scene and in November addressed a circular to all branches of his Kikuyu Provincial Association warning them of the dangers of *Mau Mau*:—

"We have never seen such a movement in our land before, and it will be stopped by the Government very quickly."

Reports from both Fort Hall and Thika showed also that some of those who had been forced to join *Mau Mau* were consulting witch doctors, to whom they paid a fee of a sheep to be cleansed of the illegal oath. And it was this opposition which had led to the fuller exposure of *Mau Mau*.

The Provincial Commissioner, Central Province, summed up the general position in his province as follows:—

"The year, on the whole, saw little political trouble, and the great bulk of the population co-operated well with the Administration. The Wakamba were too occupied with the drought and the business of keeping alive to pay much heed to the K.A.U. politicians who attempted to stir up discontent in Kitui later in the year. But there was an undercurrent of discontent in the Kikuyu districts, and two serious challenges were made to law and order—the general strike in Nairobi, and the subversive activities of the *Mau Mau* Association. In both cases firm action by the Government prevented the spread of disorder. The strike collapsed within a week, and the *Mau Mau* activity died down after exemplary sentences had been passed on offenders and special measures had been taken to counteract its propaganda."

The Provincial Commissioner, Rift Valley Province, after commenting that one of the more disturbing events in the political sphere was the discovery of *Mau Mau*, reported, with special reference to the settled areas:—

"The existence of such a society and the difficulty of suppressing it and counteracting its insidious propaganda has shown up the real weakness of the present Administration in the settled areas. It is virtually impossible for the district commissioner to maintain even a tenuous contact with the African in each of the many hundreds of farms in a district which, when the work of administration was less complicated, was divided into three districts supervised by five administrative officers. The results of amalgamating districts in the settled areas, reducing staff and neglecting thereby African interests are becoming

patent in increasing African unrest and discontent. Unless it is possible to augment the staff of administrative officers in the settled areas, where the number of Africans resident on farms and townships is often greater than the population of a moderate-sized native reserve, serious consequences may well ensue and under the present set-up the only solution lies in closer contact between the farmer and his African employees."

82. The Kenya intelligence review for 1950 recorded the following incidents:—

Attempted assassination of Tom Mbotela and Muchohi Gikonyo (paragraph 51).

Recrudescence of K.C.A. and forcible oathing in Kiambu, which led to the arrest and conviction of Dedan Mugo and 14 others (paragraphs 52-54).

The arrest and conviction of 19 persons at Naivasha in connexion with the administration of the *Mau Mau* oath (paragraph 55; this was the first mention of *Mau Mau* in this review).

Proscription of the *Mau Mau* society (paragraph 58).

Arrest and conviction of 15 Kikuyu at Nyeri in connexion with oathing, the primary object of which was the unification of the masses by force if necessary for the purpose, among others, of evicting Europeans from African soil—the campaign being launched through Independent Schools, with the secondary aim of collecting money (paragraph 60).

Counter action by *barazas* in the Rift Valley Province (paragraph 67) and the spread of *Mau Mau* among Kikuyu in the Masai reserve (paragraph 77).

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83. As I have commented in paragraph 81 above, I have dealt with the happenings in 1950 in some detail and at some length, as it was in that year that the mass oathing started in earnest and the general plan of action of subversion became clearer. Further aspects of this will be found in Chapters VII, VIII and IX covering the Independent Schools, Meetings and Vernacular Press and the Spread of *Mau Mau* to Other Tribes. In the rest of this chapter, which will cover the period up to the declaration of the State of Emergency on 22nd October, 1952, I shall endeavour to deal with the growth of *Mau Mau* in broader outline. There will be much to record, but I hope to do so with fewer quotations relating to actual incidents, but it must not be inferred that there was any lessening in the number of such reports. They increased in volume as the months rolled by.

84. It was now realized by all, both officials and non-officials, that Jomo Kenyatta was the dominant personality in the African scene. It rested on him, and him alone, whether a halt could be called to the advancing flood of *Mau Mau*. So efforts to induce him to come out into the open and denounce *Mau Mau* in unequivocal terms were continued. With this in view, the first committee meeting of the Kenya Citizens' Association was held in the United Kenya Club on 12th January, with Sir Charles Mortimer in the chair. The inaugural meeting of this non-racial association, which had been sponsored by Peter Mbiu Koinange, had taken place on the 23rd October, 1950. At that meeting it was decided that the association would be a forum for the "fostering of human relationship" and the free discussion of problems involved. Some 17 Europeans, eight Indians and 11 Africans attended. The Europeans included Sir Charles Mortimer, Messrs. Vasey, Askwith and Cooke, Major Sprott and Colonel La Fontaine. Messrs. S. G. Amin and Ibrahim Nathoo were among the

Indians present. The Africans included ex-Chief Koinange, Peter Mbiu Koinange, Jomo Kenyatta and Ambrosia Ofafa. At the committee meeting held on 12th January, Jomo Kenyatta complained that he had been attacked by the editor of the *Kenya Weekly News* and the editor had requested him to come forward to denounce *Mau Mau* publicly. Jomo Kenyatta said that his Union was dead against the movement and had in fact been working against it. His vice-president and general secretary had been touring the country with a view to denouncing this unlawful association. As it was obvious that Jomo Kenyatta was "hiding" behind the fact that some members of K.A.U. had denounced *Mau Mau*, he was then asked whether he himself had ever attempted to condemn it publicly, to which he replied that he had. Joseph Katithi, the general secretary of K.A.U., then explained to those present how he and Tom Mbotela had been working hard during the last few months, trying to kill the influence of this unlawful movement. He recalled on one occasion, when at a public meeting of K.A.U. held at Fort Hall, Tom Mbotela had requested Jomo Kenyatta to denounce the association, but he, Jomo Kenyatta, simply said that he did not know it because it was *Mau Mau* and the meeting was held under the auspices of K.A.U. In reply to a question as to whether he was convinced that the association was an illegal one, Jomo Kenyatta said that K.A.U. had nothing to do with such a movement. After further hedging, Jomo Kenyatta was instructed by the chairman, Sir Charles Mortimer, to hold a public meeting and denounce the association himself. He consented, but remarked that he feared that by talking about *Mau Mau* publicly he would perhaps be strengthening its influence among Africans.

85. As Jomo Kenyatta and his associates were, by common repute, recognized by all Africans and most Europeans and Indians as the architects of *Mau Mau*, it may well be asked at this juncture what were their motives in sponsoring and supporting an association which, in its ideals, was the very antithesis of *Mau Mau*. Were they utterly Machiavellian by sponsoring this association with the clear intention of deceiving the Government and others? The motives which guide human behaviour are rarely clear cut, and I doubt whether any direct answer can be given to this question. But since there are still persons to be found who voice some doubt on the full complicity of these two in the *Mau Mau* rebellion, it might be as well at this juncture to attempt a cursory analysis of their motives, even though it can, at the best, only be speculative.

They were caught on the horns of a serious dilemma. To come out in the open at this stage and refuse even the semblance of co-operation would expose their true intent to the Government and others. To denounce and renounce *Mau Mau* would entail the sacrifice of the only weapon they had to achieve their ends if all else failed. It would, moreover, even at this stage, have been extremely difficult (but not impossible for Jomo Kenyatta with his growing prestige) to halt the spread of *Mau Mau*: a subversive movement of this nature, based on the lethal mixture of pseudo-religion, nationalism and the evil forms of black magic, once started, tended to surge on under its own momentum to its terrible end. A semblance of co-operation was essential. As I have already commented, and as will be seen later, Jomo Kenyatta, walked this tight rope with great skill and cunning.

86. The immediate outcome of the committee meeting referred to in paragraph 84 above was a well-publicized K.A.U. meeting held in the Kaloleni Hall in Nairobi on the 4th February, to which Europeans had been especially invited. Jomo Kenyatta "denounced" *Mau Mau* in his usual form, by saying that it was a bad thing, but he did not know of it; he did not even know what language it was. Although this denunciation was reported by the Director of Intelligence and Security as having been

accepted by the Europeans present (*see* paragraph 112 below), it did not deceive those members of the Kenya Citizens' Association who had been invited to attend. Among the latter was Colonel S. H. La Fontaine, who sent a letter to this effect to the *Kenya Weekly News*. It was also received with scepticism in outside districts. The District Commissioner, Fort Hall, stated:—

“I am not at all satisfied that Jomo Kenyatta did in fact denounce *Mau Mau* at Kaloleni. All sorts of stories are circulating about it, the first of them being that Jomo played with words as usual and convinced at least some of his audience that he had not denied that he was a member of *Mau Mau*. Be this as it may, the fact remains that many people are not convinced by the Kaloleni meeting. It is said that *Mau Mau* really means *Uma Uma* (Out, Out), and is a code word based on the old pre-circumcision secret language game of the Kikuyu young men, in which letters are transposed.” (*See* Chapter VI.)

Some support for this theory was afforded by a police report which added that the way in which Jomo Kenyatta circumvented it was by saying he did not even know the language, which was greeted with some mirth.

87. Tom Mbotela then decided to persevere alone, and a further K.A.U. meeting was held on 25th February near Limuru, with the express object of denouncing *Mau Mau*. Jomo Kenyatta was not present. The chief speaker was Tom Mbotela who duly denounced *Mau Mau*, mainly on the grounds that division into oath-takers and non-oath-takers was highly undesirable, in so much as this weakened the tribe. It was therefore up to the Kikuyu to stop *Mau Mau* as quickly as possible. Jomo Kenyatta had nothing to do with it. (*Note 22.*) Joseph Katithi then spoke to the same effect. At the end of the meeting an old man stood up and said that he had taken the oath, and everybody else present had too, so why deny it? Nevertheless, the meeting passed a resolution denying any participation in *Mau Mau* and denounced it. Commenting on these denunciations, the District Commissioner, Kiambu, in his report for February, said that in a conversation he had had with Jomo Kenyatta, Jomo admitted he had been badgered into his “denunciation” at Kaloleni by the *Kenya Weekly News*. The District Commissioner added:—

“It is also the opinion of the African police inspectors at Githunguri and Gatundu, and of Chief Waruhiu, that Jomo Kenyatta remains as much at the bottom of *Mau Mau* as ever.”

88. After much exchange of correspondence between the District Commissioner, Nyeri, and district chairman of the local branch of K.A.U., the branch finally agreed to the stipulation that a meeting of K.A.U. could be held, on condition that *Mau Mau* was denounced and the members of K.A.U. who were convicted for these activities would be expelled, and a mass meeting was held on the showground in Nyeri on 4th March. In his opening speech Anderson Wamuthenya, the district chairman, announced that an officer of the police was present. In view of the fact that he had had some difficulty, on which he commented, in obtaining the required permission to hold the meeting, his speech was guarded, and may be summed up by the following quotation:—

“What we want immediately is opportunity to rule ourselves. We want to co-operate with the whole world and trade with its people. When we demand self-government it does not mean that the British people will walk out of Kenya; they will stay here and help us for

Note 22.—I presume that it was politic to say this at a public meeting, particularly as Tom Mbotela was striving to maintain K.A.U. as a responsible body of African opinion, but he was under no personal illusions (*see* paragraph 71).

ever. Their sons and our sons shall work together, and we must see that our generation to come does not live in a troubled world.”

But during the course of his speech he also said:—

“There has been a lot of talk in this country about something called *Mau Mau*. The Europeans have heard of it. Myself, I do not know the word. I have asked my father, and even he does not know the word. I have only read about it in the *East African Standard*. Our president, Jomo Kenyatta, declared the other day at Kaloleni Hall that he did not know what *Mau Mau* was.”

During the course of the elections to fill the vacancies caused by the imprisonment of the two *Mau Mau* office bearers, Tom Mbotela arrived. In a long speech in which he outlined the aspirations of the African peoples, he denounced *Mau Mau*. Referring to the meeting of K.A.U. at Limuru, at which he had been present, he said (see paragraph 87 above):—

“It was there that I proved to myself that this *Mau Mau* Association did exist. I found that there were two divisions of Kikuyu at Limuru. One is *Mau Mau* and the other is K.A.U. I saw members of the *Mau Mau* doing their best to try and stop people from coming to that meeting. They were telling people that their night-time oath meetings were better. I am telling you what I saw with my own eyes. I want to ask you this question. Is this division in unity the way we, the people who want to have self-government, are to progress? If the Kikuyu split, what will the Kamba, Luo and skin-clad Masai do? The Kikuyus profess to lead the other tribes and it is disastrous that they lead in this manner. I condemn this split, and if you support it tell me now so that I may get down and leave this meeting.”

In a comment on this meeting the Assistant Superintendent of Police, Nyeri, who was there, said it was obvious that had Tom Mbotela not arrived, *Mau Mau* would not have been denounced at this meeting. Nor were the convicted office bearers of *Mau Mau* publicly expelled. Indeed a resolution was passed deprecating the severe sentences passed on the convicted men.

The District Commissioner, Nyeri, in discussing this meeting, said:—

“In the eyes of all respectable citizens, this has confirmed the complete identity of the Nyeri branch of K.A.U. with the *Mau Mau* Association. All moderates were dismissed from office and replaced by extremists. Jomo Kenyatta is widely named as the head of both bodies, while James Beuttah is said to be one of the ringleaders.”

89. To return to the settled areas, a typical *Mau Mau* oathing ceremony took place on 3rd February on the farm of Mr. T. E. Aggett in the Nanyuki area. The terms of the oath were identical in every respect to those of the *Mau Mau* cases already described. The six ringleaders responsible for this incident were arrested and were convicted on 21st March to varying terms of imprisonment. In commenting on the case to the Member for Law and Order, the Director of Intelligence and Security wrote:—

“All six were Kikuyu and all were employed as farm labourers in the vicinity. Documents seized by the police at the time of the arrests reveal that the oath campaign is to continue until all Kikuyu are members of the association. The name of Jomo Kenyatta is frequently mentioned as a superhuman who will guide the African towards freedom and remove the European from the Colony. A very distinct anti-European feeling existed on the farm, and every conceivable

obstruction was laid before the police while investigations were proceeding. Efforts to hide documents were made, and a general conspiracy to secrecy among the Kikuyu in the whole area was very much in evidence."

In the same report the Director of Intelligence and Security said that a second and entirely separate oathing ceremony had occurred on another farm some 15 miles to the west on 3rd March. In this case the traditional circumcision ceremony of the Kikuyu was used as a bluff for the administering of oaths, and whilst the former ceremony was in progress, visiting individuals who had come as spectators were manhandled into a nearby hut and made to take the oath under the threat of death. 12 of the principal offenders had been arrested and were before the court. As usual, the great difficulty lay in obtaining sufficient evidence, as the victims would not come forward for fear of death. The Director of Intelligence and Security concluded by saying:—

"It cannot but be mentioned at this early stage that the amendment to the Penal Code (*see* paragraph 74, and Chapter XIII on Law and Security) has presented a certain difficulty. Potential crown witnesses who are forced to take the oath together and who fail to report the incident in five days now seem to fall into the category of accomplices."

90. The visit in May of Mr. James Griffiths, the then Secretary of State for the Colonies, to discuss future constitutional developments in Kenya, caused tremendous activity among all political organizations and many meetings of K.A.U. committees, both central and district, were held to consider and prepare a memorandum to be presented by Jomo Kenyatta. (*See* Chapter IV, paragraph 43). In February Jomo Kenyatta had been accorded an interview with the Governor on constitutional changes and African representation in Legislative Council in connexion with this visit.

91. A K.A.U. meeting of particular import was held by permission on the showground at Nyeri on 27th May, and I shall deal with it in some detail, as for the second time the District Commissioner, Nyeri, drew the attention of Government to the increasing danger to public security inherent in the spread of subversion (*see* paragraph 64). And many points of importance arise from it. The following are extracts from the District Commissioner's secret report on this meeting, dated 6th June, which was based on an almost verbatim account recorded by the Assistant Superintendent of Police, Nyeri (who was fluent in Kikuyu):—

"The meeting itself displayed a very nasty temper. Anderson Wamuthenya, Samuel Gathogo and Victor Wokabi all moved the meeting to a frenzy and called for a return of the Kikuyu lands from the White Highlands." (The Assistant Superintendent of Police commented: "By the time Anderson sat down it would have been suicidal for anyone to pass a remark in favour of Government.") "It was clearly stated that the Secretary of State would be given a period to accede to their requests, but that if the answer was unfavourable, other methods would have to be employed. Tom Mbotela was roundly condemned as being a Government 'yes man'. . . .

The writer has had a number of interviews with the various committees and office bearers of K.A.U. Although they generally pretend to be co-operative during the interview, they have proved themselves completely unreliable in action and there can be no doubt but that they are bitterly anti-Government and quite irreconcilable, and that they have no wish to co-operate with Government or its officers. . .

There is every likelihood of trouble in the near future if, as seems certain, the K.A.U. memorandum on the Kikuyu lands is rejected. The district is hot with rumours of 'deeds not words'. The most likely action would appear to be:—

- (1) Universal civil disobedience over road making, terracing, pasture cleaning, grass planting, etc.
- (2) A march by K.A.U. members on Government House, as was done by the Rift Valley squatters.
- (3) Women sent to cultivate European farms near the boundary.
- (4) The assassination of leading Government supporters. Chief Eliud and Senior Chief Nderi (*Note 23*) are the most likely targets for such an attack.
- (5) An attack on chiefs' offices, etc., in the reserves.

The writer would stress that any future meetings will almost certainly result in one of these courses being adopted, although the originators would be clever enough to ensure that a breach of the peace does not occur at the actual meeting."

92. On 11th June the Director of Intelligence and Security, in a letter to the Member for Law and Order who, as was customary, had received a copy of the report, stated:—

"I am informed by the Senior Superintendent of Police, Nyeri District, that he considers this report to be exaggerated. In regard to subparagraph (4), it is suggested that as assassination is being talked about by hotheads, the District Commissioner takes action against those concerned. This, in my opinion, would effectually dampen the ardour of malcontents. I also feel that the District Commissioner should make more clear the evidence on which his prognostications are based, as taken at its face value the report reveals a situation which cannot be regarded with equanimity. If the report is in fact true, I would suggest for consideration the banning of future meetings, in view of subparagraph (5). I am getting the views of the Senior Superintendent of Police, Nyeri, in writing."

The Chief Native Commissioner next entered on the scene and addressed a letter to the Provincial Commissioner, Central Province, asking him for his views and those of the District Commissioner, Nyeri, it being assumed that, as the report had been signed by the District Officer, it had not been drafted or seen by the District Commissioner. In his reply of 21st June to the Provincial Commissioner, the District Commissioner confirmed that he had written the report and stated:—

"The account of the K.A.U. meeting at the showground is entirely accurate. The meeting was covered by a number of people in the employ of the police and the administration, and by Assistant Superintendent of Police, Mr. Ian Henderson, who speaks fluent Kikuyu. All were unanimous that it was stated that a plan of action has been prepared should the memorandum to the Secretary of State be rejected."

He then gave further details of the more important sources of his information, which showed that they were based either on matters which were being openly discussed (e.g., march on Government House) or on reports from the most reliable sources including, among others, Senior Chief Nderi and Chief Eliud: and of the non co-operation, the main topic

Note 23.—Senior Chief Nderi of Nyeri, together with his escort of a Kenya Police constable and tribal policeman, were hacked to small pieces on 22nd October, 1952, by a mob of 500 Kikuyu who had foregathered for a *Mau Mau* oath administration.

of all K.A.U. meetings, which was already apparent in Karatina. He concluded his letter as follows:—

“As regards the general picture, I find it very hard to assess the likelihood of any of the above courses being adopted. I would stress that there can be no doubt that a plan of action has been arranged. Whether K.A.U. has the courage to implement it, it is difficult to say. The general atmosphere in the reserve is still good, but there can be no doubt but that the extremists are becoming increasingly active and violent.

Also, the hatred of the young men from Nairobi is something that can be felt whenever one meets them in the reserve. Again, the constant private prosecutions of Government servants before the Resident Magistrate is something that should not be overlooked (*Note 24.*)

It is, of course, possible that the whole campaign is part of a war of nerves. On the other hand, a large number of pro-Government Africans were so terrified by the tone of the last meeting and the collection of funds from women and children that they have begged me to ban any further meeting. They stress that the more public meetings that are allowed, and the more I meet the various K.A.U. committees, all increase the prestige of K.A.U., impress the general public, and encourage the agitators to further verbal, and sometimes physical, excesses.

To sum up, I would welcome the ban of all public meetings until the end of the year. K.A.U. have so inflamed their followers that I feel that they must engage in some spectacular act, or else lose face.

I am holding a security conference with the Senior Superintendent of Police and various administrative and departmental officers, at which we are going to draw up all possible courses of action open to the agitators and means of dealing with them. Although these plans may not have to be implemented in the immediate future, I have little doubt but that eventually they will have to be put into operation. *The Kikuyu birthrate makes an eventual explosion inevitable.* (The italics are mine.)

93. In passing a copy of this letter to the Chief Native Commissioner on 27th June, the Provincial Commissioner wrote:—

“The District Commissioner has painted the picture in strong colours, but it is a fact that there has been a swing towards the extremists who have gained control of the K.A.U. committees in both Nyeri and Fort Hall (also Nairobi) during the past six months. They are short of funds and are bent on inflaming public opinion to gain support financially and for the usual nebulous reasons connected with personal power and position. Those in control at present, such as James Beuttah, Victor Wokabi, etc., are regrettably bad and crooked men by any standards.

Mob oratory, linked with the ability to say anything fantastic regardless of truth, and bearing repetitively on ‘Lebensraum’ as the main theme with popular appeal in Kikuyu, has a great inflammatory potential and the District Commissioner in his paragraph 9 goes to the root of the matter. I am not seriously worried by the situation at this

Note 24.—In his report for April the District Commissioner had commented that the number of private prosecutions of Government employees was on the increase, and that these were almost certainly financed by K.A.U., abetted by the more unscrupulous Indian lawyers. Chiefs Eliud and Francis and two headmen were all accused of spurious assaults during the month. The District Commissioner, Fort Hall, had also reported that one lawyer of some prominence in many of these cases employed a Kikuyu “tout” for the express purpose of ferretting out promising cases.

moment, but the active operations of the agitators have caused a definite deterioration which not only may impair the progress in the district, but may get seriously out of hand unless we take a pull on the reins."

94. On 5th July the Director of Intelligence and Security forwarded an appreciation of the situation, submitted by the Senior Superintendent of Police, to the Member for Law and Order without comment. The Senior Superintendent of Police, after recapitulating the "pros" of the positive action as recounted by the District Commissioner, set out the "cons", as follows:—

- "(a) Natural cowardice of the Kikuyu.
- (b) The fact that threats of action have often been made in the past.
- (c) Known disagreement between Kikuyu K.A.U. leaders, both within and without the district.
- (d) Fear of loss of face by the leaders, should the 'action' fizzle out from lack of support from the rank and file.

There you have it. You are better able to assess these values than I am at present, having just taken over the district."

The Senior Superintendent of Police further said that immediately on his arrival (after the District Commissioner's report of the 6th June had been written), he had discussed district affairs fully with the District Commissioner, and realized that the District Commissioner took a serious view of the present political trends and was determined not to encourage complacency; he agreed with this attitude, but from talks he had had with the Provincial Commissioner and Mr. Ian Henderson he considered the picture in the report was overpainted. He ended his report as follows:—

"My attitude is this. I accept the threat of the meeting, but cannot all the time guard against every possibility. If the opposition are set on trouble, I have sufficient force to deal with this when they show their hand. In the meantime every effort is being made to collect all intelligence which bears on the intentions of the leaders and a meeting has been held (administration and police) which considered possible lines of action open to agitators and suitable counteraction."

This correspondence continued with the following minute dated 30th July addressed by the Member for Law and Order to the Chief Native Commissioner:—

"In view, however, of the alarmist reports from the Provincial Commissioner, Central Province, and the District Commissioner, Nyeri, which, as you know, are not accepted at their face value by the Director of Intelligence and Security, and which are now to an extent reinforced by the more recent report from the District Commissioner of mysterious midnight visitations to the house of Senior Chief Nderi, I think it might be well to bring the matter of the validity of these local opinions to a head by formally asking the Provincial Commissioner, Central Province, whether he requires any police reinforcements other than those which can be made available from the training school. If you agree, I should be grateful if he could be addressed accordingly."

The Provincial Commissioner replied on 31st August that, apart from the proposed police post at Othaya, he did not think that from the security angle there were grounds for strengthening the existing police force,

bearing in mind the possibility of reinforcement from the police training school at Kiganjo in an emergency.

The final outcome of the District Commissioner's report was therefore the setting up of a police post at Othaya, and the provision that K.A.U. meetings in the Nyeri district would require the prior approval of the Provincial Commissioner, which would only be given if he was fully satisfied that the recent instigations to public disorder would not be repeated.

95. I have again dealt with one particular report, and the reactions to it, at considerable length as they do indicate certain trends and facts which became more noticeable during the ensuing months, and on which I have already commented in Chapter III on the Organization of Intelligence, and shall again discuss in the final chapter to this part of the historical survey. Perhaps the most noticeable fact was that no overall assessment of the political scene in their provinces was being submitted by the provincial commissioners, unless specially demanded, and on 18th September the Chief Native Commissioner reminded them that they had not yet complied with his request in this respect, sent to them in October, 1950. Then there was the tacit support of the Director of Intelligence and Security to the reactions of the Senior Superintendent of Police, Nyeri, that the report was perhaps overpainted, as the Kikuyu were naturally cowardly, and that previous threats of action had never materialized. I must here add that this attitude, so far as the police in the districts were concerned, changed materially as the position deteriorated, but tended to persist in Nairobi. Again the Member for Law and Order, who had only recently arrived in the Colony, was naturally guided by his "expert", the Director of Intelligence and Security, but his minute, although quite "correct", does indicate a certain lack of trust in the administration. The validity of the assessment by the Provincial Commissioner and the District Commissioner was not accepted at its face value; it had to be tested. And, lastly, what was obviously a report of some importance, was handled, so far as the administration was concerned, entirely by correspondence. This lack of personal contact between those in Nairobi responsible for law and order and those in the field, both administration and police, became increasingly manifest.

96. There were, during this year, an increasing number of references, both in speeches made at public K.A.U. meetings, and at secret meetings of *Mau Mau* adherents, to Communist sympathy with the aims of K.A.U., and to the hoped-for help which would be forthcoming from Russia. One of the more interesting reports on this topic was one submitted by the Director of Intelligence and Security to the Member for Law and Order on 5th February, which covered a secret *Mau Mau* meeting held at Maji Mazuri, near Eldama Ravine. Among the subjects discussed at this meeting were the cutting of telephone lines and the capture of the police station, when opportunity was ripe, to force the Europeans out of Kenya. It was also said that the Kenya postal services had intercepted a letter which the *Mau Mau* had sent to a Communist organization, and that Jomo Kenyatta had discovered this. The meeting was very angry about it, as they thought that if the Communists were in power their troubles would be over. This alleged letter was never traced, and may never have existed, but the point of interest is that it was widely held, and widely propagated by the *Mau Mau* leaders, that Russia was the friend and helper of the African people in their struggle for "freedom". Russia was obviously the subject of much interest at Maji Mazuri at this time, as the Senior Labour Officer reported that:—

"After a *baraza* held on 17th January, a small group of Kikuyu were furious and stated that the Russians would never come to Kenya if the Europeans left, as other European powers would prevent this and would ensure that Africa was for the Africans only."

On 5th January the District Commissioner, Kiambu, reported that:—

“A number of people in Chief Makimei’s location are hoping that Russia will go to war with the United Nations and win. If so, they believe that the Kikuyu will obtain the coveted portions of the White Highlands. It is suspected that these ideas emanate from Jomo Kenyatta.”

The extent of Communist influences on subversion is dealt with in Chapter X.

97. The previous paragraphs carry the general position in the Central Province up to the middle of the year. I must now return to the Rift Valley Province.

Signs of increasing unrest and the spread of *Mau Mau* among Kikuyu labour in the settled areas of the Rift Valley Province were noted throughout the year, but the administration and the labour officers continued to counteract them to the best of their ability by the holding of *barazas* and by the increased use of cinema shows, etc. And on 22nd February the Director of Intelligence and Security informed the Member for Law and Order that the Divisional Police Headquarters, Rift Valley Province, had reported that:—

“The general picture seems to have improved greatly recently. The *Mau Mau* being the subject of *barazas*, anti-*Mau Mau* propaganda being put over at mobile cinema shows, the conviction of members, the police getting hold of a *Mau Mau* book, and the removing from farms of known members, have greatly discouraged members of this secret society. The general policy of making *Mau Mau* anything but a secret society, and hammering in anti-*Mau Mau* propaganda at every available occasion is certainly having its effect. The *Mau Mau* followers in this area are showing signs of distrust and discouragement, and it would appear that the *Mau Mau* is ‘cracking up’.”

The Senior Labour Officer, who had been conducting *barazas* in the Sabatia, Eldama Ravine and Maji Mazuri areas (see paragraph 96 above) was perhaps less sanguine, as he had reported that as *Mau Mau* was so very rife in that part of the district, it was intended to revisit it at the end of February; much of the *Mau Mau* activity in the Rift Valley Province was known to be taking place in the forest areas, and was very difficult to trace.

And the somewhat optimistic statement that *Mau Mau* was “cracking up” was later qualified by a further report from the Divisional Police Headquarters, which the Director of Intelligence and Security sent to the Member for Law and Order on 1st June, and which stated *inter alia*:—

“K.C.A./*Mau Mau*:

Information has been received that *Mau Mau* adherents have decided to lie low until June. They state that in this way they will lull the Government into a position of false security. Nevertheless, activity has been reported from some areas. There was a large following at Molo on one farm, where 20 out of 36 squatters were reputed to be members. There was so much feeling on the subject there that several non-members of *Mau Mau*, who tried to buy wives from members, were refused. The situation in the Lembus forest among the saw-mill employees caused some concern, and information regarding *Mau Mau* was becoming more difficult to obtain in the Elordet area. It was known that meetings were taking place in the Kaptaget forest, and in the Timboroa and Ainabkoi districts. There were reports that meetings were being held in the Kikuyu Independent Schools after Sunday church services. It has also spread to the area of the Mount Elgon forest reserve. Forced oath-taking has been reported from Ol Kalou, where

a large meeting, attended by about 50 people, was held, where oaths were taken. The meeting was reported to have been surrounded by guards armed with knives, and sentries were posted round the place. Further meetings have been reported from the Naivasha, Kinangop and Gilgil areas, and among prisoners in Naivasha prison."

98. The Acting Provincial Commissioner, Rift Valley Province, decided to review the situation. On 19th October he held a meeting of administrative, police and labour officers, for the purpose of discussing the *Mau Mau* movement in general, and in particular the policy to be adopted by officers of the Labour Department towards its suppression, as there were indications that some officers in the Labour Department might have exceeded their powers in the cancellation of resident labourers' contracts on the grounds that the holders were suspected of belonging to a prohibited society.

In his report to the Chief Native Commissioner dated 24th October, the Acting Provincial Commissioner said that this latter practice would stop, and a resident labourer's permit would be cancelled only if he had committed some open act prejudicial to good employment relationships; this was already covered under the Ordinance. Continuing, he said:—

"There can be no doubt that the *Mau Mau* movement, even if quiescent at the moment, is not only widespread throughout the settled areas of the province, but is extending its tentacles, which have reached virtually to the Uganda boundary, and it would be a mistake to imagine that its powers to create disturbances, disrupt labour relations or incite sabotage have in any way diminished, or that it will not again at any moment have recourse to overt action. From this it follows that the present methods of counteracting the society and discouraging its extension have not been successful and, therefore, increased powers are essential for its suppression. It has proved extremely difficult indeed for the police to obtain convictions, in view of the unwillingness of witnesses to expose themselves to retaliatory action by the society, and it was generally agreed at the meeting that the sentences which magistrates were competent to inflict were insufficient to act as a real deterrent."

The Acting Provincial Commissioner then suggested that as a temporary measure magistrates should be invested with powers to impose terms of imprisonment up to seven years, and that an administrative officer of some seniority should be appointed to investigate the activities of the society and to direct efforts towards its suppression, as up to the present only a junior police officer had been detailed for this purpose, and could not be expected to achieve adequate results. He ended his letter as follows:—

"7. I have purposely refrained from touching on the long-term policy for preventing a recrudescence of *Mau Mau* and similar movements, as my object is to emphasize the necessity for such enhanced powers as are essential for curbing and curtailing the spread of *Mau Mau* and possibly achieving its destruction."

99. This letter was followed by a meeting held in the Chief Native Commissioner's office on 31st October to discuss law and order in the Rift Valley Province. It was attended by the Member for Law and Order, the Commissioner of Police, the Secretary for Law and Order, the Labour Commissioner, the Provincial Commissioner, Rift Valley Province, and the Director of Intelligence and Security. The meeting recognized that a policy involving repression only was defeatist and that an essential part of future policy must be the provision of means whereby African feelings could find a natural outlet; this was particularly so in the settled areas. And it was agreed that:—

“The following aims should be pursued as being a means of checking and reducing the feeling of discontent which at present constitutes the ground for the continuance and spread of *Mau Mau*:—

- (a) The Kenya Police should continue their present activities and police officers would press for longer sentences, since magistrates could, if it was considered necessary, ask for the Supreme Court to enhance sentences above the maximum with which they are empowered;
- (b) Investigation should be made into the possibility of providing for an outlet for the expression of African feeling. This might take the form of farm *barazas*, forwarding chosen representatives to group *barazas*.
- (c) Government’s community development work to continue.
- (d) Farm *barazas* should be encouraged.
- (e) —
- (f) The special appointment of a district officer to Nakuru, to assist in co-ordinating the work of the Administration, the Kenya Police and the Labour Department.
- (g) The cancellation of squatters’ contracts as a repressive measure should not be countenanced.”

The remitting of prisoners to the Supreme Court for sentence proved ineffectual, as the Supreme Court itself was circumscribed in its action by the maximum sentences laid down in the Penal Code. No additional appointment was made in the Provincial Headquarters at Nakuru until shortly before the declaration of the Emergency. *Barazas*, however, continued, but apart from this, little further effective action was taken.

100. I now return to the Central Province, the main scene and centre of subversive political activity. All three Kikuyu districts reported an increase in such activity throughout the area during the second half of 1951, the general result being further unrest amongst the African community. The district meetings of K.A.U. were the main foci for this activity. Although a firmer hold was being maintained in Nyeri district (*see* paragraph 94 above), many meetings were held throughout the province, and the following are short accounts of the more noteworthy.

At a meeting of the Central Province branch of the K.A.U., held at Thika on 5th August, which was attended by about 300, Jomo Kenyatta said:—

“The land is ours. When Europeans came they kept us back and took our land. We want self-government. There should be no more European immigrants allowed in the country as we have no land to live on. Don’t be afraid to spill your blood to get the land. You must rule yourselves in your own lives if you want to rule the country.”

At a public meeting of K.A.U., held at Nyeri station on 2nd September, attended by some 700 Africans, Domenico Ndegwa attacked European immigration and said that Peter Mbiu Koinange had been warned that the European community in the Colony had a target of two million for its population, and was seeking to reach this figure as rapidly as possible.

At a meeting of K.A.U., held at Fort Hall on 23rd September, there was an open incitement by Andrew Nganga, a leading committee member of the local branch, to fight the chiefs. He said:—

“The African District Council, Fort Hall, is useless, and the members are only the District Commissioner’s puppets. Are these chiefs fighting for us?” (The crowd shouted “No”; this was followed by

cheers.) "If we Africans can agree with each other we can kill the chiefs." (Cheers.)

This was followed by a highly subversive speech by one Joseph Kanini, who incited the people to resist inoculation and to stop digging terraces for land conservation. The Provincial Commissioner, Central Province, strongly recommended that the two speakers should be prosecuted and the Deputy Public Prosecutor was of the opinion that they could both be charged under section 58 (1) (b) of the Penal Code for uttering words with seditious intention. There was also a possibility of prosecution for collecting money without permission, and the matter was referred to the Attorney-General, but no proceedings followed.

On 15th October there was a strike of coffee pickers on many farms in the Thika area, and there were reports of picketing and intimidation of would-be pickers. The origin of the strike was traced to remarks made by Jomo Kenyatta at a meeting of K.A.U. at Katundu on the 14th. His remarks were, of course, cunningly worded so that he could not be proved to have organized the strike. In a subsequent interview with Jomo Kenyatta and Peter Koinange the District Commissioner stated:—

"They did not deny making certain remarks at the meeting, but confined themselves to submitting that there must have been 'serious misunderstanding' by the people."

The strike petered out in a few days but, as the approved agenda for the meeting had not been observed, the permission already given for other K.A.U. meetings in the district was promptly withdrawn.

101. In addition to the meetings of K.A.U., there were many other pseudo-commercial, but in fact political, associations and other bodies which contributed their quota of subversion. In his report for July the District Commissioner, Fort Hall, stated that the Maranga District Land Board Association, under the leadership of James Beuttah, who was then the chairman of the Central Province branch of K.A.U., appeared to be taking the place of K.C.A./*Mau Mau*. The object was to stir up trouble over the settled area boundaries and to revive old land claims. Another association, the Maranga Merchants' Association, had changed its name to the African Central Province Merchants' and Growers' Association and was widening its scope as it had a meeting in Kiambu District in July. On 16th September the Fort Hall Merchants' Association held an "authorized" tea party at Karugia which was attended by Jomo Kenyatta, Peter Mbiu Koinange, Jesse Kariuki, James Beuttah, Job Muchuchu and several Kitui Akamba, Masai and K.A.U. members from Nyeri. The host, the ubiquitous Andrew Nganga, delivered a violent tirade against chiefs, the administration, the police, terracing, etc., and, as the District Commissioner reported, "the tone of the meeting was a good deal worse than usual". This tirade was followed by that made on the 23rd, mentioned in paragraph 100 above.

But much of the political activity in Fort Hall was centred on the activities of Paulo Mungai, the district chairman of K.I.S.A., and the local agent of Githunguri, to disrupt and win over both the K.I.S.A. schools and the mission schools in the area. These activities had received a great impetus from the publication earlier in the year of the very comprehensive Beecher (*Note 25*) Report on Education. One of the more important recommendations in this report covered the reorganization of the many Independent schools, with the object of raising their standards by grants in aid. From the day of its publication Jomo Kenyatta and his associates, at first privately and then more openly, conducted a campaign against these recommendations,

Note 25.—Canon L. J. Beecher, who for many years represented African interests in Legislative Council: now Bishop of Mombasa.

based on falsehoods which, in the words of the Provincial Commissioner in his annual report, "raised the whole controversy out of the educational into the political sphere". This was, perhaps, understandable. They had no real interest in the educational betterment of these schools, and the acceptance of these proposals struck at one of Jomo Kenyatta's main objectives for the spread of *Mau Mau*—the destruction of Government and mission schools, and complete control of all Independent schools. One effect of this campaign was to give a filip to the secret oath-taking which was still continuing. The Kikuyu's thirst for education was as fierce as ever, and here, in the words of the agitators, was additional proof that the Government and the missions were attempting to destroy the legitimate educational aspirations of the Kikuyu people. The propaganda value of this was immense.

102. The position in the Kikuyu districts was summed up by the District Commissioner, Nyeri, in his report for September:—

"The general picture is becoming clearer. Opposition to all Government-sponsored education, and its replacement by education locally controlled and on strong nationalistic lines. The collection of money by all means, such as collections, school fees and the invasion of trading companies (e.g. the Wattle Growers' Association) for political purposes. It should again be emphasized that *Mau Mau*, K.C.A., K.A.U., the Nyeri Education Society, K.I.S.A., the African Central Province Merchants' and Growers' Association, etc., are all the same old stiff working under different guises in order to increase the number of public meetings they can hold and the amount of money they can extract from a gullible public."

103. In October a meeting, under the chairmanship of Mr. Eluid Mathu, was held in Kaloleni Hall, Nairobi, at which Mr. Chanan Singh and Capt. C. H. Adams were to speak on the United Nations' Organization. The back of the hall was packed with Fred Kubai's followers, who shouted abusive remarks at the mention of interracial co-operation. The meeting could not continue and the speakers were forced to take refuge and escape by a side door. Tom Mbotela, who was present as an interpreter, informed the District Commissioner that the crowd was in a "really nasty" mood, and admitted that he was extremely frightened.

104. It is most noticeable that the reports submitted by the Director of Intelligence and Security to the Member for Law and Order on *Mau Mau* activities are straight repetitions of reports received from police formations only, submitted without comment, although, with the exception of the very comprehensive reports from the Assistant Superintendent of Police, Nyeri, much of the intelligence available emanated from the Administration. There is also one further noticeable fact that, whereas several "high level" meetings were held to discuss *Mau Mau* in the settled areas of the Rift Valley Province, no such meetings were held to consider the perhaps more serious signs of subversion in the Kikuyu reserve, from which all *Mau Mau* activity emanated. An attempt to rectify this was made when, on 27th November, the Internal Security Working Committee submitted its first (and last) report to the Governor. I have already handled the setting up of this committee and its terms of reference in paragraph 14 of Chapter III. As this was the first attempt at an overall assessment of the internal security situation in Kenya in relation to subversion, I shall deal with certain aspects of the Committee's report in some detail.

In a comprehensive and able review of the general factors which influenced the political scene at that time, the report covered African nationalism, communism, land hunger, detribalism, politicians and agitators, European sympathizers (including the Congress of Peoples Against Imperialism), the Press, comparisons with other countries and Indian

influence. Most of the points emerging are treated in Chapters II, VIII and X of this historical survey, and I shall not comment on them here; I shall, however, deal with the particular or local factors more closely. Under the heading of "Religious Sects", the report emphasized that although most of the religious sects which had caused trouble were offshoots of the Missions, they were essentially anti-Mission in character, and therefore anti-European.

Under the heading of "*Mau Mau*", and here I quote in full, the report stated:—

"This is a Kikuyu secret society which is probably another manifestation of the suppressed Kikuyu Central Association. Its objects are anti-European and its intention is to dispossess Europeans of the White Highlands. Its members take an oath not to give information to the police, and may also swear not to obey certain orders of the Government. It is suspected that some members employed on European farms indulge in a 'go slow' policy, and that they may also have committed minor acts of sabotage on farms. Successful prosecutions against the society are believed to have checked its growth; or at least to have curbed the forceful recruitment of adherents. *The potency of the organization depends on the extent to which it possesses the power, latent in all secret societies, of being more feared than the forces of law and order.* (The italics are mine.) It is possible that as soon as the Sh. 60 entrance fees are no longer forthcoming little more will be heard of *Mau Mau*; but, in the meantime, this society, like the religious sects, remains a possible instrument for mischief in the hands of agitators, though one of which the potentialities appear to be waning."

In regard to trades unions, the report commented that there was little doubt that the communists would continue their efforts of penetration; and under the heading of "K.A.U." the report affirmed that although it sought to broaden its basis as an orthodox political machine to cover the whole of Kenya, it was dominated by the Kikuyu and was divided, but it would undoubtedly play the major role in any wide-scale political agitation. It also asserted that Githunguri was the centre of African dissidence, with Jomo Kenyatta and Peter Mbiu Koinange spinning the web. It was believed that much of the money collected by *Mau Mau* reach Githunguri, and the existence of this headquarters and the fact that most of the schools on the farms in the highlands were staffed by teachers trained there, provided an organization of some significance. Under the heading of "Tribal Background", the report stated that mutual suspicion and dislike between the tribes was still stronger than the urge towards association, and this greatly diminished the danger of concerted anti-Government action. The main focus of discontent was at present among the Kikuyu, who were exposed to greater stresses of civilization, and the issue of land. Furthermore, the Kikuyu were, with the exception of the Somali, the most given to intrigue of any tribe, but were by nature and tradition amongst the least war-like.

The report summarized its findings under these heads as follows:—

"The main underlying factors which condition the climate of anti-European feeling amongst the Africans are the disparity of wealth, land hunger, the urge to run their own affairs, a combination of the often rather nebulous elements that go to produce feelings of racial discrimination, and among the better educated and personally ambitious the fact that progress towards self-government in Kenya is apparently slower than in other territories where Europeans are not a permanent element in the community."

The committee concluded this report as follows:—

"It appears to the committee that existing security arrangements are generally adequate to meet the scale of risk which can immediately

be foreseen, and that the real issues of policy are rather those preceding the violent state; they are those of ensuring that the elements which lead to violence and the means of achieving any serious disorder are denied.

The committee considers that measures should include:—

- (a) Security checks against the setting up of connexions with outside subversive bodies.
- (b) The restriction of local agitators who overstep the mark.
- (c) Appropriate control over publications, whether local or imported.
- (d) The strengthening of existing legislation relating to arms and explosives.
- (e) The introduction of local emigration, control of students, etc., whose destinations may involve them in undesirable contacts.

Though it is aware that some of these are repressive, and may be precluded by wider considerations of policy.”

105. The general background to the political scene was well covered and cannot be bettered. But in spite of the many and varied reports of subversive speeches and meetings, and the growing realization that K.C.A., *Mau Mau*, K.A.U., labour unrest fomented by trades unions, etc., were all different facets of but one overall manifestation of instability, Special Branch and the Secretariat, presumably advised by Special Branch, had not yet apparently appreciated fully that there was central direction and common policy behind all this activity. It must, however, not be forgotten that *Mau Mau* was a secret society, and that although oathing ceremonies were known to have continued throughout 1951, there was, at the time of the report was submitted, less open evidence of these ceremonies and thus a diminishing number of prosecutions. The general terms of the oath were known, including that enjoining, under pain of death, obedience to all commands of *Mau Mau*. But the organizers had been more successful in veiling the actual plan which they hoped to put into operation when they had the bulk of the Kikuyu behind them, and the appropriate time had arrived. There had, of course, been reports and rumours that one of their first steps would be the murder of Europeans, including the remarkably true forecast by the District Commissioner, Fort Hall, in 1947 (*see* paragraph 19), followed by the letter sent by Colonel Meinertzhagen (*see* paragraph 41), but Special Branch had not been able to discover any concrete evidence that this was in fact one of the major aims of Jomo Kenyatta and his associates. This, of course, is not surprising as the prosecutions brought in 1950 had taught the organizers the absolute necessity of working underground, and they had already learnt that intimidation was a powerful weapon; moreover, it is doubtful if they themselves at that time had a formulated plan and, even if they had, this plan would be in their heads and not on record.

But in spite of all this it is not easy (even with the strictest avoidance of being wise after the event) to appreciate on what grounds this committee reached the somewhat astonishing conclusion that “as soon as the Sh. 60 entrance fees are no long forthcoming, little more will be heard of the *Mau Mau*”. There might have been other reasons, including the lack of concrete evidence, which could conceivably have led them to such a finding, but not the monetary one. Although there were some murmurings against the continued collection of cash, these were barely an off-stage whisper to the clatter of cash pouring into the money-boxes of *Mau Mau*, and there was no evidence to suggest that the ease with which Jomo Kenyatta and his associates had unmercifully fleeced an apparently willing and docile people had

in any way lessened. But there it is, and this assessment of the situation must undoubtedly have had an appreciable influence on the general attitude of Government to *Mau Mau* at that time.

Although the report did not, in view of this misreading of the situation, convey any great sense of urgency, the recommendations of the committee were, however, correct in every way, and had they been carried out with some determination, including in particular the restraint of local agitators who overstepped the mark, the violence of the final outbreak might have been lessened. But, as will be seen later, in Chapter XIII, legal processes progressively failed to maintain the preservation of even the bare elements of law and order throughout the Kikuyu dominated areas.

106. This report was circulated under secret cover, accompanied by the following letter drafted by the Governor:—

“The report of the Internal Security Working Committee of date 12th November, 1951, is enclosed for your information. In considering it, it is well to bear in mind that although a sentiment such as nationalism may acquire great strength and momentum, quite apart from the existence of poverty or other causes of social discontent, the major problem in Kenya and East Africa generally is social and agrarian and not nationalistic.

Moreover, we are at present at a stage when improvement in social conditions and such land reform as is practicable could bring about a marked betterment in the attitude to Government, and it is for that reason that we can regard such improvement and reform as major security measures. In particular, improvements in wages, housing and education are within our power and of great importance, while the greatest importance attaches to everything that can be done to create better conditions on the land.

The Governor has prepared a comprehensive despatch dealing with these matters, and asking for a Royal Commission, and copies will be sent to you when it has been printed. Meantime, anything you can do to encourage officers to study and think about these problems from the constructive point of view suggested above will be of value.”

107. I realize that the comments I am about to make may be held to be outside the strict letter of my terms of reference; but one of the main objects of the particular exercise on which I am now engaged is an impartial and honest endeavour to present clearly the lessons to be learnt from this pre-Emergency period and, as I have already mentioned in Chapter III, apart from the major deficiency of a lack of a periodical but continuous assessment of the intelligence which poured into Nairobi, there were many other factors and trends of thought and policy which tended to influence or retard the action of Government.

I shall first comment very briefly on the despatch mentioned in the last paragraph of the covering letter. I have already quoted extracts in Chapter II under “Land”. This despatch, entitled “Land and Population in East Africa”, was sent by the Governor to the Secretary of State on 16th November, 1951, and was printed and published as Despatch No. 193 early in 1952. It was the culmination and quintessence of a number of despatches and memoranda the Governor had sent to the Secretary of State, starting with Despatch No. 109 of 11th September, 1944, on the subject of Land, Utilization and Settlement. It was without doubt the most important single document to emerge from Government House in the post-war period. Seeking a long-term and final solution to the great malaise—the wrongful use of land—which threatened the whole future of East Africa, it led to the

announcement in October, 1952, that a Royal Commission would be appointed, and to its actual appointment on 1st January, 1953. Although the fruits of its recommendations in regard to land have not yet been garnered, the seeds are now being sown in the legislation before Legislative Council covering the granting and registration of freehold titles. Although land hunger was one of the main causes of unrest, it cannot by any impartial assessment of the situation be held to be the full cause of or the excuse for the horrors of *Mau Mau*; it was the heartless exploitation of the uncertainty in regard to the future availability of land that provided the main weapon used by Jomo Kenyatta and his associates to impose the horrors of *Mau Mau* on the Kikuyu people.

108. The above, then, is the background to the covering letter, on which I shall now comment. In paragraph 1 it is stated that "the major problem in Kenya and East Africa generally is social and agrarian, and not nationalistic". This was, and still is, fundamentally true, but it was not a truth to which the nascent African nationalist agitator subscribed. It was not perhaps so clear then as it is now that K.A.U. was the first tangible expression of a Kenya African nationalism, although Jomo Kenyatta failed in his attempts to achieve this objective (see Chapter IV, paragraph 26), due to his aggrandizement of the Kikuyu and the forceful imposition on them of the horrors of *Mau Mau*. But it was already clear that one of the major objectives of the professional agitator was the sabotaging of all efforts of Government in the way of agrarian improvement. Such improvement would lead to social stability and this would defeat his ends, which were the attainment of power by revolutionary means.

To quote from paragraph 2, "we are at present at a stage when improvement in social conditions and such land reform as is practicable could bring about a marked betterment in the attitude to Government, and it is for that reason that we can regard such improvement and reform as major security measures": this again is a fundamental truth, and in any case repression of unrest with no attempt to remove the basic causes of that unrest would have been a barren policy, but the simple acceptance of reform as a major security measure depended entirely on which side would win the race—subversion or reform. Subversion was abroad in the country, and as the report itself pointed out, "the potency of *Mau Mau* depends on the extent to which it possesses the power, latent in all secret societies, of being more feared than the forces of law and order". But if the considered opinion of the committee that "the potentialities of *Mau Mau* appear to be waning" was the only assessment of the general position at that time available to the higher levels of Government, it was perhaps a reasonable hope that reform would win the race; and, moreover, as no positive action was taken to implement the recommendations of the committee, it can only be assumed that the emphasis in Government policy was to be on reform. It must, however, in fairness, be pointed out—and this will be seen from the following paragraphs—that in spite of much unrest and opposition to Government in the Kikuyu areas, material progress was being maintained. But I now have very little doubt that the broad lines of policy set out in this covering letter influenced the general outlook and attitude of Government officers in Nairobi and tended perhaps to divert their eyes from the dangers of the rising tide of subversion. The emphasis was to be placed on removing the basic causes of unrest, rather than on the active prevention of subversion. And it will be seen, as this chapter progresses, that the ultimate and supreme danger "of *Mau Mau* being more feared than the forces of law and order" mysteriously and almost inexplicably receded into the background.

109. I shall again sum up the events of 1951 by quotations from the published annual reports of the two Provincial Commissioners most concerned. These reports do not necessarily reflect the sum total of the Government's interpretation of the situation, but they do give most ably a general picture of the background to the political scene.

RIFT VALLEY PROVINCE

"Politically the province has remained quiet, though the insidious spread of the *Mau Mau* movement, an ebullition of agrarian and political discontent, confined almost entirely to the Kikuyu tribe, gave reasons for apprehension. Though unaccompanied by any overt manifestations, the tentacles of this society extended themselves to the Uganda border, where ever-increasing numbers of Kikuyu are infiltrating into the Trans Nzoia district. Other tribes remain unaffected on the whole by this and other subversive movements masquerading under the thin cloak of religion.

A deterioration in the overall economic situation, however, has made itself evident. A rise in the price of maize was followed by further increased costs of living. The agricultural wage has remained low and in spite of farming losses it is doubtful if the African wage level has been raised in proportion to the increases in the price of agricultural products. Trade has been mediocre and money is not in evidence."

110. CENTRAL PROVINCE

"*General Picture.*—The land problem among the Kikuyu and the Northern Kamba has grown more difficult by the measure of another year of population increase among two fertile tribes. The numbers of landless men are greatest among the Kikuyu of Kiambu and Fort Hall. It is easy to say, for it is true, that the African must learn like all the other races of the world that he can no longer expect by right of birth to have the world provide him with a farm, whatever the circumstances of his father; the surface of this planet cannot expand, whatever the universe may be doing; and the addition of adjacent lands would only be a palliative for a few years to this problem. Nevertheless, it is hard not to sympathize with the Kikuyu who loses the means of rearing cattle and goats, with all that those things meant to the social and magico-religious functions that made up the web of his tribal life.

But the social and psychological adjustments required of him in this change from a peasant to a wage-earning economy are immense and it is small wonder if many refuse, or are unable to make it. The process of solving this problem has not been helped during 1951 by the inflation which has gone on with even faster increase.

Finally, it is necessary to say something of the activities of the Kenya African Union, which seem to have become more vociferous during the year. A responsible and sincere political body of educated Africans could be of great value in this province; the Kenya African Union is not such a one. It is, in fact, a Kikuyu body, with a few members from other tribes who give colour to its wider claims, and it is afflicted internally by Kikuyu intrigues and petty jealousies. Reading through the list of programme points put over at its public meetings throughout the year, it is impossible not to notice that they are all destructive. There are attempts to raise opposition to cattle sales, to cattle inoculations, to the payment of grazing fees in betterment areas, to communal work on soil conservation, to the new plan for African education. Nowhere does one find an appeal to Africans to help themselves (save in the form of subscribing money to the Kenya African Union) by hard work and self-reliance to a newer and better standard of living.

It is apparently enough for a project to be put forward by Government for it to be condemned, and their criticism, being indiscriminate, has become valueless. The disturbances in Fort Hall in November, when thousands of women gathered to burn down cattle crushes in a protest against rinderpest inoculations, show the damage that individual members of the Union can do. The list of criminal convictions of such members for various offences against the law, culminating in sedition, grows steadily. Violence and extremism, once begun, all too often proceed under their own impetus. Nevertheless, their position and influence is slight outside the Kikuyu districts, and must not be exaggerated in the least.

Political Events, Movements and Societies.—A sullen, subversive, anti-Government, anti-European feeling can always be found among a certain section of the Kikuyu, and it is necessary to protect the loyal majority of the tribe from being exploited through their genuinely felt grievances over land. This feeling finds its most extreme form in the illegal *Mau Mau* association, with its beastly and barbaric oath-taking, binding those who take it to oppose and disobey the Government, and to use violence if necessary; above all, to secrecy concerning the association. The association continued in Kiambu, Fort Hall and Nyeri; and although the majority of the members are youngish men of no particular standing, and most of the more prominent politicians prefer to voice their grievances through more constitutional channels, nevertheless there are few signs of these men taking a stand and publicly condemning the *Mau Mau* movement.

Interest in politics, however, is largely a matter of temperament; only one fifth of the Kenya Africans are Kikuyu, and they are a minority even in this province. Elsewhere there is a different story. In Kitui the locational councils objected to the Kenya African Union holding meetings in their areas; the Meru showed little interest in this type of political society; and the District Commissioner, Embu, is able to report that the Kenya African Union local president and secretary "are among the most respected members of the African District Council, and work hard for the benefit of the people and not for their own aggrandizement". The Machakos Kamba are likewise comparatively indifferent to these somewhat sterile activities.

Improvement in Farming Methods and Results.—There can be no doubt that 1951 has seen a further advance in good farming practice throughout the province; each year the improvement becomes more obvious as the example of the more intelligent and energetic smallholders convinces others by its results, and the words of the Agricultural Department are heeded.

While it is gratifying to be able to point to the results achieved, it must not be thought that they come without the most intense and sustained effort on the part of the agricultural and administrative staff in the field.

The work of soil conservation has not slackened, and in most districts the year's figures for the miles of work completed exceed those of 1950. Nyeri can show 3,959 miles of contour terracing completed, as against 3,155 last year; Fort Hall 4,021 against 3,432. Embu 3,969 against 3,740.

Political agitators still try to stir up trouble, but he would be insensate who did not pay tribute to the cheerful and willing spirit of the majority of the people who have laboured so hard for so long."

111. The original report for Central Province was long and comprehensive, providing again a testimony to the immense activities of the administrative, agricultural and veterinary officers, but "in the interests of

brevity" certain sections of the report were omitted before publication. Annual reports have, of course, a wide publication and, as an authoritative mirror of Government activities, must conform to certain conventions, one of which is the avoidance of personal expressions of opinion which might reflect on Government policy. In all, some 15 pages were eliminated. Many of the deletions referred to unimportant matters of detail, but it may, however, be of interest to note that some of the erasures in the report related more particularly to subversion and unrest and the part played in these by the leading Kikuyu politicians.

In the first extract recorded in the preceding paragraph, the following passage preceded the final sentence, and was deleted:—

"And join the young men who hang around the markets engaged in petty theft or forming gangs of criminals operating in and around the outskirts of Nairobi, alternating with brief periods of casual employment. Their numbers are not large when compared with the settled residents of the reserves, but they are noisy and obvious, and form the core of all the African political meetings, responding readily to the popular slogan of 'more land.'"

In the chapter covering education there was a reference to the fact that the Beecher Report had become the subject of falsehoods which had raised the whole controversy out of the educational into the political sphere (*see* paragraph 101 above). In a reference to this under the heading "General Picture", the following specific reference to the K.A.U. was deleted:—

"Educational and administrative officers have endeavoured to counteract in *barazas* the lies and half-truths which are spoken at the Kenya African Union meetings, and in the long run it is hoped that truth and common sense will carry the day. It is unfortunate that so important an event as the reconstruction of the whole system of African education in Kenya should be deliberately distorted and disfigured by men either misguided or serving political or financial ends."

The extract in paragraph 110 above under the heading "Political Events, etc.", was preceded by two paragraphs which were deleted and which discussed more fully the methods adopted by the professional agitators. It commenced:—

"These embittered Kikuyu politicians have appeared in societies and bodies whose aim is not political, but they and their funds are now being twisted in that direction. Common office-bearers link the Kenya Africa Union, the Kikuyu Independent Schools Association, etc., etc."

The report then quoted two extracts from the annual reports of the District Commissioners, Fort Hall and Nyeri, in support of this and the fact that the genuine efforts made earlier in the year to discuss grievances with these men were doomed to failure, and continued:—

"In view of the worsening tone of public meetings, at most of which collections were taken, it was felt necessary to protect the public against the element of coercion which was beginning to appear. Consequently, towards the end of the year, the law was enforced and the production of accounts and receipts was required, since it was suspected that all the proceeds were not reaching the cause or body for which they were ostensibly collected. That the suspicion was not without foundation seems likely from the apparent inability to produce details, and in the meantime further collections in certain districts have been restricted. However, the Kenya African Union sent two delegates to place their grievances before the United Nations Organization in Paris, and before other bodies and people in London." (*See* Chapter IV, paragraph 47.).

I must here reiterate the point I have already made, namely that the many reports of subversion must be viewed against and in relation to the wider background of general Government activity for the betterment of the Kikuyu (and other tribes). Although affected by this subversion, the good work still carried on with the willing acceptance of the majority of the Kikuyu. It was, of course, important that there should be no undue spread of alarm and despondency, but it is not easy to escape the impression, fostered by the omission of these more specific references to unrest and its promoters, that this reflected a definite policy on the part of the Central Government to "play down" the prominent part played by the Kikuyu leaders in fomenting that unrest. This was the impression left with the Provincial Commissioner, although he did not of course demur to these deletions. I must add that these deletions were made in the Chief Native Commissioner's office before the report was submitted to the Governor. The Governor commented:—

"It is a very good report of an excellent and encouraging year's work."

112. The following incidents were reported in the Kenya intelligence summaries for 1951:—

A short report of the committee meeting of the Kenya Citizens' Association (paragraph 84).

The meeting of K.A.U. held in Nairobi on 4th February, at which Jomo Kenyatta had undertaken to denounce *Mau Mau*. The report ended: "Although Kenyatta showed again that he was a master of circumlocution, the Europeans left satisfied that he had carried out this intention" (paragraph 86).

A report that there had been a general improvement in the situation in regard to *Mau Mau* (paragraph 97).

(*Note.*—Presumably by an oversight this report was not related specifically to the Nakuru area, and so inadvertently gave the impression that there had been a general all-round improvement in the situation, which was of course not in accord with the facts, and even so far as Nakuru district was concerned was only short-lived.)

The two *Mau Mau* oathing ceremonies in Nanyuki district (paragraph 89).

A meeting of the Nanyuki District African Labour Union on 1st July, at which an oathing ceremony similar to *Mau Mau* took place (not recorded).

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113. Although it was becoming increasingly difficult to obtain evidence necessary for prosecutions in the courts of law, reports from all district commissioners and police formations showed that the intensification of the oathing ceremonies, which was noticeable during the latter part of 1951, continued in 1952. I do not however propose to deal with these reports in any detail: an excellent resume of the political and security situation is contained in a letter addressed by the Commissioner of Police to the Member for Law and Order on 14th July, which I shall discuss at some length (*see* paragraph 139 below). I shall confine myself now to the more important and significant events.

114. On 4th January three Kikuyu reported to the police at Ruaraka that on the previous evening they had resisted attempts to administer to them an illegal oath at a meeting of the *Mau Mau* Association held in the

Buru Buru location of Nairobi. Six persons were arrested and were later convicted in the District Commissioner, Nairobi's court. I mention this here as the first recorded case of a *Mau Mau* ceremony having taken place in Nairobi.

115. On two consecutive nights between 26th and 28th January there were ten cases of arson in the Aguthi and Thegenge locations of Nyeri district; a further case occurred on 31st January, followed by another on 6th February. There was then a lull until the night of 17th February, when three huts belonging to a tribal retainer, who had also acted as a guide to police patrols, were burnt out. On the following night an unsuccessful attempt was made to fire two huts in the prison lines, Nyeri, but two huts belonging to a headman in the Thuku sublocation and one large hut belonging to an ex-chief and loyal Government supporter in the Mukuru-weini sublocation were destroyed. In each of these cases the victim was an African headman, or a person who had given evidence on behalf of the Crown, or information to the police in a *Mau Mau* case, or was a strong supporter of Government policy, and the method employed by the perpetrators was practically identical. In several instances the doors of the huts were wired up, but the occupants were able to escape through the sides or the roof, and there was fortunately no loss of life. All this indicated that these fires were part of a pre-arranged and well-organized plan of intimidation by arson. The time and distance factors conclusively pointed to several separate groups being responsible. In his secret report to the Commissioner of Police, dated 21st February, the Assistant Commissioner of Police, C.I.D., stated:—

“There appears little doubt that the object of this campaign is to intimidate such loyal Government supporters as exist in the Aguthi location, and so establish this area, which has for long been a source of trouble and concern to the Government, as an impregnable fortress from which organized gangs of young Kikuyu, anti-Government and anti-European fanatics may operate with complete immunity. . . .

The plan appears to be therefore to consolidate their position in the reserve as a preliminary to further lawlessness spreading to other areas. The fact that most of these crimes were committed by natives against natives does not minimize their seriousness in any way. . . .

The investigation of only two of the 18 cases, including one in which a conviction has already been obtained, is proceeding satisfactorily. The evidence so far obtained is either that provided by the complainant or of a police nature. There is an impregnable wall of secrecy behind the arson activities, and in not one case have people come forward with information or assistance to the police; indeed, it has become evident during the course of police enquiries that persons who may or should be in a position to give information or help in other ways are most reluctant and, in fact, refuse to do so. It is evident, too, that even the loyal chiefs and headmen are becoming uneasy and less effective as valuable aids to Government in the maintenance of law and order.”

116. The District Commissioner, Nyeri's report for January, apart from recording and commenting on the significance of the above cases of arson, reported two oathing ceremonies, in one of which all the participants were schoolmasters or pupils of K.I.S.A. schools. On 9th February the Provincial Commissioner sent a copy of this report direct to the Chief Native Commissioner:—

“So that you may note the undercurrent of thuggery which seems to be definitely linked with the extreme section of K.A.U.”

117. The local administration and police took strong action, and six temporary police posts, based on chief's offices and staffed by one European police inspector and 15 men from the police training school at Kiganjo, were established, complete with wireless and transport for use in an emergency. In addition, two mobile patrols, consisting of one European assistant inspector and 15 other ranks, were kept in reserve at Kiganjo to carry out large-scale raids, and the Muthaya police post, newly built, was staffed by one European police officer and five other ranks from Kiganjo.

The District Commissioner, in a letter dated 23rd February, addressed to the Member for Law and Order, advocated most strongly that under the Collective Punishment Ordinance a fine be imposed on the sublocations concerned. In support, he said:—

“In view of the fact that we have been unable to arrest the actual culprits, it now becomes essential to ensure that Government servants and supporters should not suffer severe financial loss as a result of their loyalty to the Government. It is equally vital that we should prove to the general public that we are not prepared to tolerate such outrages, and that if the rank and file are unwilling to assist the administration and the police, then the community must suffer.”

The proposal of the District Commissioner was supported strongly by the Provincial Commissioner and the Chief Native Commissioner, but the Member for Law and Order at first demurred on the grounds that a number of innocent persons would be punished for the misdeeds of the few. This is, of course, the normal and recognized reaction of most civilized communities whose systems of law are based on the cardinal principle of individual responsibility. But it ignores the fact that in most parts of Africa the social system is still centred on the group as a group, and not on the group as a number of separate individuals. The Member for Law and Order was also anxious to seek the views of Mr. Mathu who, in the face of obvious difficulties, had been adopting a helpful attitude in Legislative Council. Mr. Mathu, in fact, raised no objection to this proposed course of action, as the fine would compensate the sufferers. After further representations by the District Commissioner, during which he emphasized that the innocent, if they existed at all, were in a minute minority, the Member for Law and Order agreed to recommend to the Governor the holding of the preliminary enquiry required by ordinance. The full significance of these events was again stressed at a meeting at Government House, and it was only after the strongest personal representations by the District Commissioner, who was at that time acting as Provincial Commissioner, that the Governor gave the required approval on 4th April. The enquiry was held by the Provincial Native Courts Officer, in his magisterial capacity, and on 8th April the Governor signed the order imposing a fine of £2,500.

In accordance with section 10 of the Ordinance, the Secretary of State was informed, and this led to a question in the House of Commons, when Mr. Hale stated that “a collective fine is contrary to the principles of natural justice”, etc. After an exchange, Mr. Hopkinson replied that, acting under the existing Collective Punishments Ordinance, the Government of Kenya did exactly what it was supposed to do, and it had carried out the law.

118. In his report for February, the District Commissioner, Kiambu, stated:—

“That a Nyeri Kikuyu, on 8th February, said at Thika that in Nyeri district they were getting prepared and were laying in stocks

of petrol for a rising against the Europeans. The rising would commence by women and children uprooting European name-boards. The young men would then indulge in widespread arson of European houses, stores, crops, etc."

This report was in fact anticipated by events in the settled areas of Nanyuki. On the night of 6th/7th February two cases of arson occurred on European farms in the Timau area. A barn on Mr. W. E. Powys' farm, containing some £1,150 worth of barley, was destroyed by fire, and £150 worth of damage by arson was done on Mr. G. Murray's farm. At the same time, that is on 7th February, the day of the Royal visit to Nanyuki, five grass fires were seen burning on farms in the Nanyuki area, some of them not far from the aerodrome. Between that date and 16th March, 58 unexplained grass fires were recorded, and several thousand acres of grazing were burnt. Although some doubt was at first expressed by the police on the origins of these grass fires, this general outbreak of arson appeared to be connected with the organized campaign in Nyeri, and a painstaking investigation of these fires, made by Mr. M. B. Randall, a local farmer and a member of the Kenya Police Reserve, showed quite clearly that they formed part of an organized fire-raising campaign. The Government accepted that they were caused by *Mau Mau*, and compensation was paid in November. The following extract from the evidence obtained by Mr. Randall is of interest:—

"Statement by a Turkana Herdsman.—I have lived in this area for about 25 years and I have never before seen fires like this year. I am getting very frightened, as I know these fires are the work of *Mau Mau* who have come here to destroy the white man. They also want to destroy our chiefs who help you. I was an informer against *Mau Mau* last year and I will get killed if the police do not try and catch them. The Wakikuyu are very frightened to talk about anything. We cannot trust any Kikuyu today. We won't discuss matters with them. There is more *Mau Mau* than ever before. The women are very keen followers. I know that the last lot of *Mau Mau* to be convicted from this area will return to kill me because I have given evidence against them. Please help us so that they do not return."

On the night of 27th March two more fires broke out on farms in Naro Moru, and on 31st March an attempt was made to set fire to a bullshed which housed a valuable imported bull on the farm of Mr. Prettejohn at Naro Moru; this was unsuccessful, although petrol was used.

119. This organized campaign of arson was a turning point in the history of *Mau Mau* and was recognized as such by the provincial administration, the police and the Director of Intelligence and Security, who reported in the Kenya political intelligence summary for February that:—

"This sudden emergence of an 'action group' of intransigent Africans is not to be, and is not being, taken lightly."

But it is far from clear that its true significance was appreciated by the Central Government. Intimidation, which had been going on for some years underground, had now come into the open, and the organizers of *Mau Mau* had clear proof of the exceedingly powerful weapon which they had forged.

120. On 26th February the *East African Standard*, referring to the police action in Nyeri district, carried a leading article entitled, "Dealing with Trouble":—

“There is welcome news today that the Government of Kenya is now taking definite action against *Mau Mau*. This movement, mainly Kikuyu in its origin and character, has not been stamped out. There is reason to suppose that, on the contrary, it is still active and that its ‘cells’ are increasing and spreading. . . .

But there is a general impression throughout the affected area that though the source of the trouble has been confused recently by a dispute among some ‘independent’ African schools about the Beecher Report, the *Mau Mau* are not losing any chance to create trouble and, by terrorism, to compel law-abiding African citizens to lend their support and refrain from helping the Government to bring the terrorists to justice. . . .

What is also needed, in addition to making plain the intention of Government to take firm and resolute action in rooting out the evil growth, is the sound use of the Information Services, for which the good law-abiding citizen pays.”

After referring to the intensive propaganda campaign in the Rift Valley Province, the article continued:—

“The campaign did good while it lasted, but it is only a beginning. The *Mau Mau* has not collapsed as a result. It may become bolder and more defiant. Only the other day it emerged in one of the slums of overcrowded Nairobi. But for the courage of decent African citizens, who resented being threatened by these potential terrorists, it might have spread its poison.”

After stressing that full use should be made of all the resources in Government hands, including the relatively simple but important field of factual press publicity, the article ended:—

“When the impression spreads abroad that the Government is succeeding in stamping out this nefarious gang, they will be more inclined to come forward and help the good work than now. But it is the Government’s job to do the telling. In the past it has not done so, unless it was asked, and not always then.”

121. Following the organized campaign against rinderpest inoculation in Fort Hall, referred to in the Provincial Commissioner’s annual report (*see* paragraph 110), in which 500 women were convicted for causing malicious damage, the organizers, James Beuttah, Andrew Nganga, Petro Kigondo and Kimanna Njuku were, on 11th February, sentenced to two years’ hard labour by the Resident Magistrate at Nyeri for conspiracy to defeat the execution of an ordinance. The first two were already undergoing imprisonment; James Beuttah had in November been sentenced to three months’ hard labour for collecting money at a public meeting without issuing receipts, and Andrew Nganga had been sentenced to 11 months’ imprisonment for directing an illegal assembly. In his intelligence report for February the District Commissioner, Fort Hall, said:—

“These convictions have given a great filip to the pro-Government element, and agitation has temporarily gone underground completely. I have received an interesting letter about this from Gideon Macharia, former Fort Hall branch chairman of K.A.U. He was undoubtedly concerned in stirring up the inoculation troubles, but subsequently gave evidence in court against Beuttah and company. He says that Jomo Kenyatta greeted him at Nyeri, ‘in front of many people’, saying: ‘Are you not the betrayer of Fort Hall?’ He adds that Jomo Kenyatta

is a hyena, and that he told the women in 1948 not to dig terraces, although he promised Mr. Coutts that he would tell them to do so. (This news is exceedingly stale, but interesting in origin and timing.)” (See paragraph 28.)

122. There were also signs elsewhere that the members of some branches of K.A.U. were endeavouring to resist the spread of *Mau Mau*, as many Kikuyu were beginning to realize the great dangers to the future of their tribe. One such branch was that at Limuru, and the office-bearers of this branch had sought and obtained permission to hold three meetings to decry *Mau Mau*. As these three meetings figure prominently in the trial of Jomo Kenyatta at Kapenguria, I shall deal with them in some detail.

123. The first meeting was held at Tiekunu on 24th February under the chairmanship of Stephen Mwaura, the local branch president. Some 200 people attended. Divisional Police Headquarters, Kiambu, in their report dated 12th March, stated:—

“The object of the meeting was to decry *Mau Mau*. The meeting was interrupted at intervals by shouts from individuals, ‘Don’t decry *Mau Mau*—I am one; it is the only policy which will save the African from being slaves of the European.’”

The District Commissioner, Kiambu, also reported that one speaker said that it confused him to hear K.A.U. members decrying *Mau Mau* because everyone knew that Jomo was president of K.A.U., and was also believed to be one of the chief leaders of *Mau Mau*. The *Mau Mau* element left the meeting on the arrival of an African police sergeant from Limuru, and the gathering dispersed.

The District Commissioner, Kiambu, reported that the second meeting, held on 9th March at Rukiaruanbogo, was more satisfactory from the point of view of the anti-*Mau Mau* element, and the following resolutions were passed:—

“That this branch of the K.A.U., Limuru, will not, however, co-operate with the *Mau Mau* movement, and will not act as *Mau Mau* have acted in Fort Hall and Nyeri districts. Also we give the Government support in banning the *Mau Mau* movement.

2. That this branch of the K.A.U. welcomed the District Education Board in agreeing to develop Manguo School, also thanking the District Education Officer for the trouble he took in this nature, as this school will mostly develop Limuru location.”

This apostasy from *Mau Mau* was not to Jomo Kenyatta’s liking, and he decided to intervene. The District Commissioner, Kiambu, reported as follows:—

“Unfortunately at the third meeting (held at Kamiirithu on 23rd March) the anti-*Mau Mau* elements suffered a severe setback, owing to Jomo Kenyatta, Henry Mworira and Fred Kubai appearing at the meeting. The acting chairman (the chairman himself was ill), Hinga Waiganjo, the secretary, Ephraim Gichiriri, and Johanna Kairu courageously challenged Jomo Kenyatta to declare whether he and K.A.U. supported *Mau Mau*. Jomo Kenyatta, with his usual ability to evade an issue, and yet make his views quite plain, said he did not know *Mau Mau*. He then said that the Limuru office-bearers reminded him of the two K.A.U. members of Fort Hall who became spies for the District Commissioner.” (See paragraph 121 above.) “The Limuru

office-bearers appear to know very little about K.A.U., and they had better report to headquarters for instructions. K.A.U. was concentrating on a petition to the United Kingdom for the return of stolen lands and for self-government and 'I find you causing dissension among the Africans.' ”

124. Henry Mworira gave a full report of this meeting in his Kikuyu paper, *Mumenyereri*, on 26th March, and the following is an extract from a translation of this article sent by the Director of Intelligence and Security to the Chief Secretary on 28th March:—

“Mr. Gichiriri continued by saying that the first thing they must do must be to tell everyone that K.A.U. does not belong to the *Mau Mau* Association. Mr. Gichiriri concluded by saying that it was K.A.U. who were fighting to get their land back, and pointed out to the people present at meetings held at night-time by *Mau Mau* served no useful purpose. Jomo Kenyatta then said that he had been asked to explain about *Mau Mau* but stated that he did not know what it was. He said that people had said they knew, so they had better explain to him. Jomo Kenyatta told the people that if they knew where the *Mau Mau* was they should take an axe and break its neck. Jomo then urged the people to join K.A.U., but pointed out that no one was forced to do so. He said that 5,000 people in one day had joined K.A.U. in Nairobi. Jomo, in ending his speech, warned the Limuru branch in carrying on in the way they had been doing, and said that they would only cause trouble for the rest of K.A.U. He warned the people against disagreeing amongst themselves, pointing out the example of the Fort Hall K.A.U., which had a detective as their chairman.”

The District Commissioner, Kiambu, commented as follows:—

“One of Henry Mworira’s usual clever articles. *Mau Mau* adherents were delighted and their opponents dejected.”

125. In accordance with their instructions the three office-bearers from the Limuru branch went to the K.A.U. headquarters in Nairobi on 21st April and were told to report again on the 22nd, when they were summoned to the presence of the full K.A.U. committee sitting under the chairmanship of Jomo Kenyatta. Jomo Kenyatta opened the meeting by expressing annoyance at the fact that whereas he had very great difficulty in holding meetings in the Kiambu area, this branch had obtained permission from the District Commissioner to hold three. When they said that they were the enemies of *Mau Mau*, Jomo replied that they had been given permission because they were the enemies of the people and wanted to fight against the black people instead of the Europeans. He then retraced much of the ground he had covered at the last meeting in Limuru, and finished by saying that the Limuru branch must accept the leadership of Kungu Karumba. The latter was well known as the leader of *Mau Mau* in the Ndeiya district of Kiambu, and the Limuru office-holders said they could not accept this. But the issue was forced and this particular branch of K.A.U. at Limuru was closed down and replaced by a parallel organization under the chairmanship of Kungu Karumba.

126. In answer to a request from the Member for Law and Order, the Director of Intelligence and Security, on 18th February, prepared a two-page memorandum on *Mau Mau*. The main interest here is that this was the first attempt at an overall assessment of *Mau Mau*, but I do not intend to comment on it in any great detail, as it was superseded at the end of April by a very much more exhaustive and comprehensive report (see paragraph 129 below). This short memorandum, after tracing the connexion of *Mau Mau* with the illegal Kikuyu Central Association, and giving details of the oath, stated:—

"The main purposes of the oath were to rouse political consciousness, unite the African people in their political objectives, in particular the acquisition by the Kikuyu of more and better land, and to raise money. . .

Bearing in mind the aims of the K.A.U., it was not surprising that the *Mau Mau* aims relating to land received widespread support, and that in the minds of many Africans *Mau Mau*, K.C.A. and K.A.U. are synonymous.

Mau Mau is likely therefore to continue, although there is no indication that any widespread, overt, subversive action is planned. Continued police action is required in order to protect respectable citizens and to uphold law and order. Its cure is education, the emergence of a reputable African political organization which can present political views sanely to the Government and which has Government's confidence and, most of all, the solving of the land question on a reasonably permanent and long-term basis."

After giving a short background to the land problem, and noting that *Mau Mau* had not spread among other tribes, the report ended with a reference to the recent outbreaks of arson in south Nyeri as indicating a new departure, and pointed out the link-up of the K.I.S.A. and *Mau Mau*:—

"The section of K.I.S.A. dominated by Kenyatta and Peter Mbiu is violently opposed to the Beecher Report, and it is likely to be a live issue this year."

A map was attached to this memorandum, showing the places where *Mau Mau* was rife, and the places where *Mau Mau* was not so rife, but where illegal oath-taking had occurred. Among the former areas were most of the Kikuyu Land Unit, Naivasha, Gilgil, Nakuru, the area round Sabatia, Elburgon and Njoro. The areas where oath-taking had occurred included Naro Moru, Nanyuki, Thomson's Falls, Rumuruti, many of the stations on the railway to Kitale, Londiani, Kericho, Sotik and also Narok.

127. The spread of unrest among the Kikuyu in general, and of *Mau Mau* in particular, was already becoming a matter of increasing public concern and debate. I have already quoted from a leading article in the *East African Standard* (see paragraph 120 above). The leading article in the *Kenya Weekly News* of 14th March on the general political situation commenced as follows:—

"Speaking in London last month, His Excellency the Governor said that the general political feeling in Kenya was better than he had ever known it for many years, a statement which must have surprised many who read it. In truth, the political situation is now more disturbing and the prospect more anxious than it has been since 1936."

128. In the course of a speech made at Londiani in April, Mr. Hubert Buxton, a candidate for the *Mau* constituency, said that he had been informed that *Mau Mau* was universal amongst the Kikuyu. In a subsequent interview with the Press, held on 9th April, the Commissioner of Police, commenting on this speech, said that it was very far from being the case that *Mau Mau* was universal, even among the Kikuyu. It was true that large numbers of Kikuyu had taken the oath, but he would put their number at under 10 per cent. He continued:—

"There is no doubt whatsoever that *Mau Mau* is a money-making racket, as well as being a racket to terrorize people and to derive gain by the common gangster methods. I am quite certain a considerable number of persons earn their entire living by it, persons of considerable prominence, too."

He intimated that the police had certain information as regards those who were prominent in the *Mau Mau* movement:—

"But we require more than just gossip and information before we can proceed to take action under the law."

This interview was widely reported in the Press, and in commenting on it in a letter to the *Kenya Weekly News*, dated 14th April, Mr. P. G. W. McMaster wrote:—

"Most of us have read with extreme disquiet the statement by the Commissioner of Police as to the prevalence of the *Mau Mau* amongst the Kikuyu. Though apparently he considers some 10 per cent an almost negligible figure, no person with any experience of the Colony will agree with him. It is basically seditious in every way, and as well as this it is both money-making (for the leaders concerned) and based on unholy rites and ceremonies. . . .

The leaders of *Mau Mau* must be well known to the authorities, but it is the rank and file who get the punishment. This 'rope to hang himself' business has gone on far too long. It is interpreted by the seditious as pure funk and encourages them to think they are immune to any punishment or repression; it looks as if they are right."

This letter epitomized the very widespread anxiety on the part of Europeans who were, of course, in uncomfortably close contact with the growing lawlessness of their Kikuyu labour. In reporting this, the District Commissioner, Kiambu, wrote in April:—

"One rumour, which is a new one, is that *Mau Mau* members are being planted in twos and threes on European farms as labour and that they have been told 'when the Europeans go, as they soon will, you will take over a farm.'"

In order to bring this matter to the attention of Government, Mr. Wilfred Havelock, Elected Member for Kiambu, arranged for a delegation of European farmers from Thika, Ruiru and Kiambu to interview the Member for Law and Order and the Commissioner of Police. The meeting took place on 3rd April, but the farmers left the meeting far from satisfied that the steps being taken, and to be taken, by the Government to counter subversion would be effective. A similar, but smaller, meeting had been held at Thika on 19th November the previous year, with very much the same result. Although European farmers acknowledged the action being taken by the police, they failed to impress upon the Member for Law and Order the paramount importance of taking action against the known ring-leaders, both great and small. At this latter meeting the Member for Law and Order accepted it "as the responsibility of Government, and particularly the Member for Law and Order, to secure first life and second property", but pointed out the difficulties and dangers of a prosecution or conviction for sedition—"unless 100 per cent certain of conviction, it is better not to bring a prosecution".

Throughout this period many meetings of district associations were held in the Rift Valley Province and motions expressing concern at the growing lawlessness among Kikuyu squatters were passed for submission

to Government. I shall not discuss these in any detail, as the overall views of the Europeans were conveyed forcibly to the Acting Governor at a meeting with a delegation from the European Elected Members Organization held at Government House on 19th August (*see* paragraphs 141, 142 and 146 below).

129. The memorandum on *Mau Mau* referred to in paragraph 126 above was issued under the signature of the Director of Intelligence and Security on 30th April, who had arrived recently from the Gold Coast on promotion, having served previously in Kenya. It was a comprehensive and authoritative document. After a concise but valuable commentary on the early history of the Kikuyu tribe, it traced the growing political consciousness, engendered by the close proximity to European settlement, and the land question, which developed into the K.C.A. This was dominated by Jomo Kenyatta at an early date. It then followed the formation of the K.A.U. in 1944, and the gradual but perceptible growth of *Mau Mau* after Jomo Kenyatta's return from the United Kingdom in 1946, and arrived at the probability, although it was at that time incapable of conclusive proof, that K.C.A., K.A.U. and *Mau Mau* were closely inter-related. The clear link between *Mau Mau* and K.I.S.A. was traced. The assessment of the extent of *Mau Mau* oath-taking was that it was greatest in Kiambu but was widespread and increasing in all Kikuyu-dominated areas. It continued:—

“It will be appreciated from what has been written that the *Mau Mau* organization has, since its inception, steadily increased in numbers, and this fact, together with the nature of its build-up and the manner in which it has operated, indicate that its organisers and those who direct its activities from behind the scenes are not merely independent local agitators but are persons who have the ability to organize and to co-ordinate the activities of such agitators. Until such time as these organizers can be adequately dealt with, it is probable that the *Mau Mau* menace will continue to increase, despite deterrent measures against those of the smaller fry who are brought to justice. Looking towards the immediate future, it is generally accepted that the activities of Peter Mbiu Koinange on his return to this country from the United Kingdom will give some indication as to the line likely to be adopted in the sphere of African politics.

130. By any standards, this memorandum was a first-class document. Not only did it trace the evolution of *Mau Mau* from the early history of Kikuyu political organizations, but it marshalled concisely and accurately all facts then known about *Mau Mau*. Although it may have underestimated the extent to which intimidation was already a dominant factor in the Kikuyu Land Unit, it pointed out, very rightly, that the arson campaign in Nyeri was, from the point of view of the organizers, “immediately highly effective”. It also recognized the most important fact that the whole campaign of subversion, intimidation and oath-taking was centrally organized and that this would continue, despite deterrent measures against the smaller fry, until the organizers were adequately dealt with.

131. But the most remarkable aspect of this memorandum, so far as this historical survey is concerned, is the manner of its disposal. In view of the growing public concern over the spread of *Mau Mau*, it might have been thought that such a memorandum would have been given a wider circulation among those most concerned with the collection of intelligence and the suppression of subversion, but this was not the case. I have therefore taken some trouble to discover its fate.

The first reference to it was a note by the Personal Assistant to the Commissioner of Police on a police file dated 14th May, which read:—

“This report is required by you for the next meeting with the Member for Law and Order.”

A copy was received in the office of the Member for Law and Order, and signed for by the Secretary, on 16th May. A copy was also sent to the office of the Chief Native Commissioner. On 13th June a copy was sent to the Chief Secretary, and about this time three copies were sent to the Security Liaison Officer, at that time visiting the Middle East. In July he replied, thanking the Secretary for Law and Order for:—

“Three copies, which I have read with great interest, and which I shall forward to the Joint Intelligence Committee (Middle East), for whom they are most suitable.”

He asked for eight additional copies. On 26th July the Commissioner of Police, Uganda, signed a receipt for a copy, and I presume a copy was also sent to the police in Tanganyika, but there is no actual record of this in the files.

As will be seen later in this chapter, a number of discussions on the internal security situation were held at Government House during the second week in August, and on 12th August a copy was sent to the Acting Governor at his request, under cover of the following minute from the Secretary for Law and Order:—

“Your Excellency may care to peruse the attached memorandum on *Mau Mau*, which was prepared by the Director of Intelligence and Security in April.”

This important document therefore reached Government House some three and half months after it was written. There its distribution might well have ended, but for a private letter dated 12th July which was sent by the District Commissioner, Kilifi, to the Acting Provincial Commissioner, Coast Province. I quote:—

“Before I left Nairobi there had been a limited circulation in Nairobi of a very excellent synopsis of *Mau Mau*, its history and aims, which was prepared by the present Director of Intelligence and Security before he was seconded. It occurs to me that the memorandum should receive a much wider circulation than was originally intended, and I did suggest verbally that it should be circulated to all district commissioners, if not to all officers in Government. It is, of course, a highly secret document, but it is no more so than many of the secret papers which are given a very wide distribution, and I do feel that much of the ignorance on this subject, both by the district officers and the departmental officers, will be dispelled by wider circulation of the paper in question.”

The Acting Provincial Commissioner, who had not heard of the memorandum, sent a copy of this letter to the Chief Native Commissioner, supporting strongly the suggestion that it should be given a wider circulation.

In commenting on this suggestion the Secretary for Law and Order, in a minute dated 28th August addressed to the Chief Native Commissioner,

observed that this memorandum would be a useful guide to agitators here were they by any chance to obtain a sight of it. Continuing, the minute stated that the offices of the district commissioners were far from secure, but there would be no objection to it being sent and retained by the provincial commissioners, with instructions that it was to be read by district commissioners. On 25th September, four weeks later, this was done.

It was within the responsibility of the Member for Law and Order's office to circulate this document, and I can only assume that this was not done for two possible reasons. Firstly because the references memorandum contained material which it was thought might be of use to Jomo Kenyatta and his associates, and secondly because the clear indication that the menace of *Mau Mau* "would continue to increase until the organizers can be adequately dealt with" was not in accord with Government policy.

I have already referred to the fate which met this memorandum in the chapter on the Organization of Intelligence (III), and I shall comment on this again in the final chapter (Chapter XVI).

132. In spite of the increase in intimidation and of oathing reported from all districts, there was still an appreciable body of Kikuyu opinion, influenced by such moderates as Tom Mbotela and Harry Thuku, and led by the chiefs and the true Christians, which realized the inherent dangers of *Mau Mau* to the future of the Kikuyu people. And the District Commissioners, Kiambu and Nyeri, both reported that the increasing barbarity of the oaths, and the forcible oathing of women and children, had inflamed many of those Kikuyu who had so far managed to escape the clutches of *Mau Mau*. With the result that, on the initiative of the chiefs in the Aguthi and Thegenge locations of Nyeri District, the locations in which the recent arson campaign had been conducted, the District Commissioner met them on 17th April to discuss ways and means of combatting the recent *Mau Mau* disturbances and of affording an opportunity to the more law abiding elements among the Kikuyu to demonstrate their disassociation with the lawlessness of the adherents of *Mau Mau*. At first the chiefs expressed their doubts as to the wisdom of instituting any form of counter oath, but said they would consult their *Athamaki* (the tribal elders). After much deliberation the *Athamaki* unanimously recommended that a *thenge* oath (see Chapter VI) should be invoked to cleanse their people, and to expose the trouble makers. They informed the District Commissioner that the *thenge* goat would be slaughtered in the ordinary way, and that the ceremony would be conducted by the people themselves. The actual ceremony took place on 26th April in the Nyeri station area, at a spot outside the native land unit, as was customary, and about 4,000 people attended (Note 26). On the night previous to this meeting, two dogs were sacrificed, to which were attached notes warning the public of the danger to themselves of taking the *thenge* oath. The significance of this was not at first realized, but enquiries showed that by Kikuyu custom the "dog oath" was said to be more important than the "goat oath" and was last used officially in the Kiambu district about 1921 to counter an outbreak of witchcraft. The inference was that the organizers of *Mau Mau* were becoming concerned over this counter oathing, and this was later confirmed by a report from the District Commissioner, Kiambu, which stated that a man named Mwangi from the Aguthi location of Nyeri had been boasting to his friends in Nairobi that

Note 26.—It later came to notice that as an integral part of this ceremony the goat was beaten to death. This caused some outcry in the European Press, and the Society for the Prevention of Cruelty to Animals considered the advisability of prosecuting the chiefs concerned for cruelty to animals, but dropped the proposal after discussions with the Chief Native Commissioner.

he had just come back from "fixing" the "goat oath" in Nyeri by arranging the "dog oath" to counteract it. The District Commissioner later reported that the use of the *thenge* oath had rallied the reasonable members of the community to the side of law and order, with the result that more information began to be received. That it had also upset the immediate programme of the *Mau Mau* organizers was shown by the fact that immediately after this ceremony Jomo Kenyatta had sent up his car to Nyeri to collect Willy Jimmy Wambugu to take him to Kiambu. This was followed by frequent visits of the known *Mau Mau* agitators to Githunguri.

133. The apparent success of the counter oathing ceremony in Nyeri District led to a meeting in Kiambu, held on 23rd May, attended by the District Commissioner, Senior Chief Waruhiu, Dr. Leakey, Chief Kibathi, Councillor Mbira Githathu and Harry Thuku (*Note 27*). The Africans present recommended that there should be a big ceremony in the district, organized entirely by Africans, at which the *githathi* stone (*see* Chapter VI) would be used in a ceremony of injunction to all residents of the Kiambu district to eschew false oaths such as the *Mau Mau*. At the same time, the oath would also be directed against evil doers generally. They also recommended that provision should be made, as an entirely separate issue, for the people to be cleansed by the *kuhorioho* ceremony, at which volunteers could be initially cleansed in mass and in public, to be followed by the *gutahekio* ceremony, which was in the nature of a family ceremony. They were also strongly of the opinion that as many people had taken the *Mau Mau* oath under pressure, there would be a proper response to the organization of these cleansing ceremonies. As the proposed ceremony in Kiambu would only be effective on persons actually resident there, and would cover neither squatter residents in the Rift Valley Province and elsewhere, nor Kikuyu in the other districts, these ceremonies should be held in all Kikuyu areas. The Provincial Commissioner agreed that the holding of these ceremonies might do some good, but they should be African organized and controlled. In all six anti-*Mau Mau* oathing ceremonies were held in Kiambu, the average attendance being about 600. The District Commissioner reported that the effect had undoubtedly been beneficial and had given some courage to the rather supine anti-*Mau Mau* element.

134. The counter oathing campaign in the Fort Hall District was launched by Senior Chief Njiri on 13th June, with the *githathi* stone brought from Kiambu. Seven ceremonies were held during June and July and the District Commissioner reported that early information seemed to indicate that, as a large number of people were genuinely frightened of the oath, it was having some effect and that it had:—

"At any rate partially achieved its object of giving the anti-*Mau Mau* a focus of action and something definite to bolster up their morale."

At a later date small parties of chiefs visited parts of the settled areas in the Rift Valley Province to conduct counter oathing ceremonies among squatter labour.

Note 27.—Dr. Leakey, who was a guiding influence behind this movement, which had started earlier in the year, has informed me that although it was hoped thereby to rally the moderates, the main objective was to organize active resistance to thuggery and intimidation. If this led to open clashes with *Mau Mau*, it was hoped that the hand of the Central Government would be forced to take more positive steps against the leaders of *Mau Mau*. Shortly after this meeting it was learnt that *Mau Mau* had put a price of £500 on the heads of the organizers.

Although some faith was placed in the effectiveness of this counter oathing campaign, and the Administration gave the chiefs its full support, the success obtained was ephemeral. As the Provincial Commissioner, Central Province, wrote in his annual report:—

“These cleansing ceremonies no doubt stemmed the tide of *Mau Mau*, but were, in fact, a palliative rather than a thorough purge.”

There were, however, clear indications that the organizers of *Mau Mau* viewed this turn of events with some concern, and all district commissioners in the Kikuyu reserve reported an increased movement of the known *Mau Mau* leaders to and from Githunguri. And almost without exception a dead animal, to deter those taking the oath, was found hung in the vicinity of the ceremony the previous night, with the usual threat invoking death on all those who took the oath or helped the Government in any way (see Chapter VI, paragraph 2). Most chiefs and headmen taking an active part in these ceremonies received threatening letters. But a more sinister development was the appearance of assassination as the ultimate weapon of intimidation. On 15th May the bodies of two Kikuyu were found in the Kirichwa River near Nairobi. Both men had been shot and their bodies mutilated. One of them had given information to the tribal authorities concerning *Mau Mau* activities in the Nyeri area some weeks previously. Six persons were charged with these murders and committed for trial. The person who discovered the bodies and reported to the police was later murdered. This was the first recorded instance of a *Mau Mau* execution. But it is now known from confessions made in the later stages of the Emergency that the organized campaign of assassination which started about this time increased in intensity. The numbers of Kikuyu who were murdered will never be known, but in Kiambu district alone over 500 bodies were eventually found.

135. Early in June both the administration and the police in Kiambu and Nyeri reported a highly significant development in the terms of the *Mau Mau* oath. It now included:—

- (a) If I am sent with four others to kill the European enemies of this organization and I refuse, may this oath kill me.
- (b) When the reed-buck horn is blown, if I leave the European farm before killing the owner, may this oath kill me.
- (c) If Jomo Kenyatta is arrested by our enemy, I will die if I do not follow him wherever he is, and free him.

It had now become a positive killing oath.

136. In his appreciation of intelligence reports for the Rift Valley Province, submitted to the Chief Native Commissioner for the quarter ending 30th June, the Provincial Commissioner stated:—

“In contrast to the generally calm atmosphere prevailing during the first quarter of the year, the physical tension began to rise in May and continued rising during the month of June. . . . As reported in the Press, the police have made numerous raids and many arrests of *Mau Mau* adherents. In some quarters this is taken as an indication that in this Province *Mau Mau* is spreading very rapidly and that new “cells” are springing up all over the countryside; in my opinion, existing cells are now being discovered because the local organizers, in their efforts to attract money and recruits, are spreading the net

wider and are attempting to initiate persons of whom they have no intimate or personal knowledge, with the result that their meetings are being reported to the police. It is to be hoped that sufficient evidence can be obtained to put at least three or four of the real leaders behind bars before Peter Mbiu returns.

It must be presumed that the necessity to swell the party funds was one of the principal objectives of a recent series of meetings held by K.A.U. in this Province, and collections certainly showed marked increases over past performances. The enthusiasm with which Kenyatta was welcomed, and the attitude displayed for some time after these meetings by the Africans, shows that the germ of racial ill-will and hatred is falling on fertile ground. There is one step now to be taken—a campaign of scurrilous abuse of Government servants in the local vernacular Press—and the stage is set for Peter Mbiu's campaign.

These meetings have also given rise to criticism from the Europeans, who ask why they should be permitted, when the speakers not only do not denounce Mau Mau, but go further and say that the Europeans have stolen the land belonging to the Kikuyu, that the land must be returned, and that the ideal is African self government."

In his report for July the District Commissioner, Nakuru, stated that a missionary, whose duties entailed considerable contact with Africans throughout the district, was of the opinion that the presence of Jomo Kenyatta in the settled areas had negated the advance made by the police in the past months.

137. To return to the Central Province, although the three Kikuyu districts were, in July, reported as being outwardly more restful, the general situation was summed up by the District Commissioner, Nyeri, as follows:—

"But inwardly the tension is increasing steadily, with *Mau Mau* ceremonies taking place with great secrecy in small numbers in numerous places."

He also reported that:—

"It was clear that one angle of the attack was switched to the Christian faith. Victor Wokabi, for instance, at Othaya, demanded that a picture of Christ be removed 'as the enemy of the people'."

But Jomo Kenyatta had obviously decided that more drastic measures were necessary to re-assert the authority of *Mau Mau*, which had received a slight setback due to the counter oathing campaign, and he sought permission to hold a K.A.U. meeting on the showground at Nyeri. Although the provincial authorities had grave misgivings about this meeting, it was permitted, subject to carefully considered conditions, and as a pure experiment. The meeting took place on 26th July. It was again another crucial landmark in the spread of *Mau Mau*. A verbatim account, recorded personally by the Assistant Superintendent of Police, Nyeri, is attached to this chapter as Appendix F. It is long, but illustrates so clearly the technique evolved for K.A.U. meetings, that it should be read by all. The District Commissioner, Nyeri, reported it as follows:—

"Over 20,000 men, women and children attended. K.A.U. insinuated over 40 bus loads of Nairobi thugs and prostitutes, who were clearly under instructions to excite the crowd. The buses arrived with *Mau Mau* grass ringlets bedecking their bonnets, and beneath the K.A.U. flag

was to be seen the complete paraphernalia of *Mau Mau*. The speakers, Jomo Kenyatta, Ochieng and Kaggia, followed the hackneyed lines of attack, the former soft-peddalling noticeably and the latter in vociferous strain.

Many of the vast crowd heard nothing of the proceedings, though the thugs weaving through it announced that the day of action had arrived; the atmosphere was tense and the crowd afraid of itself. It was noticeable that Jomo Kenyatta himself, from the rostrum, took ten minutes to restore control after an excellent and balanced pro-Government speech made by Senior Chief Nderi. A spokesman, under official instructions, received a completely non-committal reply from Jomo when he asked him what steps he (Jomo) would take to stamp out *Mau Mau*.

Jomo Kenyatta was eager to get away from the meeting, and commented that in future he would have to restrict the size of his meetings.

K.A.U. leaders and their attendant thugs had all left the district by the morning of 28th July.

A collection made on receipts realized £200, and sundry secretive hats went round with a jingle. K.A.U. are reported to have set up collecting offices, at Karatina, Ruruingu and Gakindu.

The meeting has without doubt left the entire district in a mental turmoil and as the speakers made veiled efforts to subvert African Government and local government employees, the writer saw fit to hold *barazas* immediately with all employees of all departments. There is little doubt which way the wavering masses have gone as a result of this meeting, and it will require vigorous action to restore the morale of Government supporters.

Detailed reports of the speeches made at the showground on 26th July are not yet to hand, but it is understood that nothing of a sufficiently criminal nature was uttered.

In conclusion, it is clear that Government supporters in the district cannot be expected to hold their ground against concentrated subversive propaganda and intimidation much longer, and they fail to see why Government does not clamp down vigorously on the ringleaders.

The writer is unable to discover what precise action, if any, was intended to follow the meeting, but the people are in no doubt that something was to be done on 26th, or that it was a dress rehearsal for the 'real thing', to start at the beginning of August when they believe Peter Mbiu will return with at least the gift of the White Highlands for the Akikuyu from Mr. Fenner Brockway and his ilk."

The previous District Commissioner, Nyeri, who had gone on leave to the United Kingdom in March, has informed me that in August he received many letters from chiefs, which stressed their great concern at the turn of events, warning him that unless the Government took immediate action against Jomo Kenyatta, their days were numbered.

138. Earlier in the month on 10th July an important debate on law and order took place in Legislative Council on a Motion moved by Mr. Blundell that:—

"This Council notes the increasing disregard of law and order within the Colony and Protectorate, and urges the Government to take the measures necessary to improve the situation."

In the course of a long speech, Mr. Blundell emphasized that although the police vote had been increased, very little had been done to improve the rapid and noticeable deterioration in law and order. The main cause of this state of affairs was the presence of—

“a subversive organization which is like a disease, spreading through the Colony, and the leaders have a target, and that target is the overthrowing of the Government, and my information leads me to believe that that target may well be within nine months,”

He advocated a rigid pass system to stop the spread of the disease and, after commenting constructively on many of the social evils and difficulties which beset the African, he urged the Government to take action in the interests of all citizens of Kenya, regardless of race.

In seconding the Motion, Mr. Humphrey Slade said that the immediate need was government with a firm hand:—

“So that all communities may rest assured that every law in this Colony will either be repealed or enforced, and that subversive elements can no longer frolic with impunity.”

The magistrates, administrative officers, police and the Kenya Police Reserve were doing all they could with such powers as they had, but the facts of the situation showed that these powers were insufficient, and Mr. Slade then asked the Government how soon use could be made of the Emergency Powers Ordinance, and submitted that early use should be made of these powers to arrest the suspected leaders. He also advocated greater use of the collective fine for political crimes, where sections of the community were known to be supporters of subversion, and that political speeches, particularly in the settled areas, should be subject to much stricter conditions of control.

In replying to the Motion, the Member for Law and Order welcomed the opportunity for this debate on law and order and the constructive nature of Mr. Blundell's speech, but suggested that he was preaching to the converted. He then quoted from the Governor's speech at the opening of the Session on 12th June, in which he said that:—

“The Government views with concern the recent threats to law and order occasioned by the activities of proscribed societies. Urgent and continuous attention will be given to the task of maintaining the fullest confidence in the peaceful administration of the Colony. Measures to this end must include more extensive policing of the African Land Units in particular, but also increased measures to preserve law and order everywhere and the development of methods and policies which will encourage a spirit of harmony and co-operation among all races and sections of the community.”

The Member for Law and Order, continuing, suggested that it would have been more appropriate if Mr. Blundell, following the precedent in the United Kingdom when debating the speech from the Throne, had so worded his Motion that it welcomed the statement of the Governor that urgent and continuous attention would be given to the task of maintaining the fullest confidence in the peaceful administration of the Colony, etc.

In the course of a long speech, the Member for Law and Order, by quoting numerous crime statistics, admitted that in some areas, particularly Nairobi and Kiambu, there had been a substantial increase in crimes against property, but not in crimes against persons. Although the police were

understaffed and overworked, their achievements had not been inconsiderable. The Member for Law and Order then discussed at some length the many social evils to be overcome and warned the Council against the tendency to ascribe all crimes to *Mau Mau*. The Government recognized the potential danger of such unlawful societies as *Dini ya Msambwa* and *Mau Mau*, but vigorous action had been taken and:—

“I count it amongst the great benefits that have resulted in police activities in recent months that it has created amongst these people a feeling of confidence, and has encouraged them in their belief that the forces of law and order are on their side, and the Government has the power and the will to govern.”

The Member for Law and Order ended his speech by commenting that there was a movement among the Kikuyu to rid itself of *Mau Mau*, and that some African leaders, to their credit, had declared themselves against *Mau Mau*, and he appealed to those leaders to dedicate themselves publicly to the cause of law and order.

Mr. Mathu recounted fully the many African grievances and acknowledged some of the steps being taken by the Government to put them right, but he opposed the Motion on the grounds that the action proposed would interfere with the lawful liberties of the African, and suggested that had the Government not continued the proscription of the K.C.A. after the war, it would not have gone underground, with all the consequent troubles. (It is of interest to note that Mr. Mathu never once mentioned *Mau Mau*.)

The Member for African Affairs, again in a long speech, dealt almost entirely with the many social and economic difficulties encountered by the African, and the steps being taken to rectify them. The only reference to subversive political activity was when he took Mr. Mathu to task on his remark about the K.C.A., pointing out that the Government recognized the value of a body of responsible African opinion and had made an honest endeavour to support K.A.U. The trouble was that most of the branch office-bearers were persons with known criminal records. (Once again there was no mention of *Mau Mau*.)

In his reply, when winding up this long debate, Mr. Blundell said:—

“I hoped, when I moved my resolution, that I would see in the Member for Law and Order a man of resolution, and I must now record that I do not think we saw that man of resolution. I cannot help feeling that I saw a man, skilled in law, tilting and lancing over legal niceties. I must say that because I do not think the situation will be improved unless we have the intention to improve it.”

This debate took place at a critical time, just two weeks before the momentous mass meeting at Nyeri, and I have summarized it at some length as it indicated most clearly the schism that divided the European Elected Members and the Government at that time. The former, while acknowledging the existence of social and economic unbalance, and suggesting methods for dealing with it, were genuinely convinced that public security was in serious jeopardy and could not be retrieved until the leaders of subversion were dealt with. The latter stressed the steps it was taking to adjust this unbalance, but indicated in no uncertain manner that not only did it not consider that public security was in danger, but that there was full confidence among the Africans in the actions taken by Government to maintain law and order a view which bore little relation to the many reports sent into Nairobi by the Administration, Police and European residents.

139. On 14th July the Commissioner of Police addressed a top secret letter to the Member for Law and Order under the title "Kikuyu Political Activity". This letter is of such importance that I shall now summarize its contents by quoting the following extracts (*see* also Chapter XVI, 20):—

- (i) The recent activities of the Kikuyu people, both constitutional as well as unconstitutional, together with other evidence of the state of mind of these people, give one very seriously to consider what is afoot among these million and a quarter of the most intelligent and most progressive, but at the same time most disgruntled and most criminal, people of Kenya. Is this but one of their periodical manifestations of discontent, or is it something far more dangerous to the peace and good order of the Colony? I am forced to the conclusion that it is the latter, and that something in the nature of a general revolt among the Kikuyu people against European settlement and the policy of Government has been planned and that the plan has already begun to be put into effect. It should have been possible from the sources of intelligence available to Government to obtain positive information of the existence and details of any such plan, but precise information on this subject has not yet been obtained. The Kikuyu is a strange suspicious people, deeply influenced by superstition, steeped in black magic, and intensively secretive. These qualities make them a people exceedingly difficult to penetrate. Although no positive information of any well-formed plan of revolt is available, I am strongly of the opinion that the events of the last seven months clearly indicate the existence of such a plan.
- (ii) The events and evidence which I consider indicate this state are the following:—
 - (a) The mass demonstrations of thousands of Kikuyu women in the Fort Hall area in November and December, 1951 which were inspired and incited by political leaders, directed against compliance with Government regulations and attended by violence and destruction of Government and public property.
 - (b) The rapid spread of subversion, throughout all Kikuyu reserved and squatter areas, on European farms employing labour of this tribe, and in large Kikuyu centres such as in the Nairobi City.
 - (c) The generally increased tempo of Kikuyu political activity.
 - (d) The influence and position of the Kikuyu Independent Schools Association.
 - (e) The growing truculence of these people.
 - (f) The increased incidence of serious Kikuyu crime.

The next paragraph, covering four pages, dealt concisely but comprehensively with the historical background to the above. The Commissioner mentioned, among other events, the recent mass oathing ceremony in Nairobi, attended by up to 800 people. He also drew attention to a recent and highly significant change in the form of the *Mau Mau* oath; it had now become a definite "killing" oath (*see* Chapter VI). In his next paragraph he stated that the facts and evidence in the preceding paragraph were strengthened by a mass of opinion among a large number of European settlers, missionaries, missions and missionary societies and responsible Europeans and Asians of standing who had contact with the Kikuyu, as well as among leading Africans of other tribes. In his paragraph 6, he drew

the conclusion that there was clear evidence from many sources that the action followed on the Gold Coast with such signal success, had been closely studied by those who led in Kikuyu politics and that the pattern of events here had already begun to shape itself almost identically on the earlier features of that model. In paragraph 7 he stated:—

“If it is accepted that a general revolt amongst the Kikuyu people is being carried into effect, and I have no doubt that this is the case, the situation calls for immediate action, and action which must go far beyond that which lies in the hands of the police. I make this statement with conviction, from experience of the signal failure of police action in somewhat similar circumstances in Ireland and Palestine, and from what I am informed of similar failure on the Gold Coast.”

He continued by stating that there was little hope of police action alone being successful against a people in revolt, and apart from this there were not enough forces or police in the Colony to take such action, nor could they be produced under a period of six to nine months. To take action against even a small proportion of the real criminals would result in the conviction of tens of thousands, for whom no prison accommodation was available. Urgent police action was required and would be taken, but at the best it could only have a delaying effect. The Commissioner of Police ended his letter as follows:—

“8. There are certain lines of action to suggest which fall outside the police province; I shall be glad to make suggestions with regard to these if it is considered that the situation requires other than police measures.”

140. Although the Government, on representations from the police and the administration, had already agreed to a considerable strengthening of the police in the Kikuyu Land Unit, and the district commissioners in the troubled areas had been given the increased powers of special magistrates to enable them to cope with the growing tide of *Mau Mau* prosecutions, it is clear from perusal of the files then current in the Secretariat that the Central Government had not yet appreciated the growing seriousness of the general situation. And apart from the public pronouncement on *Mau Mau*, made in April, this was the first occasion on which the Commissioner of Police had submitted his general views in writing on the political situation; much had happened since then, and this letter had therefore the effect of bringing the matter of unrest forcibly to the notice of the Central Government.

A meeting, under the chairmanship of the Acting Chief Secretary, was held on 29th July to discuss this letter and the action to be taken. It was attended by the Member for Law and Order, the Chief Native Commissioner, all Provincial Commissioners, the Secretary for Law and Order, the Commissioner for Community Development, the District Commissioner, Kiambu, the Native Courts Officer and the Executive Officer, African Information Services. I quote the opening minute:—

“The Chief Native Commissioner stated that he and the provincial commissioners had discussed the Commissioner of Police’s top secret letter of 14th July on the subject of ‘Kikuyu Political Activity’, and were in agreement that the overall situation had been correctly assessed by the Commissioner, and must therefore be regarded as extremely grave. Although there was as yet no concrete evidence to prove that Jomo Kenyatta was behind the *Mau Mau* movement, there was every reason to believe that he was one of the leaders of this society. This conviction was strengthened by the fact that *Mau Mau* activities

increased sharply in areas which he visited, and also by the display of *Mau Mau* emblems on the platform from which he addressed a crowd of 20,000 at Nyeri on 26th July. Moreover, all efforts to persuade him to publicly denounce the society had failed and there could therefore be no doubt that he intended to pursue his 'hundred per cent programme', which was designed to secure the eviction of the European Government and settlement from Kenya.

The Chief Native Commissioner then gave a short account of the mass K.A.U. meeting which had just taken place at Nyeri and remarked that had this meeting got out of control, as it very nearly did, results might have been very serious."

The following is a résumé of the decisions arrived at:—

- (a) No more K.A.U. meetings would be allowed, and permission already given for certain meetings to be held in Nyanza Province during August would be withdrawn.
- (b) The provincial commissioners were of the opinion that action should only be taken against Jomo Kenyatta if there was sufficient evidence to make it appear reasonably certain that he would be convicted of a criminal charge, but that early action should be taken against all his lieutenants under the Deportation (Immigrant British Subjects) Ordinance. The Member for Law and Order, however, considered that action under the latter ordinance should only be taken against less important leaders, and that Jomo Kenyatta and his immediate lieutenants should be left alone unless, of course, they committed criminal offences.
- (c) The Member for Law and Order agreed to consider special legislation for the award of corporal punishment to persons convicted of using bodily violence in connexion with *Mau Mau* ceremonies.
- (d) That the aid of Protestant and Catholic Churches should be enlisted with the object of organizing an anti-*Mau Mau* campaign on a religious basis.
- (e) That the counter-oathing ceremonies be continued.
- (f) That important *Mau Mau* prisoners should serve their sentences in special prisons in the Northern Province. (*Note 28.*)
- (g) That K.A.U. headquarters and the Kikuyu Club in Nairobi be raided and that legislation be introduced to ban the flying of the K.A.U. flag.

It is noteworthy that the Commissioner of Police, whose forceful letter led to the holding of this meeting, was not invited to attend. He was given to understand that the reason for this decision was that matters of higher policy, which would be discussed, were not the concern of the police.

Subsequently a decision by the Member for Law and Order that K.A.U. meetings might, under certain conditions, be allowed in Nairobi was viewed with some misgiving by the administration, and it was also decided that neither the headquarters of K.A.U., nor the Kikuyu club, should be searched. The reason given in both cases was that to do otherwise might lead to a general strike.

Note 28.—There was already clear proof that uncontaminated prisoners were being oathed in prisons and that the more prominent *Mau Mau* prisoners had managed to maintain contact with their leaders outside the prison.

141. When forwarding a copy of this memorandum to his district commissioners on 13th August the Provincial Commissioner stated that:—

“The picture has been over-painted in my view, but we are all agreed on the seriousness of the organized movement going on at present, and that it is subversive, and if not kept in check by firm measures can easily get out of hand. I will discuss this with you next week.”

This appreciation of the situation may appear to be at variance with the views he expressed at the meeting on 29th July. I have since discussed this with the then Provincial Commissioner and he has informed me that the Commissioner of Police's memorandum was purposely drafted in strong terms, in order to impress on the Central Government the urgency of taking more definite action than had been taken in the past. On the other hand, the all too few administrative officers and police, who were well aware of the seriousness of the situation in their own districts, were working at high pressure against almost impossible odds. It was important therefore not to create an atmosphere of alarm and despondency, as the situation could only be improved by balanced and determined action.

142. This momentous memorandum of 14th July was, in fact, followed by increased Central Government activity, and a series of meetings, under the chairmanship of either the Acting Governor or the Acting Chief Secretary, took place during August, mainly to decide on the steps to be taken to counteract the situation, but also to discuss suitable answers to the very forceful proposals which had recently been submitted by the European Elected Members' Organization, and which the Acting Governor had agreed to discuss with its appointed delegates. I do not propose to cover these meetings in very great detail, but I shall record the salient facts and decisions of Government which resulted from the two meetings with this delegation which were held on 8th and 19th August. The following were the salient points raised by the European Elected Members' Organization under the leadership of Mr. Michael Blundell at the meeting on 8th August which was attended by the Member for Law and Order and the Commissioner of Police:—

- (1) That Emergency Powers should be brought into force immediately in certain areas, such as the Kikuyu reserve and contiguous districts.
- (2) That the leaders of K.A.U. should be dealt with immediately under these Powers.
- (3) That a special Commissioner for Security should be appointed.
- (4) That the posts of Attorney-General and Member for Law and Order should be separated.
- (5) That the Government should make a statement to the effect that African nationalism, on the lines of West Africa, was not H.M. Government's policy for Kenya, and once this had been made perfectly clear, any statements which suggested that such a thing were possible should be considered as seditious.
- (6) That in the opinion of the European Elected Members there was a real danger that Europeans might take matters into their own hands if the forces of law and order did not deal immediately with the present lawlessness throughout the country.

143. On 10th August the Acting Governor, commenting on the results of this meeting to the Acting Chief Secretary, the Secretary for Law and Order and the Acting Native Courts Officer, said that the European Elected

Members were much disturbed by the increase of crime and subversive activity, and thought that the latter was conditioning the minds of Africans for the former. They were convinced that a halt must be called to African nationalism. He then recounted the requests which had been put forward by the European Elected Members' Organization which, he remarked, were couched almost in the form of demands. What the European Elected Members really wanted was that the Government should have the power to imprison dangerous agitators without trial. After further discussions with the Member for Law and Order and the Commissioner of Police, he had come to the following conclusions.

The Government could not stop nationalism, but should try to guide it. The situation, though grave, did not warrant the declaration of a State of Emergency under Ordinance 12 of 1948. At the time of the announcement of the Royal Commission it might be wise to repeat, in general terms, the pronouncements of successive Secretaries of State about the benefits and permanence of European settlement, within the framework of increased responsibility to all races in the Colony (*see* paragraph 153 below). He was also considering legislation on the lines of Regulation 18 (b) of the United Kingdom war-time Defence Regulations, regard being had to cases where witnesses were intimidated, but this would certainly require reference to the Colonial Office.

It was decided therefore that further efforts be made to obtain evidence sufficient to support a prosecution for sedition, and justify restriction orders against the K.A.U. leaders: that an ordinance be drafted immediately, granting more drastic powers, on the lines of Regulation 18 (b) of the United Kingdom war-time Defence Regulations: and that consideration be given to the possibility of changing the Law of Evidence, so that when witnesses had been intimidated into withdrawing their statements made to the police, a police affidavit be accepted as best evidence.

The meeting did not favour the appointment of a special Security Commissioner, but considered that it was desirable to relieve the Member for Law and Order of some of his subjects. This might be done by strengthening the personnel in the Crown Law Offices. It was also decided that the Member for Law and Order's office should consider the possibility of enforcing a limited curfew, specially on vehicles and the carrying of lights. There would be no Treasury objection to the provision by Special Warrant of funds urgently needed for an emergency increase in the Kenya Police and Kenya Police Reserve, within the proposals for the 1953 Estimates already submitted. There were, however, strong financial objections to a law and order tax; any expenses for the campaign against subversion should be met from general taxation. The need for a considerable increase in propaganda and the Information Services should be taken up by the Chief Native Commissioner's Department. (*Note 29.*)

144. On the following day, 11th August, a further meeting was held at Government House, attended by the Acting Chief Secretary, the Commissioner of Police, the Secretary for Law and Order and the Acting Native Courts Officer, to review the present state of law and order in the Colony. The Commissioner of Police reported that the Northern and Nyanza Provinces were quiet, although in the latter there was an increasing interest in K.A.U. activities in some areas. The Coast Province was quiet, except

Note 29.—The Chief Native Commissioner had already, in conjunction with the Executive Officer of the African Information Services, prepared a comprehensive plan with estimates for an intensification of the anti-*Mau Mau* propaganda in the worst affected areas, by the medium of mobile cinemas, etc.

for Mombasa, where there had been an increase in general crime, due mainly to the influx of Kikuyu and others from outside. In the Rift Valley there was increased K.A.U. and *Mau Mau* activity, particularly in the Molo area. In Kijabe, North and South Kinangop and Laikipia the situation had noticeably worsened since Jomo Kenyatta's tour, and was now bad. 60 police reinforcements had been sent to Laikipia and in the last two weeks 550 persons had been arrested, including 66 at an oath taking ceremony. Temporarily, the situation was in hand. In the Central Province, Nanyuki District was comparatively quiet, following a police drive there. In Nyeri District Jomo Kenyatta's meeting in Nyeri had had a deplorable effect. Oath taking had increased and had spread to European farms. The police had been taking vigorous action and the situation, though serious, was not yet out of hand. Fort Hall was the worst trouble spot in the country. Police had been reinforced, but there was little hope that the slight improvement the reinforcements had brought about could be maintained once they had been removed. In Embu the local Africans were reported to be taking an increasing interest in *Mau Mau*. Thika had always been notorious for crime and police had recently made about 50 arrests. Kiambu which had been a very bad district, was much improved after the recent police drive, but the Kikuyu there were still very truculent. In Nairobi the situation, which had improved at the end of June, worsened in July and 450 reinforcements had set about restoring respect for law and order in the city. There was, however, no promise that the improvement would be maintained once the reinforcements had been withdrawn.

The Commissioner of Police, continuing, gave a warning against high hopes of finding in the past utterances of the K.A.U., material to support prosecution for sedition. These men were very cunning and knew just how far they could go without bringing themselves within reach of the law. Moreover, under the Penal Code, prosecutions for sedition had to be initiated within six months of the commission of the alleged offence. He had been trying, without success, to get enough evidence to deport Jesse Kariuki and other dangerous agitators, but it was not easy within the law as it then stood. The Acting Chief Secretary said that the present and past Governments of India, Pakistan and Ceylon would have dealt with such people without hesitation and without difficulty, and commented that in that case it was time the law was altered.

The Secretary for Law and Order, reporting that Mr. Brumage, a retired district commissioner, had drawn his attention to the large number of stolen firearms which must be in the hands of the *Mau Mau*, suggested that greater effort to be made to get as many arms as possible licensed and registered, and that an amnesty be declared to private holders of unlicensed firearms to report them. (See Chapter XI.)

Before the meeting closed a report was received from the Senior Superintendent of Police, Nyeri, that the situation in Nyeri and Fort Hall had deteriorated in the past 48 hours. One more chief's retainer had been murdered and there was an attempted murder of another; much increased forceful oath taking; greater indiscipline and truculence; and the return of many young Kikuyu males from Nairobi. Police reinforcements were being sent from Nairobi and a curfew would be imposed as a trial measure in one Nyeri location.

145. In a letter dated 12th August the Provincial Commissioner, Central Province, drew the attention of the Chief Secretary to the growing danger of the impact of thug gangs on the backblocks in the reserve, where

the vulnerability of chief's offices, where revenue was collected, had become a matter of serious concern. In three raids in Machakos District £850 had been stolen, and in Fort Hall in one raid £400. These gangs emanated from Nairobi and every effort must be made to thwart them at source.

146. The next meeting of importance was held under the chairmanship of the Acting Chief Secretary on 17th August. The Member for Law and Order, who had been on tour, was present. It had been called to advise the Acting Governor on the various points raised by the European Elected Members' Organization, which the Acting Governor intended to answer on 19th August. The Acting Chief Secretary recalled that the European Elected Members' Organization had requested that the Emergency Powers Ordinance should be brought into force in certain areas. The object of this was clearly to enable the Government to arrest and incarcerate without trial Jomo Kenyatta and other K.A.U. leaders. The Member for Law and Order said he was strongly opposed to this. Apart from the fact that there was, in fact, no Emergency, and the measure was at this time unnecessary, there was the important point that the proclamation would have to be reviewed month by month if those arrested were to be kept out of harm's way (*Note 30*). The Legal Department had, however, been drafting legislation on the lines of Regulation 18 (*b*) of the United Kingdom wartime Defence Regulations, but he thought it was most unlikely that the Secretary of State would agree to this.

To a suggestion by the Chief Native Commissioner that there was enough in their speeches to justify a very considerable number of known leaders of *Mau Mau* being charged with sedition and deported under the Deportation Ordinance, the Member for Law and Order agreed that Jesse Kariuki offered the best target but, in general, the evidence against these people was too vague. Particular charges must be substantiated for even a quasi judicial proceeding, such as a restriction order. The Chief Native Commissioner, while agreeing that it would be difficult to induce the Secretary of State to agree to any legislation similar to Regulation 18 (*b*), stated that the utmost should be done to have Jomo Kenyatta put away by some means or other under the present law. The Member for Law and Order replied that in his opinion this was just not possible. Jomo Kenyatta would be released as soon as he appeared before a judge.

I shall not here record comments on the other points raised in the European Elected Members Organization's memorandum, as these will be covered in the succeeding paragraph.

Before the meeting closed the Acting Chief Secretary raised the question of K.A.U. meetings. It had been agreed at the provincial commissioners' meeting of 29th July that these should be stopped, but they had subsequently been allowed in Nairobi (*see* paragraph 148 below). The Member for Law and Order replied that this had been due to a misunderstanding. Nevertheless, a few carefully controlled meetings in Nairobi served a useful purpose as a safety valve.

147. The delegation of European Elected Members, led by Mr. Blundell, met the Acting Governor on 19th August, as arranged. In a long discussion, in which Mr. Blundell stressed the need for the utmost urgency in taking the action recommended by the European Elected Members' Organization, the Acting Governor categorically denied that a State of Emergency existed, and informed the delegation that the Government could not therefore accede to the first four proposals, which were—

Note 30.—Further aspects of this apparent difficulty which faced the Government at this time are discussed in Chapter XIII.

- (1) the declaration of a State of Emergency in certain areas;
- (2) that K.A.U. leaders be dealt with under such Emergency Powers;
- (3) that a special Commissioner for Security, of authoritative rank, be appointed; and
- (4) that the posts of Attorney-General and Member for Law and Order be separated.

The Government, however, intended issuing a restatement of H.M. Government's policy in Kenya, but could not, of course, consider as seditious legitimate expressions of African opinion which did not conform. The Acting Governor then informed the delegation of the police and other action it was taking to maintain law and order.

The delegation left the meeting far from satisfied, and after a further interview with Mr. Blundell and some members of the delegation the Acting Governor accepted most of the minor submissions put forward on the 19th, but remained adamant on the four major ones. Mr. Blundell then addressed a private letter to the Acting Governor, warning him that the Elected Members could not be held responsible if, in the event of no effective action being taken by the Government, the Europeans were forced by circumstances to take the law into their own hands. This led to a further meeting at Government House, at which the Acting Governor outlined the legislation designed to strengthen the Government's hand, the most important of which was an amendment to the Special Districts (Administration) Ordinance, which would give the Government enhanced powers to restrict the residence of undesirables. With the exception of the proposal that the functions of the Member for Law and Order should be divorced from those of the Attorney-General, the Government had accepted most of the proposals submitted by the European Elected Members' Organization, and the latter, at its meeting held on 4th September, agreed to give the Government its full support when the time arrived to debate this legislation. The individual Elected Members also agreed to do all in their power to dissuade the local district associations from taking any precipitate action, and to persuade them to give the local Government authorities their full support (*see* paragraph 158).

To achieve some continuity, I have dealt with the memorandum submitted by the European Elected Members' Organization up to the beginning of September. It is now necessary to return to the affairs of August.

148. On 3rd August an authorized meeting of K.A.U. took place in the Kaloleni Hall, Nairobi. Among others who addressed the meeting were Jesse Kariuki and Paul Ngei. During the course of his speech, Jesse Kariuki openly incited the police to disobey their orders. Jomo Kenyatta presided, and over £1,000 was collected by the usual "strong arm" methods. This was the meeting to which the provincial authorities of the Central Province took particular objection, on the grounds that whatever was said or done in Nairobi affected the Kikuyu reserve in general, and Kiambu in particular (*see* paragraph 140). Later that month Jesse Kariuki, who had been a leading agitator of the worst type for some 27 years, was arrested and in September a restriction order under the Deportation Ordinance was signed. For the first time use of this ordinance for the leaders of *Mau Mau*, which had been so long advocated, was put into effect.

149. Two days after this meeting, that is 5th August, Mr. Tom Mbotela addressed a personal letter to the Member for Law and Order, in which he wrote:—

“I do not know whether you have received any official report about the exciting situation in the African locations during the last week-end, and I am wondering why the authorities are allowing public meetings to be held in the municipal social halls while this sort of situation exists.”

The letter described the truculence and behaviour of the Kikuyu, who were going round from house to house forcing the doors open and coercing the people to attend meetings. These gangs of thugs were proposing a boycott on the sale of all non-Kikuyu goods, and the songs which were being sung by these people were most seditious. He added:—

“I feel that if these people are going to be allowed to go on interfering with private and personal liberties, some undesirable consequences will have to follow sooner or later. I am strongly of the opinion that some drastic control in the locations, as in Nairobi generally, is now highly desirable, and I hope something will be done about it.”

Copies of this letter were sent to the Chief Native Commissioner, the Mayor, the Commissioner of Police and the City African Affairs Officer. No reply to this letter could be traced but shortly after some 400 extra police were drafted into Nairobi and an extensive drive against the Kikuyu gangs of thugs led to a temporary improvement in the situation.

150. On 8th August the District Commissioner, Rumuruti, sent a special intelligence report on *Mau Mau* to the Provincial Commissioner, Rift Valley Province:—

“In this district, and also in all districts where the Kikuyu reside, I feel that an emergency has arisen and that this emergency should be admitted, and strong measures should be taken by means of special legislation to meet. If this is done now it is possible that an extremely dangerous political movement will be brought to an end, before it has caused serious bloodshed involving country-wide attacks on European farms adjacent to Kikuyu reserves, or in districts where Kikuyu labour are to be found in large numbers. Unless strong action is taken immediately, while there are still many Kikuyu who are, I am certain, waiting in exasperation and frustration for Government to take a strong line against this society, which it has deemed to be proscribed and contrary to good government, then it will be too late and the situation may become out of control.”

Among other measures, the District Commissioner proposed that an enquiry be held with a view to imposing a collective punishment on the Kikuyu residing in the Laikipia District; all native bus traffic between Laikipia and native districts should be stopped; district commissioners should have summary powers for hearing cases for the lesser *Mau Mau* offences to save time; and the Education Ordinance should be amended immediately, giving Government power to close down schools.

When forwarding this letter to the Member for Law and Order, the Provincial Commissioner agreed that greater powers should be taken to close schools, but did not consider that the other proposals were either

possible or would be effective at that time. However, during the next three weeks three Kikuyu were murdered in this area, and on 27th August the Provincial Commissioner signed a curfew order affecting the Narok Marmanet and Ol Joro' Orok wards of the Aberdare District Council, and the African locations of Thomson's Falls and Rumuruti. Prior to this the Provincial Commissioner had, on 13th August, attended a meeting of the executive committee of the Thomson's Falls Association, attended by Mr. Humphrey Slade, the Member of Legislative Council for the Aberdares. In his report to the Member for Law and Order the Provincial Commissioner wrote that he had informed the meeting that, as the result of large scale raiding by the police, the situation, which had previously been disturbing, had been brought under control and there was no reason why a State of Emergency should be declared in that area. The immediate requirement was that the equivalent of Regulation 18 (b) of the United Kingdom wartime Defence Regulations should be brought into effect so that the immediate henchmen of Jomo Kenyatta might be apprehended at an early date. He ended by stating:—

“I gave this meeting a resume of what measures were proposed by Government to eradicate *Mau Mau*, and what success had been attained. In spite of this the meeting was adamant that a State of Emergency existed in the Colony.”

151. On 18th August the Commissioner of Prisons sent to the Member for Law and Order a copy of a letter dated 9th August he had received from a prison informer who signed himself “Henry”. “Henry”, who must remain anonymous, was in fact a well educated Kikuyu; he was not however an informer in the ordinary sense of the term, as he submitted his “despatches”, as he called them, quite voluntarily. I have already, in the prologue to this chapter, quoted from this “despatch”, as the short, concise description of *Mau Mau* given by him can hardly be bettered. As I consider this document is of more than passing importance, particularly so as it was written by a Kikuyu, and before the Emergency was declared, I have quoted it in full at Appendix G. Apart from the fact that it is written in an amusing and arresting style, it shows a remarkable insight into what may be called the “psychology of *Mau Mau*”, and should be read by all. His reference to the “adequately motorized” team of oath administrators was confirmed by reports from the District Commissioners, Fort Hall and Nyeri, and the Reverend Langford-Smith, who was in Fort Hall at that time, has told me that during this period gangs would arrive from Nairobi in cars by night and, with the precision of a military movement, would surround small groups of huts, and a forcible oathing of all the occupants would take place. There was no chance of escape.

Again, his reference to the assignment of “voluntary hangmen” is interesting, in view of the organized campaign of assassination that was starting. And his remark that it would take the Kenya Police a lifetime if they were to expect a sudden arrest of Jomo Kenyatta at an oath ceremony was all too true, and was a trenchant, if unintended, criticism of the lack of action against the leaders of *Mau Mau*.

152. The Acting Governor decided that the time had arrived to give the Colonial Office a warning of the difficult times which lay ahead and the following are extracts from a demi-official letter which he sent to Mr. P. Rogers of the Colonial Office on 17th August:—

“You will have seen from our recent political intelligence summaries that there has been a progressive deterioration in the state of

law and order in the areas of the Colony where the Kikuyu tribe preponderate. . . . The main overt Kikuyu political organization is the Kenya African Union which, while purporting to represent all Africans, does not do so, but is in fact Kikuyu controlled, under the leadership of Jomo Kenyatta. . . . The covert organization is the proscribed *Mau Mau* secret society, the terms of whose illegal oath include the killing of Europeans 'when the war horn blows' and the rescue of Kenyatta should he ever be arrested, and there need be little doubt, though there is no proof, that he controls this revolutionary organization in so far as it is still susceptible to control. . . . In brief, public opinion of all races is greatly disturbed and the Kikuyu are sullen, mutinous and organizing for mischief. It is because I fear that we are in for a difficult and very troublesome time that I have thought it well to give you informally this brief personal appreciation. When I have further consulted my advisers I shall refer formally to the Colonial Office some proposals for drastic legislation of a kind which has become necessary to support our attempt to deal with the situation I have described."

The importance of this letter arises from the fact that it was the first official intimation that the Colonial Office had received from the Government of Kenya that all was not well and that trouble lay ahead. To avoid repetition I shall not give, at the end of this section a summary of the *Mau Mau* incidents which were reported to the Colonial Office through the Fortnightly Intelligence Summaries. Up to the middle of August, 17 incidents were reported, factually without comment. After that date the number increased but there was a noticeable tendency to report local improvements in the situation without relating them to the wide background.

153. In an endeavour to ease the growing tension the Government issued a Press communiqué on 23rd August. After drawing attention to the repeated statements by certain African leaders claiming self-government and the eviction of the other races in the Colony, it reiterated the declared policy of H.M. Government, announced in the House of Commons on 13th December, 1950, that the rights of all races would be respected. It ended with a warning that the Government would not tolerate the continuance of the state of unrest resulting from the attempts of irresponsible African politicians to attack and undermine that policy, and would use every means at its disposal to enforce a respect for the law.

The reactions of the Provincial Commissioner, Central Province, were immediate and he wrote to the Chief Secretary:—

"I note that great trouble has been taken to translate this statement into Kikuyu and many thousands of the translation in pamphlet form have been despatched for distribution. We may assume then that this statement is directed largely at the Kikuyu, and indeed they are responsible for the present unrest. That is to say, that a clique of Kikuyu surrounding Jomo Kenyatta who control the K.A.U. have fomented the unrest to their own ends, and used the K.A.U., *Mau Mau*, etc., to further their aims. I feel then that I must advise you of my views, which have been confirmed by discussions with administrative officers and others, that the statement is far too nebulous and emasculated to be effective on the mass of the Kikuyu. If we wish to counter attack unrest fomented in a tribe such as this, I believe that it is vital not to pull our punches and to be specific in our attack, so that our leadership should be in no doubt to the waverers. This statement has failed badly in this respect, and missed an important opportunity in my opinion.

I think this might have been avoided if the views of the provincial administration, through the provincial commissioner most concerned, had been sought. I am only too aware that of late this line of approach has fallen into desuetude. I think, however, that in the interests of effective government of the African areas, the opinion of the executive officers of Government in the field should be given weight on these occasions.

The Kikuyu district commissioners are addressing locational *barazas* in Fort Hall and Nyeri, particularly this week, and I am also talking to some myself to give a lead in making our position quite clear with local application that we will not tolerate the sort of thing that has been emanating from the Kenya African Union, with resultant disorder and thuggery."

154. The counter oathing ceremonies continued during August, and although they appeared to have the sporadic effect of a local stemming of the tide of *Mau Mau*, this tide continued to rise. But many of the loyal Kikuyu and the other more moderate Africans had not yet given up hope. Early in August Senior Chief Waruhiu, assisted by his son David, endeavoured to organize a movement by African church leaders to counteract the subversive activities. Later in the month Chief Waruhiu, assisted by Mr. Eliud Mathu, Harry Thuku and other leading Kikuyu, decided to hold a further mass meeting in a last endeavour to persuade Jomo Kenyatta to denounce *Mau Mau*, as they knew that only he could stem the rising tide. This much publicized meeting took place on Sunday, 24th August, at Kiambu, and the Information Services were there in force to record speeches, in the hope that it could broadcast far and wide the voice of Jomo Kenyatta denouncing *Mau Mau*. The attendance was estimated at between 20/25,000, and the meeting took some four hours. Apart from Jomo Kenyatta, it was addressed by Mr. Mathu, ex-Senior Chief Koinange, Harry Thuku and several other leading chiefs. Jomo Kenyatta started his speech with the following words:—

"Many people were asked what this meeting is about and who the organizers are. This meeting is of the Kikuyu elders and leaders who have decided to address a public meeting and see what the disease in Kikuyuland is, and how this disease can be cured. We are being harmed by a thing which some people seem to call *Mau Mau*."

Jomo Kenyatta went on to ask all those who were against *Mau Mau* to raise their hands. Response was immediate and unanimous (*Note 31*). He then went on to talk about the objects of the K.A.U., and to disclaim any association between the Union and *Mau Mau* activities. He ended his speech with the following words:—

"Let us agree now not to engage in crime. We have pleaded for more land for many years. A Commission will soon be coming out to look into the land question. If you do not stop crime those people who come out on the Land Commission will be told that we are thieves, that we are this, that we are that, and that will do us immeasurable harm. We must now work together."

In his report on the meeting the District Commissioner, Kiambu, stated that the crowd was in a reasonable and pleasant mood, except that it shouted down Divisional Chief Josiah when he was speaking in favour of soil conservation.

"Jomo Kenyatta, ex-Senior Chief Koinange and Chief James Gichuru are thought to have made 'border-line' speeches in some respects, but it is still too early to assess results of the meeting on

Note 31.—This had by now become a common gambit.

the ordinary Kikuyu. This is the crux of the matter: Jomo Kenyatta is clearly most concerned that K.A.U. meetings are barred, and I feel that his speech at Kiambu had this concern in the background."

The District Commissioner also reported that in a subsequent conversation Jomo Kenyatta alleged that he was concerned over the present state of crime and subversive political atmosphere and asked: "How can I bring these young 'forty' types (*see* paragraph 12) to heel if I am not allowed to hold meetings?". The District Commissioner told him that it often happened that the atmosphere deteriorated after K.A.U. meetings, at which he professed surprise and sorrow. Jomo Kenyatta then added that there was a strong rumour abroad "that the unruly element at the mass meeting at Nyeri in July was planted by the Government as agents to provoke a breach of the peace". Both these remarks were an illuminating commentary on Jomo Kenyatta's technique of naively attempting to pose as the innocent and much maligned leader.

It was perhaps unfortunate that the *East African Standard* of the following day gave front-page headlines to the subject, claiming that Kenyatta had cursed Mau Mau, and that the meeting had been a resounding victory for African moderate opinion. Although some circles in Government considered the results of the meeting to have been satisfactory (*see* paragraph 155 below), the official view of the Government, as expressed in the Kenya political intelligence summary, was that:—

"The meeting cannot be considered a success from the point of view of the authorities. It was dominated by Jomo Kenyatta, who was far from specific on the subject of *Mau Mau*."

The unanimous opinion of the administration and the Kikuyu was that Jomo Kenyatta had, as usual, evaded any personal or direct denunciation of *Mau Mau*, and the elaborate tape recording, with its carefully prepared commentary, still rests in the archives of the Information Department.

155. Meanwhile, the Attorney General's Chambers had been preparing the legislation referred to in the demi-official letter to Mr. Rogers (*see* paragraph 152 above). The Colonial Office, having seen Press reports of a likely emergency session of Legislative Council, suggested to the Governor that the Secretary of State should have an opportunity to consider the proposed legislation before the Kenya Government was publicly committed. The draft bills were, therefore, sent to the Colonial Office on 2nd September. In his covering letter to Mr. Rogers, the Member for Law and Order wrote, *inter alia*:—

"The method of indirect pressure from the perimeter is being used with good results, and for the time being it looks as if the thugs, who are the militant element in *Mau Mau*, have got their heads down, as things have been very much quieter during the past few weeks, both in Nairobi and in the reserves. More important, or certainly as important, as the successful police action is the fact that there are now encouraging signs that the Africans themselves are building up a public opinion against this movement. Last Sunday Jomo Kenyatta himself publicly condemned *Mau Mau* at a meeting of 30,000 Kikuyu, all of whom held up their hands at his request to signify that they approved his denunciation of *Mau Mau*. If this resistance movement gathers strength, then I think we shall succeed in rolling back the *Mau Mau* movement before too long. (*Note 32.*)

Note 32.—This appreciation of the position in fact bore little relation to the current trend of events. In Fort Hall alone eight known murders were reported, with no prospect of arrest. I shall comment on this further in Chapter XVI.

But we must currently strengthen the law to give us greater control over this secret society, and particularly over the thug element which is still, I regret to say, intimidating and terrorizing large numbers of peaceful and respectful Africans in Nairobi, the Kikuyu reserves and part of the Rift Valley Province. . .

I do not expect you will look upon them with any great enthusiasm."

156. As the Colonial Office did not, in fact, view some of the Bills with any great enthusiasm, the Member for Law and Order, accompanied by the Chief Native Commissioner, went to England by air to discuss these measures in fuller detail. This discussion took place on 16th September. I shall be dealing with the proposed legislation and these discussions in fuller detail in Chapter XIII.

Seven Ordinances, as amended after the discussions, were passed by Legislative Council on 23rd September, and were assented to by the Governor on 3rd October. The eighth, the Societies Bill, was referred to a select committee. These Ordinances allowed a confession to a senior police officer to be accepted as evidence, gave additional protection to witnesses, and power to restrict the place of residence of persons associating with unlawful societies, to control traffic at night and to control printing presses. The maximum penalties for certain offences were also increased. They were enacted too late to be effective, and were superseded by the Emergency Regulations.

157. In response to the proposal by the European Elected Members' Organization for the appointment of a special Commissioner for Security (see paragraph 147 above), and with the object of improving the liaison between the offices of the Member for Law and Order, the Chief Native Commissioner and the provincial administration, the Acting Commissioner of Prisons, who had been an administrative officer, was appointed for special duties in connexion with subversive societies on 9th September. His more important duties were to investigate the influence of the Kikuyu Independent Schools Association on subversion, and to prepare dossiers on the leading members of *Mau Mau* in all disaffected areas. Prior to this, the Assistant Superintendent of Police, appointed for special duties at Nyeri, had, in May, been posted back to Special Branch headquarters to set up a special bureau for the co-ordination of police action, and the collection of evidence against the leading *Mau Mau* personalities.

158. As I have already mentioned in paragraph 147 above, the European Elected Members' Organization, although far from satisfied with the action proposed by Government, had undertaken to give the Government its full support and to cancel the various public meetings which had been arranged. In fact, only one such meeting was held, at Thika, on 11th September, which was addressed, among others, by Mr. Michael Blundell and Mr. Wilfred Havelock, the Member for Kiambu. The speakers referred to the deterioration of the situation in the Central and Rift Valley Provinces, the blame for which they laid at the door of the Government. The speeches were, however, studiously moderate in tone, as the speakers felt that at last the Government was alive to the situation. Mr. Blundell further warned his hearers against forming themselves into vigilance committees, and advised them to give all support to Government by enlisting in the Kenya Police Reserve.

The official interpretation given by Government to these moderate speeches, which was recorded in the Kenya political intelligence summary dated 15th September, was that many Europeans realized:—

“that their local exaggeration of the situation has provided the material for the sensational and harmful accounts which have appeared in some English and American newspapers.” (Note 33.)

My comment is that these sensational articles may well have been influenced by the tone of the speeches, but the official appreciation of the motives does less than justice to the statesmenlike efforts of the European leaders not to embarrass unduly the Government which, as they said, was then making some effort to restore the situation. This appreciation was also symptomatic of the general lack of sympathy on the part of the Central Government to the fears of the European community, which proved to be so well founded.

159. On 26th August Mr. Eliud Mathu (Note 34) and David Waruhiu, the son of Senior Chief Waruhiu, left for Caux to attend a conference of the Moral Rearmament Movement. On 1st September they were joined by the notorious Fred Kubai, who stated quite callously before his departure that he had no interest in religions, but was prepared to go anywhere and do anything, so long as his expenses were paid. His letters from Caux revealed that his thoughts wandered far from morality. He was arrested after his return, under the Emergency Regulations.

160. The following is a brief summary of a long memorandum on *Mau Mau* intimidation prepared by the Senior Superintendent of Police, C.I.D., on 12th September for the forthcoming visit of the Member for Law and Order and the Chief Native Commissioner to the Colonial Office (see paragraph 156). After referring to the Special Branch report on *Mau Mau* of 30th April (see paragraph 129), the memorandum continued:—

“There is no doubt whatsoever that the forcible administration of the *Mau Mau* oath is, and for some months has been, widespread in the predominantly Kikuyu populated areas and that, despite the most intensive efforts of police, the Government, the Church, and the more responsible elements in the African population, there is no sign of a diminution in the strength of the organization or its unlawful activities. The reason for this appears to be twofold:—

- (a) The first is the helplessness of the unwilling victim to prevent the administering of the oath, in the face of the vicious methods used to compel him to take it.
- (b) The second is the binding effect of the oath on the superstitious and ignorant once it has been administered and the consequent reluctance of such persons, reinforced by fear arising out of the most barbarous intimidation, to give information to the authorities leading to the arrest and conviction of those responsible. This intimidation affects not only the persons to whom the oath has been administered, but also every other African in a position to give information to the authorities.

To illustrate the extreme methods used to compel unwilling persons to take the oath, details were given of the forcible administration of an oath to a Kikuyu Catholic woman. She was dragged by night from her

Note 33.—*The Sunday Dispatch* of 24th August featured an article under the lurid headlines—“Night of the Long Knives in Kenya”, which told of the *Mau Mau* plot to murder Europeans.

Note 34.—It was at a press conference in London that Mr. Mathu was reported as denying the existence of *Mau Mau*, an astonishing statement which caused much indignation throughout the Colony both among Europeans and Africans.

house to a hut. After she had refused to take the oath she was stripped and beaten and informed that she would be killed and those present would drink her blood. She still refused and after again being beaten she was hoisted off the floor at the end of a rope until she lost consciousness. When she partially regained her senses she was compelled to drink some blood from a bottle and to perform the other disgusting rites constituting the *Mau Mau* oath-taking ceremony.

After referring to the organized campaign of intimidation of loyal African Government servants by arson in Nyeri in January and February, the report gave details of nine cases between May and September in which Africans, who had helped the authorities or who had given evidence in *Mau Mau* cases, had been brutally murdered and mutilated. They were all Kikuyu, with the exception of an unfortunate Kipsigis policeman of Nairobi who, inadvertently, while off duty, became involved in an oath-taking ceremony. Nineteen days later his body, almost hacked to pieces, was found some ten miles from Nairobi. The cases involving assault and intimidation were too numerous to mention.

The report continued:—

“That this campaign of terror and violence has had its effect is obvious from the fact that charges against over one hundred persons for administering or participating in the administration of illegal oaths have had to be withdrawn because of witnesses turning hostile or disappearing. At least four magistrates have been constrained on different occasions to comment in open court on the intimidation of witnesses.”

After examining the very great increase in crime engendered by the spread of *Mau Mau*, it concluded with the following paragraph:—

“There is little doubt that unless extraordinary legislation is enacted to combat this insidious and vicious campaign to obstruct and pervert justice, the situation may well become intolerable. In the absence of such legislation (i.e. the admissibility of secondary evidence), the police and courts of justice are virtually powerless.

The Penal Code now provides for the corporal punishment of persons convicted of certain crimes of violence in which the motive is personal gain or the assuaging of sexual desire. Surely the compelling of persons to undergo a degrading and seditious oath equally—if not more so—merits the infliction of corporal punishment on those responsible for such.”

A similar *aide-mémoire* prepared for the Chief Native Commissioner emphasized the brutal forced oath-taking of women and the mass oath-taking of children between the ages of 10 and 14 years, who were herded into the oath-taking huts and severely beaten: also the determined attacks by *Mau Mau* on the Christian faith.

161. Following a mass oath-taking ceremony on a farm in the Timau area on 23rd September, at which some 60 African farm labourers were initiated, 50 Africans met on the night of the 25th September and in groups of about 15 attacked stock and set fire to buildings on five farms in the neighbourhood. In all, some 120 cattle valued at £2,700 were killed or had to be destroyed, and a further 26 were wounded; some 240 sheep valued at £760 were killed, and a further 140 wounded. Damage by fire amounted to £450. Widespread indignation was caused by the insensate cruelty and savagery of this attack as very few of the animals were killed outright. Most of them were disembowelled or hamstrung and left to die a slow and painful death. Police action was vigorous. Thirty-nine Kikuyu and three Meru were arrested, and by 6th October nearly all were convicted and sentenced to imprisonment.

162. Sir Evelyn Baring was due to arrive at the end of September to take up his appointment as Governor. In order that he should be fully informed of the current situation on his arrival, the office of the Chief Native Commissioner prepared a lengthy appreciation dated 24th September on the growth of *Mau Mau* during 1952, which was submitted to the Governor on 4th October. As most of the information given has already been covered, I shall refer only to the more salient facts.

Since the memorandum on *Mau Mau* intimidation dated 14th September, and referred to above, the number of known murders had increased from 9 to 23, including 2 women and three children. There had been at least 12 attempted murders and 4 suicides. There were, at the beginning of September, 412 *Mau Mau* convicts in prison and many hundreds awaiting trial.

“The great majority of these prisoners are, however, small fry of little or no importance to the organization of *Mau Mau*, who have had the misfortune to be rounded up whilst their leaders continue to escape detention.”

This appreciation concluded as follows:—

- “(a) *Mau Mau* has succeeded in dominating the three Kikuyu districts and certain areas of the Rift Valley Province, particularly Laikipia.
- (b) The action so far taken by Government—curfews, collective fines, drafting of additional police to the worst areas—has had no appreciable effect, indeed the situation continues to worsen, particularly in the Fort Hall district.
- (c) *Mau Mau* is beginning to appear in Embu, Meru and Machakos districts and may move into Nyanza, particularly North Nyanza, if its path is not barred.
- (d) *Mau Mau* is intensely anti-European.
- (e) Although there is no direct evidence to prove Kenyatta’s connexion with *Mau Mau*, a number of factors point to his close association with the society.”

163. On 29th September Sir Evelyn Baring arrived in Nairobi to assume the duties of Governor and Commander-in-Chief, and was sworn in on the following day.

164. On 7th October Senior Chief Waruhiu s/o Kungu was assassinated in broad daylight by a gunman, in the accepted Chicago tradition, only some seven miles from Nairobi. Shortly after leaving a meeting at Kiharo near Kiambu by car his driver noticed that they were being followed by another car. This car, taking advantage of a diversion in the track, got ahead and stopped, blocking the road. A gunman got out, approached Chief Waruhiu’s car and fired four shots, which killed him instantly. This murder shocked all shades of opinion in Kenya except, of course, the militant members of *Mau Mau*. Tom Mbotela summed up the feelings of the more moderate African opinion when, in a letter dated 8th October to the Member for Law and Order, he wrote:—

“We have heard with considerable horror of the tragic news of the murder of Senior Chief Waruhiu, who had been an ideal leader and chief amongst the Wakikuyu people for a number of years. . . . It appears to me that these people (*Mau Mau*) are determined to carry on, in spite of the measures which have already been taken . . . and I trust, Sir, that something more drastic will be done about it. I have been under police guard myself during the last five weeks, as a result

of a threatening letter I received early last month, but I sympathize with those who have already suffered."

In a well-deserved tribute to his memory in Legislative Council on 18th October, the Chief Native Commissioner, after referring to his loyal and outstanding services to the Government and to his people for over 30 years, and his work for the better understanding between the different communities, said:—

"Chief Waruhiu was an inspired leader of men: all have suffered a great loss through his death—his own people, Africans throughout the Colony, and all communities."

165. In the course of the next few days, and following information received by the C.I.D., two Kikuyu made a series of confessions to two independent magistrates. In these confessions they gave a full account of the assassination of Senior Chief Waruhiu, and the gunman stated he had been given the pistol with instructions to murder Chief Waruhiu by John Mbiu Koinange, the son of ex-Senior Chief Koinange. The driver of the car confessed that he knew of the intent to kill the chief. On 30th March, 1953, they were all three charged with the murder of Chief Waruhiu. During the course of the trial the gunman and driver recanted their confessions and adduced the defence, which was to become commonplace in so many *Mau Mau* trials, that their confessions had been obtained under duress. The magistrate in his judgment found that both the accused and their witnesses "in an effort to get away from their confessions, have told a pack of lies". They were, on 15th April, 1953, both found guilty and sentenced to death. The third accused, John Mbiu Koinange, was acquitted on the grounds that the evidence of the confession, although admissible, had not received sufficient corroboration to justify a conviction.

166. On 8th October a prominent Nyanza chief, who had attended the swearing-in ceremony at Government House, sent a most interesting report on what he had seen and heard in Nairobi to the Provincial Commissioner, Nyanza Province. A copy was sent to Special Branch. After deploring the death of Chief Waruhiu, he wrote that chiefs, headmen and all Government servants in Kikuyu areas had no peace as *Mau Mau* were ready to kill any person informing against them. The late Senior Chief Waruhiu had told him that ex-Senior Chief Koinange and Jomo Kenyatta were the ring-leaders. He was also warned by the chiefs he had met that as Jomo Kenyatta did not like him he must take great care of himself while in Nairobi, and that when he returned to Nyanza he should watch all Kikuyu very closely as "we shall not know when *Mau Mau* have started here: they are always meeting at night". Owing to the opposition of the Nyanza chiefs, Jomo Kenyatta had had little success in organizing *Mau Mau* under the cover of K.A.U. in Nyanza Province, this chief therefore had good reason to take precautions (*see* Chapter IX).

167. The murder of Chief Waruhiu set the seal on the conclusion of the Governor that the most drastic action was required. Shortly after his arrival in Nairobi he went on an extended tour of the affected areas, and on his return to Nairobi, on 9th October, he sent a long top secret telegram to the Secretary of State giving his reasons for the absolute necessity of declaring a State of Emergency under the Emergency Powers Order in Council, 1939, as soon as it was possible to take the necessary precautionary measures. The following are extracts of a personal letter addressed by the Governor to the Secretary of State and despatched the same day as the telegram:—

"I have just returned from a tour and the position is very serious. By police action, Nairobi and the Rift Valley have been contained, but the position in the Kikuyu reserve is getting very much worse. The

movement has many heads; we are dealing with a hydra. There is a clear determination by the *Mau Mau* leaders to destroy all sources of authority, other than that of *Mau Mau*.

There is evidence that most criminal action is planned in, and instructions are sent from, Nairobi. This was borne out very clearly by two small towns on two parallel ridges in Fort Hall. The first has had many *Mau Mau* crimes: the second has had none. The first has a bus service: the second has not.

It is now abundantly clear that we are facing a planned revolutionary movement. If the movement cannot be stopped, there will be an administrative breakdown, followed by bloodshed amounting to civil war.

European farmers are very reasonable, but all indications are that there will be a planned assassination of Europeans. Reprisals will then be absolutely inevitable.

Impressed by the courageous action of loyal chiefs and headmen, if we delay action the support of this most valuable part of the Kikuyu tribe will very soon fade away.

Absolute unanimity of opinion that the instigators of *Mau Mau* are the leaders of K.A.U., although some of the leaders of the latter may not be implicated. We are faced with a formidable organization of violence and if we wait the trouble will become much worse and probably lead to the loss of so many lives that in the future bitter memories of bloodshed will bedevil all race relations."

168. At last a lead had been given, and affairs moved swiftly. At 9 a.m. on the morning of 9th October a meeting was held, under the chairmanship of the Secretary for Law and Order, to estimate the security situation which might arise from the arrest of Jomo Kenyatta and other prominent agitators, a list of whom had been prepared by the special Commissioner for Security. On the next day further consideration was given to the security requirements at a meeting presided over by the Chief Secretary, at which it was decided that the entire operation should be called "Operation Jock Scott".

169. On 14th October the Secretary of State approved the proposal to declare a State of Emergency, to be followed by the immediate arrest of Jomo Kenyatta and the other leaders of *Mau Mau*. He also approved the reinforcement by air of a British battalion from the Middle East, and the despatch of a British cruiser to Mombasa. On 16th October it was decided that the proclamation would be signed on the evening of 20th October and be declared the next day. The British battalion would arrive by air on the evening of the 20th.

170. Between 1st October and the declaration of a State of Emergency the *Mau Mau* threat to Europeans was put into effect. Mr. Bindloss was assaulted and seriously wounded while protecting his wife; and Lt.-Col. Tulloch, aged 74 years, and his wife, were savagely attacked.

171. On 20th October the Commissioner of Police reported that the Africans in Nairobi had guessed that "something was brewing". The arrest of ex-Senior Chief Koinange and other of his relatives, on a charge of having given false evidence in connexion with the assassination of Senior Chief Waruhiu, had "shaken his colleagues" and Jomo Kenyatta is believed to have told his followers to stay at home "when the balloon went up".

172. At 5 p.m. on the evening of 20th October the Governor signed the proclamation declaring that a State of Emergency existed in Kenya, and orders were signed immediately authorizing the detention of 183 Africans. Eight were already under arrest for other offences.

173. On the Tuesday morning, 21st October, the Governor broadcast the following announcement:—

“A State of Emergency was declared throughout the Colony and Protectorate of Kenya by proclamation signed by me yesterday.

2. This grave step was taken most unwillingly and with great reluctance by the Government of Kenya. But there was no alternative in face of the mounting lawlessness, violence and disorder in a part of the Colony. This state of affairs has developed as a result of the activities of the *Mau Mau* movement. There is every sign that these activities have followed a regular course in accordance with a considered plan. There is a pattern in the acts of violence; and there can be no such pattern unless someone has made a plan. In order to restore law and order and to allow peaceable and loyal people of all races to go about their business in safety the Government have made emergency regulations to enable them to take into custody certain persons who, in their opinion, constitute a danger to public order.

3. Many have suffered from the attempts of the members of the *Mau Mau* society to gain their aims by widespread and carefully planned violence and intimidation; and most of the sufferers are peaceful and law-abiding Africans. Many African chiefs, headmen, missionaries, Government servants and teachers have shown the greatest courage and devotion to duty by continuing their work for their people in the face of constant threats and frequent attacks. Unfortunately, at first gradually and now swiftly, the *Mau Mau* crimes have increased in number, in daring and in savagery. Recently persecution of Kikuyu Christians has increased in severity, churches have been desecrated, missions have been attacked, and teachers and children in mission schools have been assaulted and threatened. At one time most of these crimes were committed by stealth, now one of the best-loved and most revered African chiefs in Kenya has been assassinated on the high road in broad daylight by a band of armed men. In short, within a restricted but important area this movement which shows every sign of careful planning by clever and cruel men, has either by direct or indirect means produced a serious state of disorder.

4. Such is the position today in a part of Kenya; and Kenya is a country with many and peculiarly complex problems. It is understandable that many people in this country nurse grievances, but it is wrong that they should attempt to remedy those grievances by force and by secret plotting against society and the State. Problems of the nature and complexity of those of Kenya cannot be resolved suddenly and by violence.

5. The Government have, therefore, with the full knowledge and concurrence of the Secretary of State for the Colonies, taken drastic action in order to stop the spread of violence. This has been taken not against men who hold any particular political views, but against those who have had recourse to violent measures.

6. This is in the interests of all. It is in the interests of Africans in those wide areas of the Colony which have remained peaceful and of loyal Kikuyu who have been the main sufferers. It is in the interests of Asians who have been the object of attacks by criminal gangs, especially in Nairobi, but who have shown commendable steadiness under the strain. It is in the interests of Europeans whose persons and property have more recently been subject to outrage and who have very properly shown great restraint.

7. Kenya has before it a bright future with a good prospect of a rising standard of living for people of all races, provided that there is

peace and order. In peaceful conditions plans were being made for economic development and particularly for help to the poorer inhabitants of this country. There were, for example, good hopes of accelerating the pace of the construction of houses for Africans, of expanding African education and of improving the position of Africans in the Civil Service. All these things will be impossible of realization if conditions of disorder continue. Disorder leads to lack of confidence and where there is no confidence there is economic stagnation. In a state of economic stagnation the standard of life falls and social services, such as education and health, suffer.

8. But once peace and quiet have been restored, Kenya should enjoy an expanding economy; and before the present disorders there were most encouraging signs of this. The Government have every intention of continuing work on their plans, and indeed of speeding them up.

9. I now appeal to citizens of all races to keep calm, not to believe all that they hear and, above all, to be careful not to create alarm by passing on rumours. There is no doubt that Kenya is facing trouble. But the difficulties of the moment can be overcome. I hope that we shall look back on the events of these last months of 1952 as a sad but a passing phase."

On the same day the Secretary of State made a similar announcement in the House of Commons. He had the previous day given a short summary of the serious situation in Kenya, when informing the House of new legislation that had been enacted (*see* paragraph 156).

174. The arrest of those to be detained commenced before dawn and continued throughout the day. Jomo Kenyatta had been taken by air to Lokitaung shortly after sunrise. By nightfall 99 had been taken into custody. No resistance was offered, and the Kikuyu remained passive. Their immediate reaction was reported as one of bewilderment. Although quiet on the surface, there was a deep underlying feeling of unrest throughout Kikuyu country. But the rest of the country received the Governor's broadcast with the greatest sense of relief.

175. And so ended a decisive chapter in the history of Kenya. The pattern of events, which first showed itself in the widespread unrest during 1947, had reached its climax—a climax foreseen, as this chapter has shown, by so many of those who had close contact with the Kikuyu: a climax which became increasingly inexorable as the ability of the Government to maintain law and order in the Kikuyu-dominated areas gradually decreased. The potency of *Mau Mau*, mentioned in paragraph 108, had shown itself possessed "of the power, latent in all secret societies, of being more feared than the forces of law and order". It had won the race.

And so ends a long and arduous chapter. If any excuse for its length is required, it is that only by recording the more important reports on subversive activity, and the reactions of Government to those reports, that I have felt that I should be enabled to make a reasoned assessment, not only of the deficiencies in the Government machine, which were fortunately recognized by my terms of reference as having existed, but also of the many undercurrents which influenced the action of Government. The chapter has been long because so much has been written and spoken about *Mau Mau*.

The two quotations which stand out in my mind, and which epitomize so much that is revealed in this chapter, are the statement by the Chief Secretary in the debate in Legislative Council on 8th January, 1948:—

"The hon. Member has pointed out that agitation is often a symptom and not a cause, but he (the Mover) should not forget that agitation is often a cause of unrest." (*See* paragraph 24);

and the remark by the Acting Chief Secretary in the discussion which took place in Government House on 11th August, 1952, that if the dangerous agitators could not be deported within the law as it then stood:—

“In that case it is time that the law is altered.” (See paragraph 144.)

I shall add a further one from a speech delivered in Legislative Council on 11th July, 1952, by Lt.-Col. E. Grogan during the debate on law and order, mentioned above in paragraph 138:—

“Never at any time in my experience have we had a better class and type of young man passing into the administration. As I am in very close contact with the administrative officer I think I am qualified to say that a very large proportion of them are today suffering from a serious sense of frustration. The reason for that is, in my humble opinion, because of the law.”

These three quotations reflect a major disability under which Colonial governments have to function, a disability which, in my opinion, must share the responsibility for the outbreak of *Mau Mau* with the more obvious deficiency—the lack of proper machinery to assess the very great volume of intelligence in the hands of the Government, which this chapter reveals. And I shall, in Chapter XVI of this part of the historical survey, attempt the difficult task of analysing the deficiencies which have become apparent in the Government machine, and the more difficult task of balancing these deficiencies impersonally and impartially against the many difficulties which faced this, a Colonial Government, in those fateful years before the declaration of the Emergency.

EPILOGUE

“There are at least three features of *Mau Mau* technique which mark it off as distinct from movements elsewhere in Africa. First, it is in origin a tribal movement. Secondly, it is a reversion to primitive superstition. Entry into *Mau Mau* is dependent upon the taking of an oath, the verbal form of which is linked with heathen blood rites and other ceremonies based on Kikuyu lore. Thirdly, it is avowedly anti-Christian and involves for those who take the vow public apostasy from the Christian faith and the withdrawal of their children from mission schools.

The strength of *Mau Mau* stems from the fact that in the unscrupulous hand (of such a powerful demagogue as Kenyatta) it has achieved a unifying force by combining primitive tribal superstition and fear with political and economic aspiration. It can be directed, on the one hand, against the enemies of tribal tradition and, on the other, against the enemies of African ‘progress’.

In Kenya, despite the appalling suddenness with which *Mau Mau* developed and sprang into being as a major threat to peace, there has been an astonishing sanity and balance about the measures devised to meet it.

To sum up, I would say this. *Mau Mau* is a movement which in its origins and in its development, is wholly evil. It is the worst enemy of African progress in Kenya. It has about it all the horror of ‘the powers of darkness; of spiritual wickedness in high places’.

There can be no compromise, no common ground between *Mau Mau* and the rest of the civilized world. It must be utterly destroyed if the peoples of Kenya are to live together and build up their country.” (Note 35.)

Note 35.—Extracts from an article in the *Johannesburg Star*, dated 12th December, 1952, written by Father Trevor Huddleston, who had recently returned from Kenya.

CHAPTER VI

The Evolution of the Oath

"It is not easy to draw a dividing line between religion and magic in Kikuyu society, nor between white magic, which is beneficial, and black magic or witchcraft, which is anti-social. The Kikuyu methods of administering an oath are intimately connected with the belief in magic and witchcraft and some understanding of the effects of oaths is essential if we are to fathom the methods which have been so successfully used by Mau Mau." (Note 1.)

I do not intend in this short chapter to do more than trace the outlines of the evolution of the oath from its simple beginning as a comparatively innocuous oath of allegiance to a society or association, to its devastating transformation in the form of the *batuni* oath administered to the militant members of *Mau Mau*—an oath which, by combining magical forms with unheard of bestialities, has transformed a human being into a new frame of mind which has rarely, if ever, been witnessed before. But this is not the occasion for a dissertation on magic and witchcraft. It is sufficient to state the accepted fact that the Kikuyu's complete belief in the power of magic, white and black, was a fundamental factor which regulated his whole life, nor was magic entirely exorcised from his mind when he became educated or semi-educated, just as magic modes of thought continue to exist among many of the so-called civilized societies.

2. The Kikuyu, like many other tribes, had a large number of different forms of oathing ceremonies, and it was the absolute fear of magic powers that was the foundation stone of these ceremonies and, in consequence, the taking of a solemn oath was an act never lightly undertaken, and once sworn its effect upon the taker was very great. One frequently used in connexion with the work of the courts was the *githathi* oath. A person who considered that he was aggrieved in a case had the right to demand that both he and the other party to the suit should be allowed by the court to take the *githathi* oath to settle the matter. If either he or his opponent perjured themselves at this ceremony the supernatural powers residing in the *githathi* stone would intervene, not by causing the death of the individual, but rather of his father or his wife or his brother. This made it exceedingly powerful and naturally the two families interested were intimately concerned, and this ceremony was rarely taken to its final conclusion. Although one or the other of the two sides in the cases would be convinced that they were right, the risk was too great: the result was a compromise. The oathing stone itself was usually a stone with seven holes in it, and it was placed on a platform set within seven branches of a particular tree. The number seven had a mystical significance of great potency and when used in an oath-taking ceremony it was particularly powerful and inspired the taker with a sense of terror if he disobeyed the injunction given in the oath.

Another form of ceremony was the *thenge* oath, in which a ram was ceremoniously killed. This oath was sometimes used in times of stress, the death of the ram forecasting and symbolizing the departure of the evil that was the cause of the unrest or misfortune.

Note 1.—"*Mau Mau and the Kikuyu*" by Dr. L. S. B. Leakey: page 47.

Use was made of both these ceremonies when the loyal chiefs and elders made a determined, but in fact ineffectual, effort to rally the wavering Kikuyu against *Mau Mau* (Chapter V, 132 and 133). The counter-oathing undertaken by *Mau Mau* revealed the existence of an allegedly more powerful oath, the "dog oath". Initially dead dogs were used, then cats and chickens and, on one occasion, a dead mongoose. These animals were hung up in the vicinity of the organized ceremonies with an appropriate notice, invoking death on all those who did not assist *Mau Mau*. The following is a typical notice:—

"All those people who are of this land who sell us to the Government, the oath of the dog, cat and chicken will kill them. The strangers to this land of ours who drink our water will die of this *thenge*. All those people who arrest a black man or all those who try to stop us selling our goods where and when we want will die of this oath. All those people who work against the activities of the *Mau Mau* will die of this oath. This *thenge* is important. The target for it is a woman. (Meaning, I think, that a woman would be used in future *thenges* instead of the usual dog, chicken and cat.) This oath will kill all Government servants. This is our aim. Wait and listen; you will understand. . . . This is the oath of *Malango* 9, and we are nine men. We nine men will abide our time. All those who want our help will find us on the Mountain of Kenya."

3. The basic procedure for all these forms of oathing ceremonies was that they had to be taken in daylight, in front of witnesses, and women and children were not allowed to participate. There was also an ancient oath, known as the *guthi-urura* oath, which had been used in times gone by for the practice of black magic. It was extremely powerful. Any object could be used and the essential feature of the ceremony was the circulation of this object first seven times clockwise round the head, and then seven times anti-clockwise. *Mau Mau* leaders made full use of the fear underlying an oathing ceremony to carry out their evil campaign. And as the movement grew from its small beginnings it violated more and more the rules governing oath taking, and so grew into something which was wholly contrary to established native law and custom, and it went even further as it sought to destroy the very foundations of this custom and also the foundations of Christianity.

4. The first recorded use of the oath for political purposes was the oath taken by members of the Kikuyu Association, which was founded by Harry Thuku in 1920 (Chapter IV). This was a simple oath binding the person not to sell his land to Europeans or Indians, and was taken holding soil in one hand and the Bible in the other. It was wholly unobjectionable and taken in front of witnesses. But Harry Thuku was banished two years later for his undesirable political activities and the Kikuyu Central Association was formed in 1926, under the leadership of Jomo Kenyatta. This association had much wider political aims, including the granting of land titles, reduction of taxation, exclusion of all foreigners from Kikuyu land, etc., and its oath of allegiance, also taking soil in one hand and the Bible in the other included a promise:—

- (1) To subscribe where necessary to Kenyatta's expenses in the United Kingdom and for political necessities.
- (2) Not to surrender land to Europeans.
- (3) Not to disobey the association.

5. While Jomo Kenyatta was in England it became apparent that a Royal Commission would visit Kenya to report on Kikuyu land alleged to have been alienated by Europeans, and those families which claimed

ownership of alienated land formed themselves into an association known as the Kikuyu Land Board Association. This body was in fact quite separate from the K.C.A., and only those persons whose land was alleged to have been alienated could become members. During the 1930s this Kikuyu Land Board Association instituted an oath-taking ceremony using goat's meat and paraphernalia somewhat similar to that used later in *Mau Mau* ceremonies, but the objectives of this association were concerned only with land. It will be noted that the ceremony had already developed from the simple one of an oath using soil and a Bible to something more involved. And about this time a somewhat similar oath was evolved in the Kikuyu Settlement at Olengurone (Chapter VI, and Appendix B) using sheep's meat, in order to fortify the unanimous stand being taken against the Government. These land oaths had therefore already changed from a simple oath directed against selling of land to non-Kikuyu, to one which was directed primarily against Government authority. It is often thought that the *Mau Mau* oath as such originated here, but I doubt whether this is strictly true, as it now appears reasonably certain that the *Mau Mau* oath, as an instrument to dominate the Kikuyu tribe, came into existence shortly after Jomo Kenyatta's return from England in 1946. It will be seen from Chapter V, paragraphs 7 and 25, that the existence of a more sinister oath-taking secret society was reported as functioning by mid-1947.

6. In many Kikuyu religious ceremonies an arch of sugar cane stems and banana leaves was used; more particularly so in the very solemn ceremonies of initiation from juvenile to adult status which accompanied circumcision. The act of passing through an arch of this sort was intimately linked in the mind with the most solemn moments of the initiate's life, and signified a definite change from one status to another. To quote from Dr. Leakey:—

“It is not surprising therefore to find that the planners of the *Mau Mau* oath, which was to lead those who took it into a great brotherhood of the elect, arranged as a first step in this procedure the passing of the candidate, either voluntarily or by force, through such an arch, with all its solemn ceremonial significance. . . . Unless they went through ‘the new initiation’ ceremony, and unless they could prove that they had done so, they would no longer rank as children of the House of Mumbi and Gikuyu. Instead they would be as despised as people who have never taken part in the traditional initiation ceremonies of the tribe. The mere act of passing through the ritual arch had the effect of preparing those who did so, mentally, for something solemn and binding, in a way that probably few, if any, Europeans can ever fathom.”

But there was nothing bestial or particularly abhorrent about these early ceremonies. They only adapted or perverted recognized Kikuyu customs, and it is probable that the majority of those who took the oath were willing recipients. The oath itself was almost identical with the original K.C.A. oath:—

“I will not give away the secrets of the society.

I will not help Government apprehend members of the society.

I will not sell our land to strangers.”

But there were also positive clauses, such as:—

I will help the society when called upon to do so with funds.

I will, if called upon to do so, render any help to members of the society that I am asked to do.”

7. It now appears probable from the many confessions that were recorded during the Emergency that somewhere about 1948, in the neighbourhood of Kiambu, the inner circle of *Mau Mau* took some form of

more binding oath, in a ceremony which may well have incorporated some of the more sinister and bestial practices, which later became more widespread. I have already recorded in Chapter V a strong rumour which was circulating about that time that one of ex-Senior Chief Koinange's sons had been used as a human sacrifice. This was of course never proved, and was probably not true, but the mere fact that the tale had spread abroad indicated that some more sinister and highly significant ceremony had taken place. (*Note 1.*)

8. The words "*Mau Mau*" were first heard of in March, 1948, but did not come into current use until early 1950. By that time it is possible that many thousands had taken the oath, although the number is not known, as *Mau Mau* had not come fully into the open, and again it is probable that most of those taking the oath were willing recipients. An important meeting of the higher hierarchy of *Mau Mau*, including Jomo Kenyatta and his associates took place early in 1950. Subsequent to this meeting all district commissioners reported an increase in oathing in which intimidation was a common feature (Chapter V, 52). This brought *Mau Mau* out into the open and, following complaints in April by unwilling recipients, two sets of oath administrators were prosecuted and convicted, one at Kiambu and the other at Naivasha. The latter led to the proscription of *Mau Mau* as an unlawful society (Chapter V, 56). A short description of the ceremony which took place at Kiambu is given in Chapter V, paragraph 54, and it will be seen that it was based on a mixture of magical and religious forms, including the use of the sign of the Cross. Although its effect on the recipient was overwhelming, it was comparatively innocuous except for the force and intimidation which accompanied it.

9. Oathing on these lines continued apace until May, 1952, when a more sinister development in the oath itself came to the notice of the administration and police. In this, the second oath, the person to whom it was administered had to promise:—

- (a) If I am sent to bring in the head of an enemy or European, and I fail to do so, may this oath kill me.
- (b) If I fail to steal anything from a European, may this oath kill me.
- (c) If I know of any enemy to our organization, and fail to report it to my leader, may this oath kill me.
- (d) If I am ever sent by my leader to do something big for the House of Kikuyu, and I refuse, may this oath kill me.
- (e) If I refuse to help in driving the Europeans from this country, may this oath kill me.
- (f) If I worship any leader but Jomo Kenyatta, may this oath kill me.

A reign of terror, shortly to be backed by assassination, had already got a hold in the Kikuyu reserves and in other Kikuyu-dominated areas, and if any refused to take the oath they were quickly threatened and subjected to physical violence. If they still refused, they were killed in the presence of others attending the ceremony, thereby ensuring that the others fully realized that the threats were not empty words. Many did however refuse, but it will never be known how many thousands of "missing" Kikuyu have been murdered in this way. In the early days the ritual was primitive but not bestial, its symbolism alone being sufficiently powerful to bind initiates to the terms of the oath, but with the introduction of the killing

Note 1.—Human sacrifice and cannibalism however became at a later date common features of the *batuni* oath (paragraph 12).

oath, bestial practices and numerous embellishments of obscenity played an increasingly important part in the ritual; although this was not fully realized at the time, nor was the devastating effect of these oath-taking ceremonies fully appreciated by most Europeans, many Kikuyu had realized what was at stake (*Note 2*). I will here quote again from the report by a Kikuyu prisoner, submitted to the Commissioner of Police on 9th August, 1952, which forms the prologue to Chapter V:—

“*Mau Mau* terrorism has almost completely shattered the average African’s spiritual equilibrium to such an unbelievable extent that a new extremism, a new barbarism and, as such, a new type of African fanatic, are automatically being created.”

10. With the onset of active terrorism, two new versions of the oath were devised to meet the needs of the campaign, although there were of course many variations. The first, called the *githaka* or forest oath, was administered by forest gang leaders to their followers. The second, which was introduced towards the end of 1953, the *batuni* or platoon oath, was administered to all *Mau Mau* soldiers and soldier recruits. By taking the *batuni* oath, the man became a full-blooded terrorist. The following are some of the common features of the *batuni* oath:—

- (a) to burn European crops, and to kill European-owned cattle.
- (b) To steal firearms.
- (c) If ordered to kill, to kill, no matter who is to be the victim, even one’s father or brother.
- (d) When killing, to cut off heads, extract the eyeballs and drink the liquid from them.
- (e) Particularly to kill Europeans.

As the terms of the *Mau Mau* oath became increasingly more violent and bloodthirsty, it was not surprising therefore that there was a corresponding increase in bestiality in the ritual of the oath, thus forcing the initiate to reach the necessary pitch of blood lust and degradation to make it possible for him to pronounce the ghastly words of the oath itself. These ceremonies were repeated at intervals to spur the recipients onto greater excesses. It is not possible to give any detailed description of these terrible ceremonies. Suffice to record that the use of menstrual blood and public intercourse with sheep and adolescent girls were a common feature of most of these ceremonies. The necessary number of young women were kept with the gangs for this specific purpose. Concoctions of the foulest and almost unimaginable ingredients were eaten and drunk. (*Note 3*.) The effect of these orgiastic ceremonies, which took place in deep forest clearings by the flickering light of bonfires, on those present must have been overwhelming.

Note 2.—On August, 1952, the son of a Meru Chief was “captured” by a *Mau Mau* gang in Nairobi and after eight days of resistance he finally succumbed to torture and near death he took the oath. He then managed to flee to his country and told the District Commissioner of his sufferings. They were at first scarcely believed, but were later fully substantiated. During the course of the final ceremony he was forced to suck the dismembered penis of some other unfortunate victim of *Mau Mau*.

Note 3.—The full physical details of the ceremonies performed to produce these concoctions can hardly be printed in a public document. It is sufficient to record that for one of the more notorious concoctions, known as the “Kaberichia cocktail”, semen produced in public was mixed in a bowl with menstrual and sheep’s blood and drunk while repeating the oath. Later on in the Emergency, the medical authorities had the greatest difficulty in combating a serious outbreak of typhoid in the big detention camp at Manyani, where oath-taking continued to take place, as the administrators made use of urine and faeces for their abominable night-time ceremonies.

11. That these terrible rituals and oaths drove the participants to honour their vows is only too apparent from the lurid list of atrocities committed by *Mau Mau*. Such atrocities included:—

- (a) The Lari massacre (in which some 100 defenceless men, women and children were slaughtered).
- (b) Decapitation and general mutilation of victims.
- (c) Bodies bound up in sacks and dropped into wells.
- (d) Torture before murder.
- (e) Exhumation of bodies and eating the putrefied flesh.
- (f) Drinking of human blood (ex-Chief Luka's child was cut in half, its blood drunk, and the two halves of the body were flung at the mother, who was then killed).
- (g) Death by hanging.
- (h) Pregnant women split open along the stomach.
- (i) Victims held down while their heads were slowly sawn off with pangas.
- (j) Maiming of cattle by hamstringing.
- (k) Cutting off the ears of persons who had not taken the oath so as to identify them in the future as Government servants.

12. Later on in the Emergency, when forest gangs were on the run, their morale, if it can be called by such a name, was maintained by the introduction of cannibalism into the *batuni* oath. The following is an extract from a confession made by a prominent *Mau Mau* "general":—

"General Nderitu says that when a gang has had an action and when security forces are not close on their heels, they will take away a dead body. Then, at their leisure, in the forest, they cut open the head and remove the brains, and the brains are then dried in the sun and ground up and bottled. The heart is cut out and dried. Blood is drained from the body and dried in the sun and then ground up and mixed with the brains. Steaks are cut from the dead man's buttocks and dried in the sun: then folded up for easy carrying. In each *batuni* or company there is a particular man who acts as the butcher. This human flesh is usually taken from an enemy, but if one of the gang has done something to merit death he is killed in the camp and cut up for oathing. In each *batuni* there is an executioner who performs the killings when disciplinary measures are necessary. A spear, *simi* or strangling rope is used. Dedan Kimathi has given orders that all oath administrators are to think up the vilest methods of giving the *batuni* oaths. When an administrator has thought out and performed a particularly revolting method he is to pass his methods on to his brother administrators. In this way the varied oaths are produced. General Nderitu says that there are seven oaths only, but having reached number seven you return again to number one, but it will be administered in a different way. Kikuyu women in the reserves and settled areas take two oaths. Those in the forest take up to seven oaths."

13. Although there were endless variations to the oathing ceremonies, these ceremonies were divided into two main groups. The First Oath, which was intended for the general populace, and the Fourth Oath, which was intended for the *Mau Mau* fighting forces. The First Oath, although latterly

more violent in its implications, was relatively mild and lacking in bestiality and it would appear that the intention of this oath was, by using the age-old Kikuyu magic symbols, to inspire nationalistic aspirations in the people, and by its terms to enforce absolute obedience of the Kikuyu to the wishes of Jomo Kenyatta and his associates. Its deliberate cleavage from the ancient cultural modes—forcible administration, administration by night, and administration to women, was no doubt intended to emphasize this new state of complete subservience, and, as Dr. Carothers remarks:—

“The institution of this oath provides the chief evidence of a profound sophistication in the inaugurators of these oaths.”

The Fourth, or *Batuni* Oath, was a shocking oath by any standards. By the breaking of every tribal taboo in the actual ceremony, and by its insistence on the need to kill near relations, it ostracized its subjects from all tribal roots and from all hope, outside *Mau Mau*, in this world or the next. The result was that the people of Kenya were faced with a terrorist organization composed not of ordinary humans fighting for a cause, but of primitive beasts who had been made to forsake all moral codes in order to achieve the subjugation of the Kikuyu tribe and the ultimate massacre of the European population. Only those who have had to deal personally with the human results of this oath can realize fully the terrible effect it had on their minds.

Even confession, which was the first stage of rehabilitation for the great mass of Kikuyu, did not in many cases relieve the taker of these oaths from a deeply felt sense of absolute sin. There were many instances of this. I shall quote one which came to my notice. A European farmer who spent many months on “screening” known or suspect *Mau Mau* spent the best part of two days recording a full confession from a forest gangster. When this confession was finished he asked the farmer, in all sincerity and earnestness, to take him outside the hut and shoot him, as the world held no future for him.

14. In October, 1954, I visited the Athi River Detention Camp where personnel imbued with tenets of Moral Rearmament had, with so little success, endeavoured to rehabilitate the original “Jock Scott” detainees. It was a most disturbing experience. A disease of the mind was self apparent and the sense of dull hatred in their eyes could almost be felt: and it was not the fierce look of the caged leopard, which at least has the sparkle of life in it.

15. The above short account of the evolution of the oath may convey to some of those who have never been in contact with the adherents of *Mau Mau* the magnitude of the task which has faced the Government of Kenya in its efforts to rehabilitate them and fit them once again for a place in society.

16. There is only one reasonable conclusion to be drawn from the above, and that is that the general pattern of this evolution must have been planned by a man knowing the psychology of his peoples and Dr. Carothers has suggested that the fusion of black magic into the later pattern of the oathing ceremonies indicated, at least, a passing acquaintance with the practices of black magic current in the Middle Ages—a practice which made use of religious observances, but made a mockery of them. All this indicates that Jomo Kenyatta arrived back from England in 1946 with the outlines of a plan to enslave the Kikuyu and subjugate them to his will.

17. How far the leaders of *Mau Mau* who were detained at the beginning of the Emergency were associated with the fouler and more bestial

oaths, which appeared during the Emergency, will probably not be known. They were obviously not connected with many of the foul variations, but it is hard to escape the conclusion that the general pattern of these ceremonies with its deliberate assault on the old tribal taboos was in being before the Emergency. The positive killing oath, which bound its adherents to kill all and sundry, emerged about May, 1952. This signaled the final ostracism of the oath-takers from their tribal affinities and can only have been instituted by Jomo Kenyatta, their known and accepted leader.



CHAPTER VII

Kikuyu Independent Schools

INTRODUCTION

I have decided, for the purposes of clarity, to divide this chapter into five separate sections. The first section is a composite one which covers the growth of two quite separate independent Kikuyu bodies up to 1939. After that date, and up to the end of 1952, the two bodies—the Kikuyu Karinga Education Association and the Kikuyu Independent Schools Association—are dealt with separately, as the former was essentially secular and subversive from its inauguration. The latter association, although it had broken away from the Missions, was affiliated to the African Independent Pentecostal Church, a Church which was independent of the Missions but whose teaching was still based on the essentials of Christianity. Until it virtually succumbed to the onslaught of Jomo Kenyatta and his associates, which started in earnest shortly after Jomo Kenyatta's return from the United Kingdom in 1946, it remained reasonably loyal and non-political. The next section covers the history of the Kenya Teachers' Training College at Githunguri founded by Peter Mbiu Koinange on his return from the United Kingdom in 1939. Although the object of its founder was to build up a system of education entirely divorced from Government or Mission influence—and it was therefore anti-European—it did, in the earlier years of its existence, pay a genuine if not very proficient regard to education. But shortly after the assumption of control by Jomo Kenyatta it became the storm centre of, as well as a useful source of revenue for, subversion.

2. The main emphasis in this chapter is understandably on the prominent part these three institutions played in imposing *Mau Mau* on the Kikuyu people. But it must not be forgotten that, with the possible exception of the Kikuyu Karinga Education Association, education was the original aim of these institutions and as this was a commendable effort at self-help, the Government viewed their educational aspirations with sympathy. In fact, even as late as 1951, many visitors to Githunguri were duly impressed with the outward show of enthusiasm of the so-called students. But the fact that the responsibility for the conduct of these institutions lay with the Department of Education tended to mask the onset of and eventual control of them by *Mau Mau*, all the more so as for long periods the Department of Education was so short of inspectorate staff that these schools had little, if any, supervision.

The last section summarizes the impact of these institutions on *Mau Mau* and covers very briefly certain aspects of the law controlling their activities.

THE INDEPENDENT SCHOOLS

3. The two main groups of independent schools, the activities of which became so prominent in the period immediately preceding the declaration of a State of Emergency, in October, 1952, originated from an attempt by the Church of Scotland Mission to abolish the age-long practice of female circumcision among its adherents. (Chapter IV, 5.)

In October, 1929, this Mission decided that teachers in its schools should relinquish their employment unless they made a solemn declaration that they had abandoned the practice of female circumcision and also that they were not members of the Kikuyu Central Association.

A number of teachers who refused to comply with these requirements were accordingly suspended and their schools closed. From this action, there arose a demand from the dissidents for a compensatory increase in the number of Government schools, but their requests were refused as Government, whilst appreciating the risk of a break-away movement, acknowledged the right of the Mission to formulate its own policy with regard to matters within the spiritual sphere and also considered that compliance with such a request would widen the breach between the Mission and those of its adherents holding strong views on the circumcision issue.

4. At this time the Church of Scotland Mission Schools catered for 6,496 pupils of the total of 82,455 in course of education at the various missionary institutions throughout the Colony but in the following year, though the Colony total had risen slightly, the Mission pupils numbered 4,671 only.

Although, as a result of negotiations with the Education Department, the Church of Scotland Mission modified its outlook and adopted an impartial attitude on the question of female circumcision towards pupils in its schools, the Kikuyu Central Association and those elements opposed to alien control of education had organized their opposition and formulated a definite demand for the opening of private schools managed solely by Africans and for a separatist African Church outside the orbit of the European Missionary Societies. This demand was not confined solely to former adherents of the Church of Scotland Mission, but was also voiced to a lesser extent by disgruntled members of the African Inland Mission.

Two separate independent bodies came into existence, the Kikuyu Independent Schools Association and the Kikuyu Karinga Education Association, more familiarly known as K.I.S.A. and K.K.E.A. respectively, though throughout the period of their existence, and despite their many differences, there was a regrettable tendency in official reports to refer to them and other lesser "splinter" groups under the general appellation of "Independent Schools".

5. From its inception the K.K.E.A. was in essence a purely secular society under the influence of the Kikuyu Central Association and hence in general opposed to any form of Government or Mission control. Its primary object was the provision of a school system which would satisfy Kikuyu nationalist and separatist ambitions and its predominant desire was to avoid the notice of, or interference from, non-Kikuyu influences.

On the other hand, though K.I.S.A. attempted to maintain a religious basis and to follow a non-political course, it would be entirely incorrect to suppose that among its supporters there were neither members of the K.C.A., either with or without religious leanings, nor politically minded Kikuyu in overt or secret sympathy with the anti-European objectives of K.C.A. But the general policy of the group favoured a loyal attitude and a degree of co-operation with authority.

6. In these early years the economic recession of the early thirties led to the curtailment of social services and afforded an added stimulus to the independents to provide their own schools. Mention of either of these bodies is absent from the Education Department reports up to 1935, but in that year official records disclose that there were in existence 34 "Independent Schools" with a total of 2,518 pupils and these increased to 44 with 3,984 pupils in 1936. The movement was firmly established and was beginning to extend its tentacles not only in the Kikuyu districts of the

Central Province, but also into the settled areas of the Rift Valley. By 1938 considerable numerical progress had been achieved and K.I.S.A. at any rate appeared to be making some attempt to co-operate with the Education Department, though in 1936 they had disagreed with the policy of confining instruction through English to the higher standards. It was therefore decided to appoint an Education Officer, together with four itinerant teachers, solely to supervise independent schools. This assignment, which lasted for six months only, was largely stultified on account of the inefficiency of the school managers and the lack of trained teachers and by the hostile attitude of the K.K.E.A. schools, two of which were closed, though a further two were reported as having endeavoured to co-operate. This attempt at supervision and assistance was not repeated owing to staff difficulties occasioned by the outbreak of war the following year.

From the purely educational viewpoint, the standards in all independent schools were deplorable for they lacked a source from which to draw a nucleus of trained teachers and were therefore compelled to rely upon rejects from Government or Mission schools and unqualified persons who had no pretensions towards any of the essentials required for inculcating knowledge on subjects which they had not themselves mastered. Even after the so-called Teachers' Training College came into being at Githunguri, the position did not improve as the standards of this institution were as low as those of the schools for whose benefit it was ostensibly founded.

7. In tracing the development of the independent school system, it is now necessary to revert a few years and to bear in mind that though K.K.E.A. was essentially nationalistic and opposed to conventional religion, K.I.S.A. always attached importance to religious affiliations, even though it rejected Mission influence and favoured development along purely African lines.

In 1934 discussions were opened by the Church Missionary Society with a view to a rapprochement between the Church of Scotland and its schismatics, but the breach proved impossible to bridge. K.I.S.A. representatives and prominent members of the Kikuyu Central Association invited William Daniel Alexander, the self-styled Archbishop and Primate of the African Orthodox Church, which had been founded in 1921 by one G. A. Maguire, an American Negro claiming archiepiscopal dignity unacknowledged as valid by the traditional churches, to establish his sect in Kenya. (Chapter IV, 12.)

This prelate, a South African negro who first claimed Mauritian ancestry and travelled on a French passport until this was withdrawn on his failure to prove his parentage to the satisfaction of the French authorities, when he thereupon assumed British nationality, was a man of many aliases. He had been "ordained" and "consecrated" in the United States where he was closely connected with Marcus Garvey's Universal Negro Improvement Association which had among its objects the fostering of sedition among negroes in the British Empire.

On a visit to Uganda in 1931, he had joined forces with R. M. Sparta, later to be sentenced to 15 years' hard labour for sedition. Between them they founded a branch of the African Orthodox Church, owing nominal allegiance to the Greek Orthodox Church, in that territory, thereby enabling the "Archbishop" to claim the primacy of the African Orthodox Church, Province of South and East Africa.

8. In response to the call from K.I.S.A., and on payment of his fare, this churchman left South Africa, where he had been classified as an agitator in 1929, landing in Mombasa on 27th October, 1935, where he stayed with James Beuttah, a prominent K.C.A. leader. In his application for entry he omitted to state that he had been convicted and sentenced for theft in Johannesburg in 1912, a fact which was later brought to his notice by

authority. It is interesting to note that one of the prime movers in his invitation to Kenya was Jesse Kariuki, a rabid adherent of K.C.A.

On his arrival in Nairobi he was welcomed by Parmenas M. Githendu, a K.C.A. leader and adviser to K.I.S.A., who was later to play a more sinister role, and announced the purpose of his visit as the establishment of the Orthodox Church in Kenya and the encouragement of African education. The Archbishop took up his residence at Kekumbuini K.I.S.A. school in a specially built stone house and after his arrival there were collections to pay his salary and allowances of Sh. 950 per month, but K.I.S.A. collected the numerous baptism fees payable by neophytes in the new Church.

Though, as a result of his arrival, K.I.S.A., which had not hitherto attracted unfavourable attention as a potential menace, became subject to closer surveillance by the Criminal Investigation Department, the Archbishop advised the authorities that he did not desire to indulge in politics and was prepared to advise his sponsors, K.I.S.A., to co-operate with the Education Department. In fact the District Commissioner, Fort Hall, considered that his presence was beneficial to the peace of his district, but it was no secret that he was on friendly terms with agitators such as George Ndegwa and Job Muchuchu, both of whom were later detained for sedition. His ally, Parmenas M. Githendu, probably embarrassed him by spreading propaganda to the effect that his powers and influence were greater than those of the King.

Nevertheless, he continued recruiting adherents to his church in Fort Hall and thence his proselytes spread into Nyeri where he appointed Wambugu Maina, afterwards notorious as "Willy Jimmy", and Johanna Kunyiha as leaders. He also started a seminary for the instruction of a small number of priests for the purpose of maintaining and extending his church after his ultimate return to South Africa

9. Towards the end of his first year in Kenya, he probably began to realize that his power was only nominal for when at a meeting in Nyeri he insisted on complete control of the African Orthodox Church, he encountered inflexible opposition from the K.I.S.A. leaders who clearly indicated their intention to control not only education but also religion. Some of his followers became restive and brought the new church into disrepute and conflict with authority by demonstrations against the Church of Scotland.

After a year of intensive baptism, but no matrimonial functions, as the Government refused to licence either the Archbishop or his churches for the purpose of performing marriages, the flow of converts commenced to dwindle with adverse effects upon the episcopal stipend. He was therefore compelled to adopt tactics similar to those of Kenyatta more than a decade later and to seek to replenish his coffers among the Kikuyu in the Rift Valley. By 1937 the baptismal fee had increased from Sh. 2/50 to Sh. 5 and this increase evoked the resentment of his followers. By April, 1937, his credit became dubious and on 7th July, 1937, he disappeared unobtrusively from the Kenya scene, leaving behind him four "priests" whom he had "ordained" to follow in his footsteps.

In his choice of ministers he had, perhaps unwittingly, sown the seeds of future dissension, nor was the harvest long delayed for his designated successor, the "Rev." Arthur Gatundu Gathuma, whom he had chosen from the ranks of K.K.E.A., was an ardent supporter of the K.C.A., and virulently anti-British. On the other hand, the "Rev." Daudi Maina and the other two ministers were, like the majority of K.I.S.A., at this time, moderate in outlook. Within a year of their mentor's departure the moderates seceded and a new body, the African Independent Pentecostal Church, evolved under their leadership, leaving Gathuma in charge of the rump of the African Orthodox Church.

10. The much-diminished parent body affiliated itself to the Uganda African Orthodox Church under the leadership of Sparta and in 1940 the two sects amalgamated into the Orthodox Uganda and Kenya Church which in a constitution published in 1943 declared its intention "to preserve African customs and traditions in relation with spiritual and educational matters". Despite the change in title, the Kenya branch still referred to itself as the African Orthodox Church and professed nominal allegiance to its absent founder who did not attempt to influence developments over which he had no control, except to inform the Chief Native Commissioner in 1946 that he had appointed one Daniel K. Mugekenyi of the Kenya Teachers' Training College to be supervisor of the African Orthodox Church—an appointment he was unable to enforce and which appears to have been totally ignored by Gathuma and his followers.

The separation of the African Independent Pentecostal Church under Daudi Maina, though widening the breach between K.K.E.A. and K.I.S.A. led to a confused situation. Neither of these religious bodies possessed adequate church buildings and accordingly used schoolhouses for their ritual observances. With a prominent K.K.E.A. adherent in charge of the Orthodox Church that body tended to make use of Karinga schools, whereas the followers of the Pentecostal Church availed themselves of the K.I.S.A. buildings. Thus, K.K.E.A., which was pagan in outlook, became identified with the Orthodox Church, whilst K.I.S.A. was closely connected with the Pentecostal Church. These bodies were so closely identified and confused in the Kikuyu mind that an adherent of the Orthodox Church would say that his religion was that of Karinga. And so intermixed was the position from the scholastic aspect that there were, in addition to the two main groups of schools owing allegiance to K.K.E.A. and K.I.S.A., smaller groups under the aegis of the Orthodox and Pentecostal Churches respectively which, though akin to the larger organizations, did not come under their control.

11. In 1939, therefore, there were two principal groups of independent schools which, though branches of the same tree, had grown progressively further apart and whose rivalry was increasing: one intensely tribal in outlook, the other, if not pro-Government, was not actively opposed to authority or unwilling to co-operate. But a new cloud was looming on the horizon, destined to engulf both bodies. Under its malign influence the disloyal proclivities of K.K.E.A. were to be encouraged to their fullest extent and the K.I.S.A. group so subverted that in view of its numerical preponderance and far-flung influence it ultimately became a greater menace to public security than K.K.E.A.

This new growth was the Kenya Teachers' Training College at Githunguri which, under the control of Jomo Kenyatta and Peter Mbiu Koinange, was henceforward to become the storm centre of the Kikuyu political scene.

In the interests of clarity it is proposed to trace the development and interconnexions of the three groups from 1939 separately until their joint dissolution in 1952.

THE KIKUYU KARINGA EDUCATION ASSOCIATION

12. It is extremely difficult to assess the strength of the K.K.E.A. movement in 1939 and 1940 as from the reports available it is evident that the Education Department was unaware either of the existence of numerous independent and mission schools or of their purported management, and that many schools in the Rift Valley ostensibly under mission auspices were in fact K.K.E.A. Nine K.K.E.A. schools were reported to be in existence in the Central Province, all in the Kiambu district, but in the latter half of 1940, Johanna Karanja, the K.K.E.A. leader, supplied a list of his schools showing that there were twelve in Kiambu and eleven in the

Rift Valley and Kericho. He also observed that there were other Karingo schools outside the direct control of K.K.E.A., the link lying in visits from preachers of the African Orthodox Church.

It is interesting to note that this individual objected to K.C.A. control of his schools, on the grounds that educational funds were being misappropriated, an indication of the pattern of things to come.

13. From its foundation in 1939 the closest connexion existed between the Kenya Teachers' Training College, Githunguri, and the K.K.E.A., the latter being the principal source of pupils for the former. Both bodies were under the direct control of the hierarchy of the K.C.A. and their objects were identical.

During the war years, when shortage of staff and other more pressing commitments precluded inspection and surveillance, the K.K.E.A. schools escaped official attention but, in common with other independent schools, profited from the inevitable standstill in Government educational expansion and from the large sums accruing to the Kikuyu as a result of war-time employment to extend their numbers and influence

14. In 1945, K.K.E.A. reorganized its central committee in the hope of attaining greater efficiency and total independence from Government assistance, declaring its intention of repudiating the Education Department syllabus to which it has agreed in 1938/39. Cash collections increased, ostensibly for education, but in fact for K.C.A. purposes and there were frequent reports of K.C.A. meetings at Karinga schools, indicating that K.C.A. was still a force to be reckoned with, even if now an underground movement.

15. For the next three years there were no events worthy of record, as the Karinga schools were already following the Githunguri line and conducting themselves in accordance with Kenyatta's anti-European policy, but in 1948 Parmenas M. Githendu was appointed by the Githunguri leaders as supervisor of all independent schools. His task, of course, was to bring the K.I.S.A. schools into concert with K.K.E.A. in the Githunguri choir.

In 1949, Kenyatta was unable to pay the salaries of his teachers at Githunguri, and as a result certain of these transferred their services to K.K.E.A., as this body appeared to be able to meet its obligations. In pursuance of their attempts to unify K.K.E.A. and K.I.S.A., Jomo Kenyatta and Peter Koinange toured a number of schools of both bodies. Such tours were profitable as the first charge on all money collected was for expenses, but a proposal by Peter Koinange, submitted to the heads of K.K.E.A. in April that Indian teachers should be employed, with its implication that Indian financial assistance would follow, was rejected. This year saw increasing squatter unrest in the Rift Valley, fomented from K.K.E.A. centres, since the majority of squatters were K.C.A. supporters and their leaders were also influential members of K.K.E.A.

16. During the next 18 months the Karinga schools attracted little attention, unobtrusively pursuing their course of indoctrinating the growing generation with hatred of the alien who was alleged to have robbed them of their birthright. Their leaders were preoccupied with their attempts to permeate the other independent bodies and were under no necessity to devote their attention to schools which had adopted their policy from their very foundation. As might have been expected, K.K.E.A. repudiated the recommendations of the Beecher Report on education which would have postulated tighter control both of their methods of teaching and of their finances.

In February, 1951, it became even more patent that this policy of penetration was proceeding successfully for the "Rev." A. Gatundu was able to convene a large religious meeting at Kahuhu under the auspices

of the K.C.A.-dominated African Orthodox Church at which he attempted to unite the representatives of many denominations. Jomo Kenyatta, Peter Koinange and ex-Chief Koinange all attended this rally. In March a meeting of the headmasters of 53 alleged Karinga schools was held by Jomo Kenyatta and Peter Koinange at Githunguri: among the items discussed were "national prayers". K.K.E.A. had steadily extended its tentacles through the Rift Valley to Mount Elgon on the Uganda border whence came reports that the low and unqualified grade of teachers supplied by the Teachers' Training College were preferred by the Kikuyu to the better educated products of Government and Mission training schools.

17. By 1952 the Githunguri group had so succeeded in their aims that there was almost complete identity between K.K.E.A. and the majority of the K.I.S.A. schools. Indeed so close was the outlook of both groups that some K.K.E.A. schools had gone over to K.I.S.A. management and the Githunguri-sponsored President of K.I.S.A. had the temerity to claim, but not to substantiate, that there were some 313 schools and 1,000 teachers under the auspices of the two associations.

In August, K.K.E.A.'s subversive aims became more blatant, for at a refresher course for teachers at Rironi, attended by Karinga teachers from both Kenya and Tanganyika, whither the movement had also spread, though there were some lecturers of repute, both Jomo Kenyatta and ex-Chief Koinange delivered highly political addresses. This was followed by a pseudo sports meeting at Waithaka in September, and a number of similar meetings at which agitators such as Jomo Kenyatta and Fred Kubai delivered political harangues followed by the singing of seditious hymns.

18. K.K.E.A. was now openly identified with sedition and, with K.I.S.A., was proscribed in November, 1952, several of the African Orthodox Church "ministers" being arrested as oath administrators. Others including the African Orthodox Church leader, the "Rev." A. Gatundu, avoided arrest until 1953 when the detention of the remaining ministers of this "church" resulted in appeals to the Secretary of State for the Colonies from the "African (Greek) Orthodox Church" on behalf of itself and the African Independent Pentecostal Church which was then synonomous with *Mau Mau*, except for the group supporting Johanna Kunyiha in Nyeri. Government wisely decided not to proscribe these quasi-religious bodies, but refused to grant them recognition by registration under the Societies Ordinance, thereby ensuring their extinction as organized bodies.

THE KIKUYU INDEPENDENT SCHOOLS ASSOCIATION

19. In 1939 K.I.S.A. appears to have been uncontaminated by political influences and as a body loyal to Government since, as already recorded, the managing committee under Johanna Kunyiha advised the outlying schools to co-operate with the authorities. It had spread into all three Kikuyu districts, maintained schools in Embu and Meru and was strongly entrenched in the settled areas, either in its own name or under the auspices of the Pentecostal Church.

In 1941 records indicate that there were 54 K.I.S.A. schools in the Central Province and 70 in the Rift Valley Province though, as the central control of the association over its schools was always very nebulous and linked with the local management committees through subsidiary district associations, it is likely that a number of the settled area schools were secretly subject to Karinga influence. A comparison of the relative figures shows that, even allowing for inaccuracies in the figures compiled by the Education Department, the proportion of K.I.S.A. to Karinga schools stood approximately at five to one.

20. On his return from England in 1946, Jomo Kenyatta was not slow to realize that if the K.I.S.A. schools could be brought into association with the Kenya Teachers' Training College and its aims, his attainment of his political objectives would be greatly facilitated. His first tentative approach took place in December, 1946, when the suggestion was put forward that a school should be built in Nairobi under the combined control of K.I.S.A. and K.K.E.A., and affiliated to the Teachers Training College, but this scheme never materialized.

During the subsequent year, he and his followers completed their plans for the subversion of K.I.S.A. They had, of course, numerous contacts with both the main body and the subsidiary management committees on which there was a "fifth column" of sympathizers ready to go into action when the order to commence operations should be given. In Nyeri, for instance, the District Chairman of K.I.S.A. was one Willy Jimmy Wambugu, a disciple of "Archbishop" Alexander and a close friend of Jomo Kenyatta. In March, 1948, three schools in Nyeri were penetrated by Githunguri influence, partly by agents working in collaboration with the leaders of the association, and partly by dominating the management committees by a mixture of threats and promises.

21. The following month Jomo Kenyatta appointed his associate, Parmenas M. Githendu, who has also been mentioned in connexion with the African Orthodox Church, as director of all independent schools under K.C.A. influence. This move, made without the authority of K.I.S.A., though doubtless popular with K.K.E.A., produced an immediate reaction in a meeting of K.I.S.A. leaders who, though affirming their loyalty to Johanna Kuniya, weakly accepted the imposition of Parmenas as an inspector of their schools, the first recognition of the rising dictatorship of Githunguri.

This resulted in a split of the Fort Hall K.I.S.A. schools, those north of Maragua accepting the direction of Parmenas, and those to the south declaring their continued allegiance to the moderate, but ineffective, Johanna. This temporary rift was ultimately healed and Johanna remained in nominal control for the time being.

From Meru, too, in February, came a report of dissension in the ranks of the Pentecostal Church which was the body responsible for the management of the greater number of the sparse independent schools in this district.

22. By June the position had further deteriorated in Fort Hall, where Hezekiah Gachui, a follower of Kuniya and Vice-President of K.I.S.A. was ousted from the local chairmanship by Paulo Mungai, a close contact of Jomo Kenyatta. (Chapter V 62.) Worse was to follow, for in September Jomo Kenyatta's domination has increased to such an extent that at a meeting of K.I.S.A. representatives from the Central and Rift Valley Provinces held at Gakarara it was decided to replace Kuniya as President of the Association by Peter Gatabaki, a Githunguri nominee. Kuniya, however, retaliated by summoning a large meeting of his adherents at which he and his office bearers were reaffirmed and also Willy Jimmy Wambugu declared to have suspended from the chairmanship of the Nyeri branch on the ground that he had affiliated the schools under his control to the African Orthodox Church. The situation was now Gilbertian, Pope and anti-Pope hurling anathema at one another and K.I.S.A. split into two warring factions.

In October the comparatively reasonable Sospeter Waweru, Chairman of the Kiambu branch, was deposed in favour of Samuel Kiharu, yet another victory for Jomo Kenyatta who then proceeded to form an African Education Council for both the K.K.E.A. schools and the K.I.S.A. schools which he had subverted, under Paulo Mungai, Peter Koinange and Willy

Jimmy Wambugu. This he followed by calling a meeting of K.I.S.A. leaders of his own faction at Githunguri.

Despite his deposition by the moderate group under Kuniya, Willy Jimmy Wambugu controlled the majority of the Nyeri schools and had formed an association known as the "Willy Jimmy Kiama", membership of which was synonymous with that of his own branch of K.I.S.A. and, as was later proved, with *Mau Mau*. Peter Koinange visited him for a secret midnight meeting on 20th/21st November and on the following morning examined a number of K.I.S.A. pupils for entry to his Teachers' Training College.

23. By January, 1951, Jomo Kenyatta and his Githunguri clique were in full control of the bulk of the Kiambu schools and of all save a nucleus still loyal to Kuniya in Nyeri, though some little opposition still persisted in Kiambu. The Fort Hall schools, too, were wavering, but here the position had not clarified itself.

24. In May Willy Jimmy Wambugu commenced a two months' tour of the Rift Valley schools, the purpose of which was obvious, and in August the District Commissioner, Fort Hall, reported that Paulo Mungai was drawing the local branch of K.I.S.A. closer to Githunguri whilst simulating co-operation with Government.

Jomo Kenyatta's insidious attacks upon the Beecher Report bore fruit in September when the K.I.S.A. leaders under his control announced their refusal to accept the recommendations, though a few schools, other than those still loyal to Kuniya's party, did not conform to the majority view. This decision, implying that grants-in-aid would not be accepted, frustrated any possibility of influencing these schools through financial pressure and was a severe, though not unexpected, blow to their tenuous connexion with the Education Department.

The Rift Valley schools were also falling into Githunguri control for in November, doubtless as a result of Willy Jimmy Wambugu's tour earlier in the year, the District Commissioner, Nakuru, reported not only increasing subversion in the independent schools but also that investigations had disclosed that many farm schools, hitherto conducted under the auspices of the missions, had, without the knowledge of the farm owners, secretly transferred their allegiance to K.I.S.A. A similar pattern was being followed in the Central Province where Kenyatta's K.I.S.A. followers attempted to acquire control of mission schools by methods identical with those by which they themselves had been won over to Githunguri or, failing in this object, were bent upon enticing or coercing mission pupils into K.I.S.A. schools.

25. In the early months of 1952 there were 16 K.K.E.A. and 27 K.I.S.A. schools in Kiambu, most of the latter having come under Jomo Kenyatta's sway though some resistance was still being offered, notably at Kairi school, which was one of the last to fall. The District Commissioner, Nyeri, reported that of his 27 K.I.S.A. schools 16 now definitely supported Jomo Kenyatta and ten Kuniya, with one school wavering; and of the 39 Fort Hall schools, 15 were reported as being definitely *Mau Mau* by April.

The Nyeri district in particular was the scene of a wave of oathing ceremonies which the local chiefs reported had been organized by Willy Jimmy Wambugu when touring the schools under his aegis.

26. By September, 1952, it had become patent that through K.K.E.A. and K.I.S.A., Jomo Kenyatta had attained virtual control of the Independent School Movement. Perhaps the most sinister aspect of the diffusion of Githunguri influence lay in the fact that when a school succumbed the Pentecostal congregation centred on that school also fell and turned from

its basically Christian outlook to the Kikuyu worship of "Gikuyu and Mumbi" and their local prophets. From this it followed that the "religious" instruction given in these schools became perverted and the children taught not only to sing hymns and offer up prayers in which the name of Jomo Kenyatta had been substituted for that of Christ, but also to take the repulsive oaths which were repugnant not only to religious sensibilities, but to pagan custom. Needless to say this perversion and the existence of seditious teaching was carefully concealed from official inspection.

27. But the effect of the control of these independent schools went far deeper than the insidious indoctrination of the youth; it gave Jomo Kenyatta a ready made cover, which extended far and wide for the active oathing of the Kikuyu.

From 1950 onwards an increasing number of reports were received from the districts of oathing ceremonies being conducted in schools under the aegis of the masters or school committees. The following brief catalogue of examples, which could be multiplied tenfold, shows the gradual absorption of these schools into the *Mau Mau* orbit.

28. In May, 1950, the District Commissioner, Kiambu, recorded the penetration by Githunguri of schools in two locations, linked with secret oath administration. This was followed by a further report of secret oathing at further schools in Kiambu and rumours of similar practices both in the Central and Rift Valley Provinces.

Fort Hall then reported that Paulo Mungai and J. K. Chege had administered the *Mau Mau* oath at Kinyoho K.I.S.A. school in May.

The Provincial Commissioner, Nyeri, pointed out the difficulty of obtaining information regarding subversive meetings held under the guise of school committees and in September, Special Branch drew attention to secret oath ceremonies in K.I.S.A. schools in the Central and Rift Valley Provinces. This campaign was also noted in the Kenya Intelligence Review for September.

In October the Nyeri Police drew attention to K.C.A. meetings at two K.I.S.A. schools and to a secret meeting at Mahiga school. (Chapter V 75.)

In November, the District Commissioner, Fort Hall, noted an outbreak of oathing on a small scale centred on independent schools, and in December the District Commissioner, Nyeri, recorded that the pupils in a number of his schools which had fallen to Jomo Kenyatta were being taught hatred of the Europeans and the numerous school committee, sports and other meetings held at these schools were used solely as a cloak for violent political activity. He further reported a number of meetings at K.I.S.A. schools in Mahiga and Thengenge for *Mau Mau* initiation ceremonies.

29. From the Rift Valley the District Commissioner, Eldoret, reported that the K.I.S.A. school at Timboroa was by February, 1951, known to be the local focus for *Mau Mau* and this was followed in May by references by the Eldoret Police to *Mau Mau* meetings held after Sunday services at this school and the K.I.S.A. school at Ainabkoi.

In their December report the Nyeri Police observed that political meetings for women, accompanied by collection of funds, had taken place at K.I.S.A. schools.

In the Kenya Intelligence Summary of February, 1952, it was stated that the K.I.S.A. adherents of Jomo Kenyatta were implicated in renewed oathing and the following month the Nyeri Police reported a campaign of arson planned at Mungaria and Gachika schools, one teacher having been convicted for this offence.

In April a further report from Nyeri declared that the K.I.S.A. schools in the Mathira division were week-end rallying points for agitators and yet another may be quoted:—

“There are signs that K.I.S.A. schools throughout the district are becoming more the foci of sedition and anti-Government propaganda and the planning centres for oath-taking ceremonies. There is strong evidence to show that over the past few months the clean Mathira division has been infected by this means from Gachatha school. I wish to make it quite clear that all this is more than ‘politics’ in these schools.”

Again a big oath-taking ceremony was reported from Kinyoho K.I.S.A. school in the Fort Hall district on 10th May. In July three of the four teachers at Rurunguri school were arrested for taking *Mau Mau* oaths.

30. Though it was abundantly clear to the authorities that the K.I.S.A. schools had become centres of subversion, concrete legal evidence in support of a claim that they were being conducted in a manner “detrimental to the physical, mental and moral welfare of the pupils” was difficult to obtain. Unless this could be proved to the satisfaction of the Director of Education he was powerless, under the law as it then stood, to order the closure of a school.

However, in April, 1952, the District Commissioner, Nyeri, forwarded an application for the suppression of Gachatha K.I.S.A. school on the grounds that one of the pupils had been sentenced for administering an illegal oath and that the management committee *en bloc* had taken the *Mau Mau* oath at Kiandu. This school had been the headquarters of the notorious Willy Jimmy Wambugu, who had gained control in 1948, using it as a base for further penetration, and had been frequently visited by touring representatives of Githunguri. All the staff were either criminals or agitators.

On 1st July the Director of Education issued a notice closing the school. This was ignored and an appeal submitted to the Governor, who finally dismissed it on 23rd September. Under the cumbersome legal processes then prevailing it had required five months to close a single school. This impediment was however removed the following month when, on 24th October, Emergency Regulation 12A was published which allowed the Member for Education to close any school in which he was satisfied subversive activities were taking place.

31. I shall deal with the closure of these schools in the summary at the end of this chapter. But before ending this section the two following reports are of interest:—

In a voluntary statement made at Kiambu in January, 1953, a Kikuyu teacher at Mariira school in April, 1950, recounted how Jomo Kenyatta, Peter Koinange and Paulo Mungai held a meeting in the school church at the conclusion of which he was called from his house and given an oath in company with others. In the morning he prepared a list of persons who had taken the oath and gave it to Paulo Mungai.

Before his murder by *Mau Mau* on 22nd October, 1952, Senior Chief Nderi told the District Commissioner, Nyeri, that the first *Mau Mau* ceremony in Nyeri district had taken place in 1948 at the K.I.S.A. Mungaria school, Jomo Kenyatta and Willy Jimmy Wambugu being present.

THE KENYA TEACHERS' TRAINING COLLEGE, GITHUNGURI

32. This institution which was neither Kenyan, nor didactical nor collegiate, was founded by Peter Mbuyi Koinange in 1939 after his return from the United States and England. Realizing the importance of education of the Africans were to play their full part in the future government of Kenya, his professed intention, not in itself unworthy, was the production of a limited number of teachers to meet the almost insatiable demand for educational expansion mainly among the Kikuyu. But it was his final intention that the educational system he sought to expand should be "national" and should have no connexion with the Government or mission systems.

The "college" started with 225 pupils of all standards, mainly drawn from Karinga schools. Opened under the auspices of the Kikuyu Central Association in temporary buildings which formed part of a local Karinga school, and despite the indifferent educational facilities offered, it rapidly became the Mecca for pupils of politically minded parents and the headquarters of the growing Kikuyu nationalist movement.

From the start its connexion with anti-British agitation was apparent and throughout its chequered and inglorious span it was the centre of financial dishonesty and speculation.

33. No sooner was the college functioning than collections for its maintenance and extension commenced, the first on record being an anti-British K.C.A. meeting at Njoro in November, 1939, at which a collection was made for equal division between Githunguri and the Germans. This was followed by a meeting of the "Drake" association, a body of youthful K.C.A. sympathizers on 31st January, 1940, to organize the collection of funds. Peter Koinange commenced the first of many tours through the Kikuyu areas to stimulate subscriptions and reports soon began to come in from Fort Hall that not only were extortions taking place but that there was scepticism and dissatisfaction regarding the disposal of the money so collected. It is apparent that even in this initial period money was going astray, for a sports meeting held in Nairobi in aid of Githunguri and war charities resulted in a contribution of Sh. 572/21 to the latter, allegedly one-quarter of the takings which were known to be of the order of Sh. 5,000.

After this initial outburst of collections, under duress and voluntary, and following the proscription of the K.C.A., the college, together with K.K.E.A. and K.I.S.A., developed unobtrusively during the war years, but apparently was in grave danger of closing through lack of money, for Mr. A. B. Patel, the Indian leader, in a public speech in Mombasa in July, 1944, claimed that he had raised a sufficient sum from Indian sources to avert a threat of closure.

34. By 1946 the estimated attendance had risen to 500, but though Africans were well aware that the so-called college was in fact a Karinga school of inferior standards, to which only children of K.C.A. members could gain admittance, Peter Koinange persuaded himself that it would develop into a centre for advanced studies and ultimately into a university. He therefore decided to embark upon an ambitious building programme.

In the meantime, Jomo Kenyatta had returned from Europe and commenced to establish himself at Githunguri, where it was decided that a house should be built for him from funds to be furnished by the Kikuyu age groups, the source from which Peter Koinange also intended to draw his finance for his new buildings. Jomo Kenyatta's reappearance marked the beginning of an intensive drive for funds, which persisted over the next five years. This campaign opened with a meeting at Githunguri which resolved that initially each location should subscribe Sh. 100, each school Sh. 50, and every individual Sh. 10 towards the building fund.

35. Next, in May, 1947, Peter Koinange left for England in order to agitate for university status for his college which had not even attained normal secondary standards among the more advanced pupils, and was still a Kikuyu institution with a leavening of pupils from other tribes. The attendance roll for 1947 gave the origin of pupils as:—

Fort Hall	..	..	..	..	137
Nyeri	..	..	..	..	119
Kiambu	..	..	..	..	100
Nakuru	..	..	..	..	63
Embu	..	..	..	..	48
N. Kavirondo	..	..	..	..	57
South and Central Kavirondo	..	..	..	..	38

A total of 562 boys and 11 girls.

Though their parents may have been for the most part K.C.A. adherents, it would not appear that the majority of pupils were at this time drawn from Karinga schools, since K.K.E.A. operated only in Kiambu and Nakuru of the districts enumerated.

Jomo Kenyatta was left in charge of the college and forthwith embarked on a series of tours to collect cash. In June he held a further meeting at Githunguri, at which he stated that he would not commence building until £10,000 had been accumulated at the rate of £600 from each of the age grades. Apparently the leaders of the age grades consented to this exaction for a report from the Director of Intelligence in September, 1947, disclosed that force was being used to extract contributions. This compulsory levy had a direct result in the Uplands riot, when the employees of the Uplands Bacon Factory stopped work and adopted an aggressive attitude when the management refused to discharge an employee who had refused to subscribe, the first of a long series of incidents attributable to Githunguri influence. (The Uplands Riots, Chapter X 10.)

36. The vernacular paper *Mumenyereri*, published an account of a meeting of the age groups at the college in September, 1947, at which Jomo Kenyatta announced that the building fund then stood at £1,771 which had been banked, and that contracts had been invited. As one age group had already completed its quota of £600, the figure announced by Jomo Kenyatta appears remarkably small in view of the intensive collections and extortion which had been proceeding over a period of months, not only from the age groups but from other sources.

On 11th November, 1947, further subscriptions were taken to Githunguri by the age group leaders, allegedly aggregating £3,000, and collections continued apace. The Director of Intelligence and Security found it necessary to report to the Chief Native Commissioner that meetings of the Njoro Kikuyu had decided that any of their number who declined to contribute voluntarily should be fined by the K.C.A. and the fines paid to the Githunguri building fund. Subscriptions were also flowing in from distant districts, such as Eldoret.

37. Jomo Kenyatta then convoked another meeting at Githunguri when, though acknowledging a total of £4,750, he demanded even greater efforts on the grounds that this sum was totally insufficient for his purposes. Some of the subscribers were by this time becoming restive since, though it was common knowledge that thousands of pounds had been accumulated, there was nothing to show for this money.

To avoid possible recriminations it would appear that Jomo Kenyatta did arrange for a modicum of work to commence, for by May, 1948, some of the foundations had been excavated. Trouble now descended upon him from another direction, for all was not well with the finances of the college itself, despite high fees and moderate expenses, for he is reported as refusing to attend staff meetings at which he might be questioned on the college finances. Three teachers had already left and the remainder, who had not been paid for many months, were threatening resignation.

Jomo Kenyatta seems to have surmounted this difficulty temporarily by drawing on the building fund, for Geoffrey Kihui, who was treasurer to the building committee, alleged in a subsequent confession that Jomo Kenyatta wished to amalgamate this fund and the ordinary college finances in one account, and when this manoeuvre was discountenanced, Jomo Kenyatta drew a portion of the teachers arrears as a loan repayable to the building account.

38. Nevertheless, money was still coming in, as in May and June collections were reported from Lumbwa, Elburgon and Kisii. *Mumenyereri* published a letter from a bewildered Kikuyu in Thomson's Falls, alleging that Sh. 11 per head were being demanded in that area and the receipts issued under the name of the Pentecostal Church, which would appear to indicate that Jomo Kenyatta's influence was already beginning to penetrate to that body. This is substantiated by a list in the vernacular paper, *Hindi ya Gikuyu*, showing that three schools in Kiambu, three in Nyeri, and one in Fort Hall, together with a further three about to be opened, were affiliated to Githunguri.

Misgivings among influential Kikuyu regarding misappropriation of funds, did not pass unobserved for in July the Director of Intelligence and Security reported that, despite the large sums known to have been subscribed, building was still delayed on the excuse that materials were unobtainable but that Jomo Kenyatta, harassed by public opinion, had ordered some stone to be cut. Rumours of speculation intensified as he now appeared to be more interested in his new house and in the consumption of liquor than in the Teachers' College, and the curious were wondering why he, with the large sums available, was unable to extend a school which Peter Koinange had founded with a minimum of capital. One prominent politician went so far as to say that Jomo Kenyatta was consolidating his own finances before Peter Koinange's return.

39. In October, 1948, the District Commissioner, Kiambu, recorded that Jomo Kenyatta had advised him that he was about to start building and that though Asian contractors had had the impertinence to quote £40,000 for the task, £15,000 was considered to be ample if local labour were used. In the opinion of the District Commissioner this latter amount was but a fraction of the total collections and it was not surprising that Jomo Kenyatta's new house was assuming mansionlike proportions.

40. Apart from his pre-occupation with finance, Jomo Kenyatta apparently lost interest in the conduct of the college, though he continued to arouse the political consciousness of the pupils by lectures on "social science". Documents found in possession of George Ndegwa revealed that the Kikuyu Central Association worked in close conjunction with the college, the Karinga schools and the Kenya African Union. Further, it had already been noticed that the Boy Scout movement in Kiambu district was being sponsored by Githunguri, the majority of scouts coming from the college or the independent schools and wearing an unofficial badge.

Interest however still centred on monetary matters, for in December the teachers' salaries were still in arrears, and only Jomo Kenyatta and his close associates knew whither the college fees had been diverted.

41. Peter Koinange then returned to the scene and was welcomed back at a tea party held in the college on 19th February, 1949. In defence of himself and his leader, Dedan Mugo, the leader of the age groups, told the attendance that under Jomo Kenyatta they had built two dormitories, bought a lorry and gathered stone for permanent buildings, but that more money was urgently needed and the age groups must pay their full quota before they were compelled to do so. The achievements listed, small enough in all conscience, were designed to conceal the fact that no work had commenced on the main buildings and that one of the dormitories had been paid for by a special contribution from the female supporters of the college. The excuse given by Jomo Kenyatta was shortage of cement.

42. In May, 1949, the Member for Law and Order consulted the Criminal Investigation Department regarding the alleged defalcations and was advised that at a conservative estimate £20,000 had been collected after the intensification of the drive for funds in 1947. Although there had been numerous reports of dissatisfaction at the delay in the building programme in both 1948 and 1949, nothing concrete had emerged, though it was believed that Jomo Kenyatta had diverted £5,000 to his new house and very heavy travelling expenses had been drawn by him and the other leaders of the Githunguri group.

43. Further pressure then centred upon the college from an unexpected source. The elders of the Karinga school, upon whose land the college stood, decided that they had wearied of Peter Koinange's procrastination in implementing his original undertaking to build a permanent college and release the temporary buildings occupied by him to their original owners, intimated their dissatisfaction at the delay and demanded that either building should start or the site be vacated. Spurred on by this threat from their own adherents, the building committee commenced work in May with a number of African artisans under Asian overseers, but at an age group conference in October, Kenyatta conceded that he held funds sufficient only for a further three months' work and more must be subscribed. His pretext on this occasion was the necessity for deeper foundations than had originally been envisaged.

44. In October, too, the Director of Intelligence and Security reported a strike of teachers whose wages were overdue to the extent of more than £1,000 for a period of seven months. Though there was considerable discontent, no mass abandonment of work did in fact occur and an inspection by the Education authorities in December revealed that Jomo Kenyatta had been able to pacify the teachers by tapping the building fund, which he had allegedly always reimbursed. Some progress had been made with the foundations of the new buildings by African artisans now under the supervision of a Makerere-trained engineer. Waira Kamau admitted that £10,000 had been collected, though in 1948 he had acknowledged a somewhat larger amount from the age groups alone, and said a further £15,000 was still required.

45. Now that a modicum of progress had been made with the foundations of the new building, Waira Kamau, the organizer of the age groups, addressed a meeting of these groups at Wangigi on 15th January, 1950, and asked them to increase their quotas to £1,260 in order to defray the £15,000 then said to be needed. The meeting was enthusiastic and the former questioning attitude seems to have dissolved. This marked the beginning of a new appeal and prospects temporarily appeared brighter, for it was thought that further funds might be obtainable from Indian sources if the Kikuyu proved incapable of attaining their objective.

Following the decision to extract more money from the age groups, Jomo Kenyatta submitted a formal application to the District Commissioner,

Kiambu, for permission to collect a target figure of £27,777, including past contributions, from 22 age groups.

Permission to collect was ultimately granted, on the somewhat belated condition that proper accounts were maintained, and this sanction was promptly interpreted as an indication that Government favoured the Teachers' Training College. The outcome must have disappointed the organizers, for in his March report the District Commissioner, Kiambu, suggested that the results were unremunerative, the number of pupils had dropped to 800, and very little building activity was apparent. The tide had turned and the flow of funds dwindled to a mere trickle.

46. A further blow to the college's financial prospects ensued when the leader of the age groups, Dedan Mugo, was arrested and successfully prosecuted in connexion with an illegal oath. And at the beginning of June the District Commissioner, Kiambu, advised Government that building had again come to a standstill and, further that he had prohibited public meetings on behalf of the college as there was abundant evidence that these had been accompanied by secret oath administration. (Chapter V 54.)

Though meetings in Kiambu had ceased, collections continued. At a public meeting held in Nairobi in June, whither the ban did not extend, it was announced that the total collection from all sources amounted to £10,700 which had been expended upon various unspecified works. Disappointment was expressed that only the Kiambu Kikuyu now appeared interested in the building fund.

Attention was therefore focussed on other sources, notably the Rift Valley, where a varying degree of success was encountered. In the interim the District Commissioner, Kiambu, suggested that the time was ripe for an official investigation into the affairs of the college, since with Dedan Mugo's removal public interest and the flow of subscriptions had decreased. No action appears to have been taken on this suggestion, but it was more that coincidence that on 12th August, 1950, the college safe was removed and the contents consisting of papers and accounts burnt. Investigation having failed to establish any tenable motive, it was concluded that this burglary was spurious. (Chapter V 65.)

47. On 11th September, George Waiyaki reported that building was still held up by lack of money, though on the previous day Waira Kamau had stated that collections up to the end of 1949 had realized £11,400, a figure which did not tally with that published in Nairobi in June.

48. Conditions in Kiambu were relaxed when permission was granted for two meetings in September, but pecuniarily these were unsuccessful. Age group meetings were then entirely banned in Fort Hall, possibly following the advice of Tom Mbotela, a moderate member of K.A.U. and therefore unpopular with the Kenyatta group, who warned the District Commissioner, Kiambu, against such meetings on the ground that Githunguri was merely the K.C.A. and *Mau Mau* under another name and any donations would be used for anti-European purposes. (Chapter V, 72.) The connexion with *Mau Mau* became more apparent when Police Headquarters at Nyeri obtained information that the oath campaign in Kiambu, though born at Banana Hill where the initial ceremony was conducted, was undoubtedly planned at Githunguri. (Chapter V, 52.)

Peter Koinange was by this time seriously perturbed by the financial position of his college, and claimed that he personally was responsible for the administration of the school, but had no control over the building fund, which remained under Jomo Kenyatta.

Notwithstanding Peter Koinange's disclaimer, it was known that he, Jomo Kenyatta and Waira Kamau held a meeting of the age group leaders at Githunguri on 11th November, all outsiders being rigidly excluded. This was followed by a monster sports meeting at the beginning of December, at which, by a complicated system of entrance fees, it was hoped to raise £3,000, but the actual proceeds were never disclosed. Then, in pursuance of his persistent attempts to encourage Asian donations, the principal and Kenyatta entertained some 350 Indian orphans in the college at Christmas, a gesture which received due publicity as a token of Afro-Asian co-operation.

49. Despite these stimulants, financial anxiety persisted and in January, 1951, Waira Kamau was told unequivocally that no further meetings would be allowed until proper accounts were produced, authenticated and published. That this ultimatum was long overdue was clearly shown by a confidential examination of the college and building fund banking accounts. The former account, operated by Jomo Kenyatta and Peter Mbiu Koinange jointly, contained Sh. 338 only and had been dormant for six months, and the latter, to which Jomo Kenyatta and Waira Kamau were signatories, stood at £165, though it had reached £8,000 in 1948.

The renewed prohibition on meetings brought Peter Koinange to Kiambu where he stated that since its inception approximately £50,000 had been collected for the college and invested in land and other projects; he further alleged that his accounts were in process of audit by Messrs. Shah and Shah, an asseveration which, on enquiry, was denied by this firm.

50. His next gambit to soften the hardening heart of unsympathetic officialdom was an invitation to the Secretary of State for the Colonies to lay the foundation stone of the new building, and although this invitation was naturally declined, a large concourse was allowed to congregate at the college on 26th May, 1951, although the convenors were well aware that the stone would not be laid. Jomo Kenyatta impudently announced that the ceremony had been postponed till 4th August, and proceeded to take up the customary collection which, in this instance, had not been authorized.

Finally, a so-called balance sheet was produced at the end of May, but not being particularly informative it was returned for amendment, a process so long delayed that it was never published. The laying of a foundation stone also slipped conveniently into oblivion.

51. The provision of funds continued to dominate the thoughts of Jomo Kenyatta and his group and in October, 1951, another foundation stone was used as a pretext, on this occasion that of a girls' dormitory. Again no ceremony took place, but several thousand shillings were extorted from a large female gathering.

In November, 1951, the District Commissioner, Kiambu, again reported that the long-awaited accountant's statement had not been produced, and that work on the college buildings had been at a standstill for over a year.

Matters were indeed deteriorating for, as a pupil reported, the fees varied between Sh. 336 and Sh. 450 per annum, but in return for this the college supplied nothing but food and teaching. The staff were perpetually in arrears with their salaries and stopped work until at least a portion was made good. As a result pupils were hired out as labourers during school hours, but were expected to attend Sunday lectures on the expulsion of Europeans. Among the instructors was a rabidly anti-British Arya Samaj priest with convictions for subversion in India to his discredit. This individual purported to teach English and Hindi.

52. On 5th November, 1951, Peter Koinange removed himself from this imbroglia and departed for Europe, leaving Jomo Kenyatta once more in sole charge. Just a month later the headmaster, Mbugwa Wanyoike, resigned and was replaced by George Waiyaki, the building supervisor, who doubtless was in need of employment as there was no building to occupy his time. Whether he was attracted by the lucrative prospects of his new post is also open to conjecture, for in January, 1952, it was once more reported that the staff were six months in arrears. Under his direction numbers fell to less than 800 pupils, a decline of over 200 in two years.

As construction had then been suspended for eighteen months, Jomo Kenyatta made one final attempt in April to persuade the authorities to allow a resumption of public meetings but was informed that the prohibition would remain valid until he produced his accounts. It is unlikely that at this juncture even the furnishing of a proper balance-sheet would have availed him, for the authorities were well aware of the subversive activities of the college and those connected with it. To quote the Provincial Commissioner, Central Province:—

“There is no doubt that Githunguri is a vital link between K.I.S.A. and K.K.E.A. headquarters and the offshoots of those denominations all over the province; remove that link and most of the school teachers will realize that their subversive activities must be curtailed, if not abandoned; the so-called Githunguri refresher courses were in all probability little more than instructions on how to be an agitator.”

53. On 15th November, 1952, with its vaunted building programme still in embryo and with nothing to show for the vast sums of which the Kikuyu had been fleeced except a few materials, the Teachers' College was closed under Emergency Regulations. That it would inevitably have been closed either as an emergency measure or under the new Education Ordinance promulgated that year appears evident from the following observations communicated to the Director of Education by the Member for Education immediately before its proscription:—

“(a) Githunguri Training College (so-called) consists of a primary and an intermediate school, but does not contain any proper facilities for the training of teachers. The physical condition of the buildings and the standard of education are very low and it would certainly be necessary under the new Education Ordinance to close it down on the ground that it is not properly conducted.

(b) Quite apart from its inefficiency as an educational institution, it is believed by well-informed people that it is a hotbed of sedition and subversive activity, and quite possibly the headquarters of *Mau Mau*.”

54. This account of the Githunguri College and its sponsors has stressed one aspect of its role in Jomo Kenyatta's plans for attainment of his political ends. He realized fully the pre-eminent appeal which the idea of a purely Kikuyu college would have in a tribe which desired independence from external control and accordingly exploited tribal susceptibility to its utmost extent. Though the wiser Kikuyu were from time to time alarmed at the failure to account for the vast sums exacted by Kenyatta's exhortations to support a tribal institution, the majority willingly contributed all and more than they could afford.

It is impossible to calculate the exact, or even approximate, amount which flowed into the Githunguri coffers between 1947 and 1952. No regular accounts were maintained, or if they were they have never been discovered, and the only subscriptions ever publicly acknowledged were those from the age groups which were far from being the sole sources of supply.

The maximum amount ever acknowledged would imply that, despite the fact that every possible source was tapped over a period of nearly five years, each adult male of the Kikuyu tribe contributed less than one shilling over this period and this is palpably an absurd conclusion. There is no shadow of doubt that a sum vastly in excess of any disclosed reached Githunguri.

CONCLUSIONS

55. The Karinga schools, including Githunguri, were, from their inception, subversive and anti-European and indubitably played their part in producing a type of pupil who was ready to go into rebellion, but their deplorably low standard of education and general atmosphere was not of a type to foster leadership. Furthermore, they were not numerically strong and, in comparison with the loyal schools, catered for an inconsiderable proportion of the yearly output of pupils. Though centres of sedition, it is probable that the effect upon the Kikuyu tribe of their inconsiderable contribution of ill-educated malcontents has received undue prominence. Moreover, their scope was limited throughout most of their existence to the Kiambu district. Their numbers do not bear comparison with their rivals, the K.I.S.A. schools, as is shown by an analysis of the 152 independent institutions upon which closure notices were served in 1953, for these included 22 schools conducted by K.K.E.A. or the African Orthodox Church, and 124 K.I.S.A. schools, including those managed by the Pentecostal Church, a disparity of more than five to one.

56. But penetration of the K.I.S.A. schools, which were as a body untainted by sedition, did not commence till 1948 and the majority of these did not fall irredeemably into Jomo Kenyatta's clutches till 1950 or 1951, within one or two years of the outbreak of the Emergency. There was not therefore sufficient time for the seditious and anti-religious education then imparted to have contaminated pupils aged from seven years upwards beyond hope of rehabilitation under saner preceptors, nor was the generation of pupils thus perverted even among the earliest defections to Githunguri old enough to play a dominant part in the ensuing struggle. The important feature of Jomo Kenyatta's subversion of the K.I.S.A. schools was not the inculcation of disloyalty among part of a single generation of juveniles (he obtained control too late for this to be effective), but his use of the schools buildings, and their managing bodies, as foci for the spread of *Mau Mau*.

57. It is therefore a fair conclusion that those former pupils of K.I.S.A. schools who participated in the Emergency did so, not as the result of their innocuous, if inadequate, education, but because of subsequent deviation from the path of loyalty, an observation which is equally applicable to numerous products of Government and Mission schools.

58. That a number of schools were enabled to indulge in subversive activities for so long without hindrance from the authorities, who were either cognizant or highly suspicious of the baneful results of subservience to Githunguri and K.C.A. principles, must be attributed to the inherent weakness of the legislation by which those who would have taken decisive action were fettered.

Though registration was legally incumbent on all schools the inspectorate until 1949 was for various reasons so under-staffed that this provision virtually fell into abeyance and neither unregistered schools, nor their often elusive management, were known to the Department. Shortly before the declaration of the Emergency 20 unregistered schools came to light in the Nanyuki Settled Area alone.

The process provided under the Ordinance for closure, which appears to have been utilized once only in the case of a subversive school, was too prolonged to be effective and in this one instance, when speed was imperative, occupied almost five months before it became effective.

59. These defects had been recognized by the Government and before the declaration of a State of Emergency it had prepared a new draft Education Ordinance which gave it powers essential to any Government to control private schools. It was enacted on 23rd December, 1952. But these intentions were overtaken by events. Shortly after the declaration of the Emergency, the District Commissioner, Nyeri, supported by the District Commissioner, Fort Hall, wrote that "Jock Scott" arrests of the *Mau Mau* leaders had left the direction of *Mau Mau* with the Independent Schools which "must be dealt with quickly". And on 24th October, 1952, Emergency Regulation 12A was promulgated, giving the Member for Education far-reaching powers hitherto denied to him. On 14th November, 1952, both K.K.E.A. and K.I.S.A. were declared illegal associations and 34 schools, including the Teachers' Training College at Githunguri were closed. By the end of January a further 150 schools were closed. Of the total of 184 schools closed, 149 were K.I.S.A., 21 K.K.E.A. and 14 under other management. A total of 24 schools were allowed to remain open—subject to District Education Board supervision. These included nine K.I.S.A. schools in Fort Hall which under Johanna Kunyihia had so bravely withstood the onslaught of Githunguri.

These figures give the lie to the extravagant and entirely unauthenticated claims by Jomo Kenyatta that between them K.K.E.A. and K.I.S.A. controlled 342 schools, at which 60,000 pupils were being educated, but the District Commissioner, Kiambu, pointed out that the records of the Education Department indicated that 220 schools, with 28,000 pupils, would appear a more accurate estimate, whereas there were 105,000 pupils at Mission and District Education Board schools in the same areas.

In almost all cases satisfactory arrangements were made either to transfer pupils to mission or K.I.S.A. schools, or to set up new Government schools under the District Education Boards. But these schools suffered heavily at the hands of *Mau Mau*, which made determined efforts to break up the educational facilities they offered. By the end of 1953, 14 schools in Nyeri district alone were destroyed and 21 looted. In Embu 16 were destroyed. Almost all schoolmasters received threatening notices, but although many were murdered, the great majority remained loyal. With the improvement in the security situation during 1954, and the proper organization of the Kikuyu Guard, it was possible to give a greater measure of protection to the schools, but four teachers were murdered in Embu.

60. And so ends the sorry history of the ruthless exploitation of the Kikuyu's ardent desire for education, primarily by Jomo Kenyatta but abetted by Peter Koinange. Although the aim of Peter Koinange when he founded the Teachers' Training College at Githunguri was the building up of an indigenous educational system with an anti-Christian, anti-Government bias, he was genuinely interested in education and his aims may be said to have been "revolutionarily orthodox". When Jomo Kenyatta appeared on the scene at the end of 1946 and with calculated foresight ensconced himself at Githunguri, the web of *Mau Mau* was spun which finally enmeshed the Independent Schools.

CHAPTER VIII

The Vernacular Press and Public Meetings

I have, in paragraph 39 of Chapter II, outlined very briefly the dilemma which faced all Colonial Governments in the post-war period. The fight for freedom in all its forms against the tyranny of Nazism was the battle cry of the Allies: how, then, was the British Government, through its Colonial Office, to interpret this surge for freedom when dealing with the varied colonial communities? Nowhere was this dilemma more apparent than when dealing with the "freedom of the Press" and the "freedom of assembly and of speech".

The Press:

2. Shortage of newsprint prevented the publication of newspapers during the war, but shortly after the end of the war they started making their appearance and the whole question of the pernicious propaganda and seditious articles which had quickly become the main feature of these vernacular newspapers was discussed at a provincial commissioners' meeting held on 26th October, 1946, attended by the Labour Commissioner, the Member for Health and Local Government, the Social Welfare Adviser, and Mr. H. E. Lambert, a retired administrative officer.

This meeting recommended that a despatch should be sent to the Secretary of State, stressing the following points:—

- (1) That the present trend of the vernacular Press constituted a grave menace to the future of the Colony.
- (2) That certain vernacular newspapers were being financed and influenced by seditiously minded Indians and that their object was purely anti-Government and anti-European.
- (3) That, as regards freedom of the Press, liberty was being mistaken for licence, and that in addition to deliberate distortion of facts, many of the articles in such newspapers contained a most dangerous and pernicious form of anti-European propaganda.
- (4) That the effect of an unbridled Press amongst uneducated and politically immature Africans was infinitely more serious than that which could be achieved by inflammatory articles in newspapers in England.
- (5) Asking for information as to what legislation existed in any other British Colony for the control of the Press, and suggesting consideration of the possibility of some form of supervision or censorship.

The meeting further recommended that a suitable Government publication should be subsidized and that the staff of the Criminal Investigation Department should be increased to enable it to undertake closer scrutiny of vernacular newspapers. Furthermore, action in the courts should immediately follow the slightest infringement of the law and the editors should be so informed at frequent intervals.

In submitting this memorandum to the Attorney-General, the Deputy Chief Secretary was not very forthcoming. He stated:—

“I am convinced that the only way we are going to effect a cure is to obtain the confidence of the African Press. I may say that any idea we may have had of the Information Office setting up a Government controlled newspaper has been finally exploded and, having heard the arguments, I think the decision is the right one.”

The Attorney-General replied saying that he had already given instructions that any seditious material published in any organ of the Press was to be forwarded to him. He also regarded the matter as one of considerable importance.

3. No very definite action appears to have been taken on these recommendations, presumably on the grounds (although it is not clear from the records) that the Secretary of State would, even if he accepted the proposals in principle, have had great difficulty in persuading Parliament to agree to any decisive action which appeared to interfere with a cherished freedom. But the advice of the Chief Secretary, Nigeria, was sought on 17th January, 1947. He replied indicating that the Nigerian Government was also faced with a virulent Press which was barely kept in check by action in the courts of law. But the position there was not strictly parallel with that in Kenya, as the Nigerian Press was, in the main, abusive of Government whereas in Kenya the vernacular Press was preaching a doctrine of hatred against Europeans.

4. Meanwhile the position was deteriorating rapidly and the following are extracts from a minute addressed by the Acting Chief Native Commissioner to the Member for Law and Order and the Deputy Chief Secretary on 20th February, 1947:—

“In my view the general tone of these newspapers since the date of the provincial commissioners’ meeting in October last year has steadily deteriorated and the situation which was urgent enough then is worse today. As you are aware, 18 months ago there was practically no vernacular Press, with the exception of the *Baraza*, which is run by the *East African Standard* and which is, broadly speaking, moderate in tone. Since that date a number of newspapers edited by Africans and published in English, Swahili and the vernaculars has sprung up. . . . As you are aware, the Standing Finance Committee has turned down the question of a Government newspaper, but I propose to return to the charge, either by asking for a Government newspaper, or to press for a subsidy for some paper which will put across the Government view. The African is only beginning to read newspapers, and is apt to take the written word as truth. These papers, therefore, have a much greater influence on readers than they would in a more civilized country. . . .

It is, I think, common ground that political relations between Government officers and the Kikuyu in particular have got steadily worse during the last year. Returning from England after a short four months away, I was appalled at the distance we had drifted apart, and recent visits to the Kikuyu districts indicated that relationships are certainly not getting any better. One cause of this cleavage is the fact that a large number of African soldiers have been outside the Colony and have returned with new ideas. To my mind, however, an equally serious cause is the continuous stream of lies, misrepresentation and colour consciousness which is pouring out from vernacular presses, and which is inspired by a few semi-educated Africans, abetted by the owners of the Asian presses who produce these papers. In my view, if we are unable to control this unpleasant stream, we are bound to have trouble in this Colony, and I do not think it is going too far to

say that those troubles may well lead to bloodshed. If we are to avoid trouble, we have got to fight this deliberate attempt to drive a wedge between the African peoples and the Europeans in this country."

5. The outcome of this was that, on 28th April, 1947, Executive Council approved in principle a proposal submitted by the Chief Secretary that not only should a good Government paper be started, but an arrangement should be made to circulate it throughout the country. It was estimated that the cost would be something of the order of £7,000.

But this proposal was not proceeded with as the *East African Standard*, after objecting to Government entering the newspaper field, agreed to produce a series of vernacular papers to meet the need. The intention was to produce four such papers, in Kikuyu, Swahili, Kamba and Luluhya. The first Kikuyu newsheet, called *Mucemania*, was produced in 1948, but lasted only about five months, and the remaining three were not proceeded with. Eventually a number of district newsheets were prepared, run through the local African District Councils. Finally they totalled 16. The Information Office also kept on with the production of the illustrated monthly, *Pamoja*. In 1952 the total sum approved for African Information Services was £33,150.

Before proceeding further I shall record and discuss very briefly the legal powers the Government possessed to control the Press and sedition, powers which proved to be quite inadequate.

6. *Press*.—The control of the Press was governed by the Book and Newspaper Registration Ordinance, 1906, which, as its sub-title indicated, was "an Ordinance to provide for the registration of books and newspapers", and that was as far as it went. A register of the proprietors of newspapers was established and once a year printers and publishers had to submit a simple return giving the title of the newspaper, the names and addresses of the proprietors and the average yearly circulation. This Ordinance, in effect, gave no control over the products of the Press. This was exercised under the Penal Code, through the law on sedition. And with the object of curbing the activities of printers of seditious articles, the Penal Code was amended on 15th June, 1950, giving the courts the power to confiscate presses used in the printing of seditious literature (*see* paragraph 17 below).

On 3rd October, 1952, the Printing Presses (Temporary Provisions) Ordinance was enacted, the most important section of which gave the Registrar of Printing Presses, after consultation with the Member for Law and Order, the power to cancel any licence where:—

"It appears to him that the licensee has kept or used, or is likely to keep or use, a printing press for unlawful purposes, or for the printing of any document prejudicial to, or incompatible with, peace or good order in the Colony."

This Ordinance was one of seven ordinances which resulted from the visit of the Member for Law and Order to the Colonial Office in September, 1952, already referred to in paragraph 156 of Chapter V. They were, as I have already indicated, belated and not particularly effective efforts to strengthen the powers of Government to deal with the rising tide of subversion. But it is of interest to note that during the discussions on this Bill in London, the Colonial Office representatives noted that they had not hitherto been in possession of any evidence to show that the Press had played a part in stimulating the present troubles in Kenya. This type of legislation would, however, be attacked by the Commonwealth Press Union and in Parliament, and it would therefore be desirable that the legislation should be enacted as a temporary measure.

These Ordinances were not, in fact, attacked in the House of Commons. On 20th October, 1952, a few hours before the Emergency was declared, Mr. Oliver Lyttelton, the Secretary of State, made a long statement on *Mau Mau*. In reply, Mr. James Griffiths hoped that the House would have an opportunity to study the legislation which seemed "to give extraordinary powers to the Government". He added that the Government of Kenya must, however, be given every support to put down this outbreak of violence.

7. *Sedition*.—The following extracts from the Penal Code relate to seditious intention:—

57. (1) A seditious intention is an intention—

(v) to promote feelings of ill-will and hostility between different classes of the population of the Colony;

But an act, speech or publication is not seditious by reason only that it intends—

(d) to point out, with a view to their removal, any matters which are producing or having a tendency to produce feelings of ill-will and enmity between different classes of the population of the Colony.

(2) In determining whether the intention with which any act was done, any words were spoken, or any document was published, was or was not seditious, every person shall be deemed to intend the consequences which would naturally follow from his conduct at the time and under the circumstances in which he so conducted himself.

59. (2) A person shall not be prosecuted for an offence under section 58 of this Code without the written consent of the Attorney-General.

8. As the main objective of the major portion of the vernacular Press and of the majority of the public speeches made under the auspices of the K.A.U. was the building up of an intense and fanatical hatred of the Europeans and of those Africans who resisted *Mau Mau*, it might be thought that prosecution for "seditious intention" under section 57 (1) (v) would have been comparatively easy. But this was not the case and reflects the tradition of aversion the British have always entertained to prosecuting for "political reasons". The great difficulty of prosecuting under the laws of sedition is the necessity to prove "intention" but there is so often no very clear line of distinction between a seditious statement and a profession of legitimate political aspirations. A layman might be tempted to assume that the expression "every person shall be deemed to intend the consequences which would naturally follow from his conduct" (section 57 (2)) should be a reasonably clear-cut and decisive factor in the decision either to prosecute or to convict. But intention is very rarely susceptible to absolute proof; this decision must therefore be influenced to a great extent by the personal attitudes of either the Attorney-General or the Judge to the concept of freedom. An Attorney-General might, in view of his closer personal knowledge of the effects of sedition, be expected to give his consent to a prosecution more readily, but the judiciary, in the British tradition, tends to take a liberal view of the "proviso" in section 57 (d). One is, with no disrespect to the judiciary, again tempted to infer that it is so influenced by the rights of the individual—a basic British concept—that it is perhaps inclined to forget the body politic which suffers in consequence.

The application of the law of sedition is, furthermore, not eased by the fact that it is based on the law of sedition in Britain, a law which was passed some 160 years ago to deal with a quite different set of circumstances. It was a dying attempt to bolster up the authority of the monarchy. The law in Britain, however, is so out of keeping with modern thought that it is virtually only invoked in times of national stress, such as war.

The difficulties which beset those whose duty it was to protect the state from the dangers of the spread of sedition are shown in the following survey of the vernacular Press.

9. The period between the return of Kenyatta to Kenya in 1946 and the declaration of the Emergency in 1952 was conspicuous for the increasing virulence of the vernacular Press in its hostile attitude towards Government and the European settlers and in its distortion of the Kikuyu land problem which it exploited as a potent weapon for fomenting inter-racial distrust. Though several vernacular news-sheets sailed close to the breeze of sedition, few prosecutions of such subversive organs were successfully mounted and the majority distilled their insidious poison with virtual impunity.

10. In addition to various other publications of ephemeral growth, the papers wielding the widest influence on the African mind included *Mumenyereri* (May, 1945-October, 1952), *Sauti ya Mwafrika* (1945-1949 and June-October, 1952), which was the official organ of K.A.U., *Muramati* (November, 1950-October, 1952), *Mwaraniria* or *Dunia* (1946-1953), *Habari* (July, 1945-April, 1947), *Mwalimu* (June, 1945-December, 1947) and *Hindi ya Mwafrika*, which commenced publication in April, 1948, and, after appearing as *Hindi ya Gikuyu*, and finally as *Muthamaki*, was eventually suppressed in October, 1952.

During the months immediately preceding the Emergency when editors, emboldened by the patent immunity of their more influential contemporaries, realized that they could give expression to political extremism without hazard of disastrous consequences, a rash of small but intensively subversive news-sheets, catering principally for the Kikuyu, sprang into brief existence. Most notorious among these mushroom growths were *Inoro ria Gikuyu* (November, 1951), *Uhuru wa Mwafrika* (August, 1952), *Wiyathi* (September, 1952), *Mugambo wa Muembu* (September, 1952), *Afrika Mpya* (October, 1952), *Wihuge* (July, 1952), *Gikuyu na Mumbi* magazine (October, 1952), *Kimuru* (November, 1952) and *Wasya wa Mukamba* (March, 1952).

All these, together with numerous subversive pamphlets, were suppressed under Emergency Regulations either in October, 1952, or early in 1953.

11. The policy adopted by these vernacular periodicals was supplemented by the efforts of the Indian-owned and edited *Daily Chronicle*, with its blatant bias against both Government and the European, never missing an opportunity of supporting African claims, however fantastic or subversive. A similar contemporary, the *Colonial Times*, not only subscribed to the same policy but sponsored both *Habari* and *Mwalimu* throughout their comparatively brief existence.

12. All vernacular papers and news-sheets were subjected to exhaustive scrutiny by the C.I.D., and subsequently by Special Branch, every tendentious paragraph being filed for record and excerpts constantly submitted to the Chief Secretary, the Member for Law and Order and other officers concerned, but though objectionable in substance, subversive in tone, and calculated to foster disaffection, the majority of the matter published did not, in the opinion of the Attorney-General, come within the purview of the Criminal Code. Accordingly, in all but a very small minority of

instances, the law officers were reluctantly compelled to advise that though much of the material submitted was indeed highly objectionable, it did not constitute a breach of the law punishable by legal proceedings.

13. A brief examination of certain episodes in the career of *Mumenyereri* may illustrate the lines on which this and similar papers were conducted and the difficulty of counter-action by authority. In September, 1947, the District Commissioner, Kiambu, addressed his Provincial Commissioner, expressing the hope that it would be possible to proceed against this paper for the persistent publication of falsehoods designed to promote unrest. He instanced a recent letter published by the paper in which he was accused of planning to alienate a portion of the Kikuyu native lands for transfer to Europeans. In the course of his representations the District Commissioner sounded a note of warning:—

“If we do not control this type of journalistic activity in the vernacular Press we are storing up serious trouble for the near future and if action cannot be taken under the existing laws I think Government should examine the position to provide some legal control of the vernacular Press. In the present stage of African development it cannot be in the African public interest unnecessarily to expose their semi-educated ignorance to the corruption of unbridled political agitation which has no regard for truth.”

The following month an article in *Mumenyereri* evoked a request for a prosecution from the officer-in-charge, Masai, and as a result it was decided that action would be taken against all legally responsible parties. During this month, too, the C.I.D. stated that proceedings were also in hand as the outcome of an article on the situation at Olenguruone. However, charges had already been laid following the publication of a seditious and false account of the Uplands Riot resulting in the conviction on 21st October, 1947, of the editor, Henry Muoria, of the writer of the offending article, and of the publisher, who were respectively sentenced to Sh. 150 fine or three months' imprisonment in default on two counts, to six months' hard labour on three counts, and to a fine of Sh. 250 or three months' imprisonment in default.

In consequence of these convictions it was then decided that the other pending charges should not be pursued and the editor was given a strong warning regarding the future conduct of his paper. As might have been anticipated, this action was merely construed as an indication of weakness, for a few months later, in April, 1948, the District Commissioner, Kiambu, invited attention to a campaign of vilification directed against Chief Waruhiu. Again no prosecution ensued.

In September, 1948, the Director of Intelligence and Security represented that charges should be laid arising from an obnoxious article dealing with African political progress, but was advised that this would not warrant a conviction for sedition, and no further action was taken. In November the editor once more evaded retribution by publishing a tepid and unconvincing apology for reproducing a letter accusing native tribunal elders of venality.

This paper continued sailing as close to the wind as possible, yet avoiding interference, though in October, 1951, a list of doubtful and apparently subversive excerpts was transmitted to the Member for Law and Order for his advice on possible proceedings. Once more it was ruled that though these were of a generally seditious tenor, none would support a successful prosecution. Thereafter, the only positive action taken against this insidious publication, until its ultimate suppression in October, 1952, were proceedings for a very venial contravention of the Book and Newspaper Registration Ordinance by failure to submit the returns required by law for the period 1947 to 1951.

14. I shall now refer to one of the very many instances where, even after strong representations by the administration, it was not possible to prosecute for sedition. The following are extracts from a noticeably pernicious article published under the signature of Samuel Kagotho in Muthamaki on 21st September, 1950:—

“The Mau Mau will not be destroyed by the imposition of fines, or sentences of imprisonment:

I know that all judges speak the truth. I want to speak on the subject of the *Mau Mau*. I want the *Muthamaki* to tell the administrators of justice of all three communities in this Colony, i.e. the European, Asian and African, that playing with an arrow is dangerous and that people are not taken before courts for fun. Cases in court send people to their death and send them to prison. It is therefore unwise to play with such matters which have such results. These affairs have led to the removal of children from schools, fathers being arrested and not being present to pay the fees. It is common knowledge that when a man takes the stand to represent some community he is reported to the district commissioner or to the chiefs as a member of the *Mau Mau*. The chiefs in such cases hurry along to the district commissioner or to the police and get the people accused tied up and bound with rope. The trouble is that if a child goes before the district commissioner and reports that he was made to take an oath by such and such a person, you cannot prevent, even if you engage a hundred lawyers, that child being put inside. The cases of today are stupefying us. We have seen many cases and we do not know if we are being imprisoned under some hatred cloak of a law that originated from the European settler. In a murder case, if there is insufficient evidence, a man is acquitted, but there is no judge nor lawyer in *Mau Mau* cases. . . . Cannot the district commissioner, the provincial commissioner and the judges see that there is no truth in all this? This is pure hatred.”

The provincial commissioner considered that as this article encouraged Africans to join *Mau Mau* and indicated that the courts were biased against the African, both the writer and publisher should be prosecuted for sedition. The Attorney-General, in consultation with the Deputy Public Prosecutor, was of the opinion that a prosecution would not succeed. The provincial commissioner was not satisfied and on 6th November, 1950, wrote to the Secretary for Law and Order:—

“We are disappointed that it appears impossible to prosecute him for sedition, but would the Member consider that an alternative charge of contempt of court under section 116 (1) of the Penal Code might succeed? Some drastic action we think is required against writers of letters of this kind to newspapers, otherwise we shall find ourselves in the same state as Nigeria. We should also be glad to learn, in case we wish to take action in any similar case, the reason why it is not considered a prosecution in this case would succeed.”

He received the following reply dated 22nd November:—

“The Member for Law and Order has refused his fiat, which is a necessary condition precedent to a prosecution, because he was of the considered opinion that in this case a prosecution would not succeed. Convictions for sedition are difficult to obtain, and a lay opinion might well be that *the law, in the British tradition of free speech, is to an extent weighted in favour of an accused*. It is considered politically important there should be a considerable apparent chance of conviction, as otherwise the accused and his statements are given publicity,

the prosecutor is made to look foolish, and perhaps oppressive, and the accused, when acquitted, can be thought a martyr. There is nothing in the article which constitutes the offence of contempt of court."

15. As contemporary publications pursued similar borderline tactics, though producing a flood of objectionable articles verging on sedition, prosecutions were of extremely rare occurrence and, in addition to that already mentioned, the following only are on record:—

- (a) On 19th April, 1947, F. M. Ruhinda, the editor of *Habari*, was fined £50 or three months' imprisonment in default for the publication of a seditious article. The publisher was sentenced to 18 months' imprisonment, but both these sentences were later reduced on appeal to a fine of £25 or three months' imprisonment in default and one year's imprisonment respectively.
- (b) On 20th June, 1950, J. C. K. Kamau and Victor Wokabi, a prominent organizer of *Mau Mau* (see Chapter V, paragraph 92), the joint editors of *Hindi ya Gikuyu*, together with one V. G. Patel, who had figured as publisher in the *Mumenyereri* case three years previously, and the latter's three partners, were convicted on charges of publishing or printing a seditious article. Kamau, convicted on three counts, was sentenced to fines of £20 or three months' imprisonment in default, £40 or six months' imprisonment, and to a term of eight months' imprisonment, later reduced to six months by an appellate court. Victor Wokabi, his co-editor, convicted on two counts only, received sentences of £15 or two months' imprisonment in default, and of £40 or five months' imprisonment. Of the publishing firm, Patel was ordered to pay two fines of £15 or one month's imprisonment, and a further fine of £30 or two months' imprisonment, while his three partners, convicted on three counts, to fines of £5 or one month's imprisonment on each of two counts and to £10 or two months' imprisonment on the third.
- (c) Next, on 19th March, 1951, Victor Wokabi, as the editor of *Muthamaki*, was again brought before the Supreme Court on charges of seditious publication and contempt of court, but after he had purged his contempt by an apology, which at any rate convinced a bench of judges of the sincerity of his repentance, the charges were withdrawn. The worth of this apology may be judged by the following headlines in *Muthamaki* to a report of a K.A.U. speech at Thika on 7th July, 1952:—
- "Europeans are the knives and the Africans are the meat. The time is coming when the Africans will be the knives and the Europeans the meat, and they will be cut to pieces."
- Although this was a direct incitement to murder, no prosecution was instituted, presumably because the police and the administration were at that time becoming overwhelmed with the effects of subversion and sedition.
- (d) Finally, on 16th September, 1952, W. K. Kihara, the editor of *Muramati*, was convicted and ordered to pay a fine of £25 for publishing a seditious article in his paper.

16. Despite the torrent of subversion gushing from the vernacular Press, the five instances quoted comprised the only occasions on which it proved possible to institute legal proceedings for seditious publication under the Penal Code during the five years immediately preceding the declaration of the Emergency in 1952.

17. These difficulties are summed up well in the following extract from a despatch sent by the Governor to the Secretary of State in April, 1950. Although the despatch refers in particular to the prosecution of such known Communists as Makhan Singh (*see* Chapter V, paragraph 60), it is applicable to all cases of potential subversion:—

“In these circumstances I am giving anxious attention to the position of law here in the Colony, for it appears to me that the obstacles in the way of obtaining convictions for sedition are at present excessive when the persons involved are avowed members of the Communist Party and deliberately engaged in what is in fact waging war. It is largely, no doubt, a matter of dates; up to about 150 years ago agitators such as Makhan Singh and the editor and writers of the *Daily Chronicle*, and many others, would have found themselves quickly on Tower Hill. For reasons largely connected with the history of Europe, and especially of Britain in the last 150 years, the laws of sedition have been subjected to an ever-increasing severity of judicial interpretation, with the result that it is always a matter of doubt whether a conviction for sedition can be obtained in cases which, although they are flagrant, may in certain technical legal aspects lack the elements which are now required to establish guilt.”

The only immediate outcome of this despatch was an amendment to the law investing the courts with the power to confiscate, under certain safeguards, printing presses used in a conviction for sedition referred to in paragraph 6 above.

18. But apart from articles in the Press which were wholly subversive in intent, these vernacular papers published the most outrageous of lies which, although in effect subversive, were rarely actionable. Here is a typical example, which is so patently and historically untrue that it could carry no weight in a sophisticated community. But it no doubt had the desired effect of fostering racial hatred among an unsophisticated community:—

“Abolition of Slavery (Mwalimu, 1st April, 1947):

The true fact why the British abolished the slave trade is for foreigners’ advantage, so that they may get profits in their present trades. It was found much better to let the African stay in his own land and used to work in such places as cocoa plantations, coffee, tea, sisal and wheat. It was discovered that if he is used in that service he will produce more profit than selling him to far-off countries.”

19. Another weapon in the hands of the agitators was the spreading of the wildest and most malicious of rumours. Although these were barely actionable, they had their planned effect on the ignorant and mainly illiterate masses. Many examples have been quoted in Chapter V. But I must quote one of the most improbable, reported by the District Commissioner, Kiambu, in 1951, which was related to the agitation against terracing and soil conservation:—

“The British Navy objected strongly to the fouling of their ships by mud brought down by the rivers of Kenya, so the British Government had made a grant of a large sum of money to the Governor for soil conservation. He, however, had forced the Kikuyu to work without wages and, having pocketed the money, had bought himself a farm.”

Public Meetings:

20. Freedom of speech and assembly is again one of the more, if not most, intractable problems which arise when dealing with the nascent nationalism of a people who are so easily swayed by the spoken word. As this subject has already been referred to extensively in Chapter V,

(paragraphs 13, 26, etc.), I shall only here quote from some other of the speeches which were more noticeably subversive.

21. At a meeting of the Central Province branch of the K.A.U., held at Thika on 5th August, 1951, attended by about 300 Africans, Jomo Kenyatta said:—

“The land is ours. When Europeans came they kept us back and took our land. We want self-government. There should be no more European immigrants allowed in the country as we have no land to live on. Do not be afraid to spill your blood to get our land. You must rule yourselves in your own lives if you want to rule the country.”

22. I have already, in paragraph 100 of Chapter V, referred to two highly subversive speeches made at Fort Hall on 23rd September, 1951, by Andrew Nganga and Joseph Kanini. The former, after a virulent attack on the chiefs, ended his speech with the following words:—

“If we Africans can agree with each other we can kill the chiefs.”
(Cheers.)

The latter called on all those present to resist inoculation and to stop digging terraces for soil conservation. On the face of it both these speeches would appear to the layman to be highly seditious, but in spite of strong representations by the provincial commissioner there was no prosecution for sedition.

23. On 7th November, 1951, the Provincial Commissioner, Central Province, again drew attention to two inflammatory speeches, one made by Samuel Kagotho (*see* paragraph 14 above) at Nyeri on 14th October, in which he called upon the Kikuyu to rid themselves of the Europeans who had stolen their land, and the other made by Elizabeth Nyakimotho who attacked the Royal family. The Deputy Public Prosecutor advised that both speeches were actionable. The Attorney-General, however, did not agree to a prosecution in the case of Samuel Kagotho, but agreed to the prosecution of Elizabeth Nyakimotho for sedition, and she was convicted.

24. On 26th July, 1952, Morris Koigi Mwai, a member of the K.A.U., and a notorious *Mau Mau* agitator, was tried at Nyeri on a charge of sedition. At a divisional *baraza* in the South Tetu area of Nyeri on 22nd May he had stated that he considered *Mau Mau* was an excellent institution and added that it had been started by Europeans. The witnesses had been assembled and a conviction which the administration had been seeking for months appeared certain. But the witnesses for the prosecution, other than the police, had been subjected to such intense intimidation that they declined to give evidence. In the result, the court decided that there was insufficient evidence to justify “conviction” and the accused was acquitted without being called upon for his defence.

25. Morris Mwai went straight from the court to the mass meeting of K.A.U., which had been called by Jomo Kenyatta for that day at Nyeri, where he flaunted his presence on the dais with Jomo Kenyatta—a sure sign that the Government was powerless to take effective action against *Mau Mau*. This monster meeting, which was the signal for the rapid spread of *Mau Mau*, has been dealt with fully in Chapter V, paragraph 137, and a verbatim record of the speeches is attached as Appendix F to that chapter.

26. At a meeting of K.A.U., held at Thika on 6th July, 1952, Jomo Kenyatta said that he deprecated the retiring Governor’s recent speech in London, in which he had said that everything was all right in Kenya. Things were not as the Governor had stated. There were 5,000,000 inhabitants of Kenya and there was not enough room for them as the Europeans had taken their land. Wages were too low, etc.

The occasion for this remark was a speech, which received much publicity, made by the Governor shortly after he reached London on his retirement, in which he had stressed native "loyalty and goodwill":—

"You will even see it reported that East Africa is seething with African unrest—of all the inexplicable nonsense. It is not with unrest that East Africa is seething, but at long last with energy and growing enlightenment."

After saying that he did not know what *Mau Mau* was, Jomo Kenyatta ended his speech in Kikuyu with the words which figured in his trial—"let the people take a little snuff". Kikuyu listeners one and all interpreted this to mean that people could go on taking the *Mau Mau* oath.

27. The local branch committees of K.A.U. sought to evade the general tightening up of the control of public meetings which took place in 1952 by holding such meetings in schools and private houses under the cloak of tea parties and sports meetings. In February, 1952, four such members were prosecuted for holding an unauthorized meeting at Nyagu School in Kiambu. They were acquitted on the grounds that although the meeting was definitely a public one, and might have led to a breach of the peace, it was not held in a place of regular "public resort".

The District Commissioner, Kiambu, pointed out, with some feeling, that if there was no reversal of this judgment the situation would become impossible. The Attorney-General stated a case to the Supreme Court. The latter, in June, upheld the acquittal, but on different grounds. It held that the accused could only have been convicted if they had issued the general invitations to the meeting if at *that* time the school was already a place of public resort. It is not easy for the layman to follow the intricacies of this legal reasoning, but the courts of law have, of course, to interpret the law as they see it. I have mentioned this particular case as illustrative of the difficulties with which the administration and the police had to contend in their efforts to maintain law and order.

Shortly after the declaration of the Emergency the Native Authority Ordinance was amended, giving chiefs the power to prohibit, regulate or control the holding of any meeting of more than ten persons.

28. I am not asked to make recommendations nor would I, without some expert legal advice, be able to do so, but the plain fact as disclosed in this chapter is that the Government, through its agents—the administration and the police—was virtually powerless, except in the most flagrant of cases, to exercise its primary function of maintaining law and order. It must surely be within the wit of man to frame the laws in such a way that a Government is enabled to preserve the well-being of the state and the inherent rights of the individual without offending against the principle of true justice.



CHAPTER IX

Spread of Mau Mau to other Tribes⁽¹⁾

KAMBA

The Kamba who, next to the Kikuyu, are the largest Bantu tribe in Kenya, number some 600,000 persons occupying the administrative districts of Machakos and Kitui. Whilst separated from the three Kikuyu districts by a block of European farms, a portion of the Kamba Native Land Unit is contiguous to both the Embu and Meru districts.

Although at enmity with the Kikuyu in the early days (Chapter II, 13), the Kamba have language affinities to that tribe and a degree of inter-marriage occurs in the border locations in which Kikuyu have found employment as agricultural labour.

The traditional objective of the average Kamba youth, in particular of the Machakos division of the tribe has, since the early days of British rule, been enlistment in the police or military, with the result that large numbers of ex-policement and ex-soldiers with their record of loyalty constitute a stabilizing influence in the tribe as a whole and render the older members at any rate of a very conservative race immune to alien influences. This tradition of loyalty was a factor of the greatest importance. The defences of the reserve stood firm throughout the Emergency, despite the fact that many thousands of "expatriate" Kamba were indoctrinated with *Mau Mau*.

2. The Kamba, too, have several very real grievances which have been exacerbated by the stirrings of nationalism. Chief among these is a land hunger much more real than that prevailing among the Kikuyu, for large portions of their reserve were, and some still are, arid, overstocked and eroded, presenting a drab contrast to the adjacent settled areas, which have not been overstocked, and emphasizing the disparity in wealth between the indigenous and immigrant races.

Though intensive efforts have been made, and not without outstanding success, to recondition their eroded acres and to reduce their wasteful herds of undersized, uneconomic scrub cattle, these did not always prove acceptable to the Kamba, who are ultra-sensitive where their stock is concerned, and certain destocking measures in the years immediately preceding the Second World War were strenuously resisted by the Machakos section. These not only adversely affected the stability of the tribe, but served as an excuse for agitation by the K.C.A. and the group of Kamba politicians known as the Ukamba Members' Association, which was in essence merely an offshoot of the former body, together with which it was proscribed shortly after the outbreak of war (Chapter IV, 15). The outbreak of hostilities, however, brought domestic peace to the Kamba country and, true to their tradition, thousands of young men flocked to enlist, many

Note 1.—A comprehensive chapter covering all aspects of *Mau Mau* activity among other tribes in Kenya and in Tanganyika and Uganda was included in the original version of this historical survey submitted to the Governor. As much of this covered the Emergency period, and is therefore outside the immediate scope of this part of the historical survey, I shall here confine my comments to the pre-Emergency period with a very short review of events during the Emergency.

gaining high non-commissioned rank and distinction. Nor on their ultimate discharge did their reabsorption into civil life give rise to any noticeable discontent. On their return further efforts were made to better their existence and improve the farming potential of their country, but early results were not outstanding. The poverty of their land and its fickle climate compelled many young Kamba to seek employment in the towns and elsewhere once the artificial prosperity induced by war conditions abated, exposing them to infection by the Kikuyu virus which, under Kenyatta and his henchmen, was beginning to permeate the Central Province and in particular Nairobi.

3. Though from 1946 onwards Kenyatta's principal preoccupation was the consolidation of his grasp upon the Kikuyu, his efforts were closely watched by a small number of Kamba agitators, often former partisans of the Ukamba Members' Association; and certain of these, notably Paul Ngei, formed close associations with him. But they were merely a subsidiary weapon in his armament for he did not turn his attention to the Kamba reserve, nor to any great extent to the Kamba city dwellers, till 1951.

The first indication of an organized movement to introduce the gospel of Kenyatta among the Kamba was a comparatively small society started by one Otto Munguti, parallel with the evolving *Mau Mau*, known as the Kilungu Youth Association. This was a satellite of, and affiliated to, the Kenya African Union and had definite connexions with *Mau Mau*. The leading organizers were associates of Kenyatta and were detained on the declaration of the Emergency, Otto Munguti later changing sides and giving evidence against his leader at the Kapenguria trial.

It was not remarkable that the first signs of an indigenous Kamba attempt to ape K.A.U. and *Mau Mau* should have come to light in the Kilungu location which, though situated in the southern portion of the Machakos district, and remote from external influence, had even in pre-European days been noted for its intransigence and regarded with suspicion and dislike by the rest of the tribe who looked upon the Kilungu as a race apart. Dissension between the adherents of the missionary societies operating in the location had further embittered the atmosphere in this area which had always been difficult of administration.

4. In 1951, when Kenyatta decided to intensify his efforts to draw the Kamba into his orbit, the leading Kamba agitators were Paul Ngei, later to be arrested as a member of the central committee of *Mau Mau*, and one Peter Clavers Mulwa. Early in that year these persons invited a number of politically minded Kamba to Kiburi House where they took the *Mau Mau* oath and returned to indoctrinate the reserve. Selected members of the Kamba community in Nairobi were also favoured with a similar invitation.

This preliminary campaign proved abortive in the reserve but did establish a number of isolated cells which remained dormant till May, 1952, when further Kamba oath administrators were despatched to endeavour to create unrest. Until early in 1953 there was no overt indication of the results of this campaign, but subsequent developments indicated that the majority of the Ukamba Members' Association and the Kilungu Youth Association must have taken the oath. To supplement these insidious and clandestine attempts to subvert the Akamba masses, Kikuyu and Kamba politicians made a strong effort to promote disloyalty through a series of meetings in the Machakos reserve, organized by Paul Ngei under the sponsorship of the Kenya African Union.

These meetings, held at intervals between November, 1951, and July, 1952, endeavoured to foment Kamba opposition to Government by the usual misrepresentation of the Beecher Report on education and, though evoking enthusiasm among the semi-educated and the professional politicians, left the Kamba as a whole unmoved. Additional sources of possible subversion

at this time were, of course, the inevitable association of the two tribes in Nairobi and elsewhere, a number of young Kamba who had been pupils at Githunguri and also small Kamba groups in Kikuyu areas. Thug gangs operating from Nairobi had, however, shown their presence as in three raids in Machakos district £850 had been stolen from local authority safes (Chapter V, 145).

5. However, there were certain very cogent factors operating against the easy contamination of the Kamba tribe, the first and most important lying in the tribal mentality. Intensely conservative, the Kamba have always preferred open expression of their grievances to secrecy, lacking the Kikuyu aptitude for intrigue, and their innate caution deters them from accepting any new idea until, as they themselves say, it has been considered five times, a trait which has proved double-edged. Secondly, the tribal outlook, as has already been said, is stabilized by the traditional loyalty of the large ex-service element. Thirdly, *Mau Mau*, though exploiting genuine Kamba grievances, was both in origin and practice essentially Kikuyu, relying on a form of oath for which the Kamba had no respect whatsoever, revering as he does his own *kithitu* which is still capable of striking terror into the hearts of pagan and non-pagan sophisticates. This does not mean that there was not a nucleus of hardened evil-doers who feared neither the *kithitu* nor any other form of oath, and also a number of weaker vessels likely to be influenced by Kikuyu oaths enforced through brutal sanctions. But the average Kamba despised the *Mau Mau* oath, arguing that contravention of its terms brought retribution through human agency whereas the *kithitu* invoked supernatural consequences.

As a result, the *kithitu* was a potent weapon in the ensuing struggle with *Mau Mau*. Fourthly, from the end of the war onwards, Machakos district, as a result of its urgent need for reconditioning, had been more closely administered than any other district in Kenya. This effort on the part of Government had gradually worn down the inborn suspicion of the tribe which, in consequence of agricultural betterment, was, at the beginning of the Emergency, at last beginning to trust Government, behind whose actions it had hitherto feared ulterior motives.

6. Kitui, on the other hand, was not so fortunately situated from this aspect. As the junior partner, and not in need of such urgent attention, it was frequently understaffed, but this shortcoming was adequately counter-balanced by the degree of control exercised by the tribal elders. In this remote and more primitive district the majority of youthful contacts with the outside world had evolved through service with the forces of the Crown and the more sophisticated section of the tribe was, therefore, well disciplined. It was noticeable that most of the small number of known agitators lacked a service background.

As a result, the *Mau Mau* impact on Kitui was negligible, though a number of Kitui Kamba were inveigled into the net in Nairobi, and may be almost totally disregarded in outlining the general picture.

7. On the declaration of the Emergency in October, 1952, the local administration in Machakos were satisfied that the position throughout the district was basically secure but very wisely adopted the attitude expressed in the phrase: "It could happen here." Kilungu was then regarded as the danger point but there were only nine active agitators in this fairly thickly populated area. Twenty-seven suspects were arrested or were already in prison throughout the district, but the majority were released within a short period under various conditions securing their future good behaviour. Among the suspects were Paul Ngei, John Muiya and Joseph Muasa, an irreconcilable who had also suffered detention in 1940 for participation in subversion.

At this juncture there was little wholesale sympathy with Kikuyu pretensions, although their promises of extra land naturally appealed to a land-hungry tribe. Nevertheless, the Kamba reaction was closely watched, and in November the Machakos authorities were able to report that, whatever might be happening elsewhere, most areas of the district remained totally loyal. To discourage infection, an order was then promulgated barring the entry of all Kikuyu to the Kamba districts.

8. But the *Mau Mau* hierarchy in Nairobi were actively engaged in perverting the immigrant Kamba in their determination to spread their doctrine to the Kamba reserve when the opportunity offered. By March, 1953, the clear ascendancy of *Mau Mau* in the Central Province had engendered a feeling of restlessness and the belief that the Kikuyu would be successful in their struggle.

This led to a general intensification of security precautions in the reserve which was not untimely as it coincided with an influx of Kamba men from Nairobi, and particularly of youths from Kilungu where an oathing ceremony had come to light, resulting in heavy sentences for the organizers.

9. As 1953 advanced, the stranglehold of *Mau Mau*, both in the Central Province and in Nairobi, became even more pronounced and most expatriate Kamba were convinced that the Kikuyu would win self-government through rebellion, whereas Kamba loyalty would remain unrewarded. The situation was further aggravated by the efflux of some 60 per cent of the adult males from the reserve in search of work, due to the failure of the harvest, and it was of paramount importance that they should be readmitted only when free of contagion. It was accordingly decided in September that a screening team of Kamba loyalists should commence work in Nairobi.

10. From the end of September onwards pressure on the Kamba intensified. The Kikuyu made every endeavour to involve them to the greatest possible extent and, had they succeeded, it would have been a resounding triumph, for at that time 40 per cent of the security forces were drawn from the Kamba. The screening team in Nairobi had already ascertained that thousands of Kamba had taken the oath in Nairobi and had compiled lists of the names of many hundreds of suspects, many of whom were employed by the Railways Administration and lived in the Railway estates. The details of the Kamba organization in Nairobi were still unknown but, before being sentenced to death for consorting with gunmen, Munyao Mwei, the secretary-treasurer of all Kamba *Mau Mau* committees in Nairobi, admitted that until June he had taken Kamba subscriptions to Kiburi House, where he received receipts in the name of the Kenya African Union.

11. Despite the arrest of several oathing teams which had been sent into the reserve from Nairobi, and the successful unearthing of Kamba *Mau Mau* activity in Nairobi by the Screening Team, the situation at the end of the year was still potentially critical as *Mau Mau* had by then complete control of the native locations in Nairobi and was still in the ascendant in the Kikuyu reserve. It was then decided to institute a proper screening centre for Nairobi Kamba, and in February, 1954, the Kamba screening centre was set up at Embakasi, on the outskirts of Nairobi, under a District Officer who was provided with a striking force. By March, 1954, it had made its weight felt, for almost immediately it identified the main Kamba fighting group in Nairobi, in strength about 17, of whom 10 were railway employees either present or past. Within the space of a few days, nine members of this gang had been arrested in the railway locations and the leader, Ndutu Kilungu, temporarily disappeared. At the same time

as these arrests, the main Kamba committee for Nairobi, all railway workers, was uncovered and the arrest of these, and of Kalendu Mukuna, the head treasurer for both Nairobi and the reserve, disrupted the complete Kamba network for a time.

12. It was now possible to fill in further details in the Nairobi picture, for it could be shown that there had been isolated cases of Kamba oathing, mostly in the Railway estates, from 1950 to the beginning of 1953, when the Kikuyu commenced their campaign to oath the whole Kamba population of Nairobi with a view to building up a series of committees and then spreading the movement to Machakos and Kitui. By August, 1953, the time was considered ripe for the Kamba to conduct their own organization, free from Kikuyu control at all levels except the highest where they were given one representative among the six comprising the Central Committee. At a series of meetings, committees were constituted and staunch adherents of *Mau Mau* formed into oathing gangs.

13. Early in 1954, the Government took the long delayed decision to rid Nairobi of the stranglehold of *Mau Mau*, and in April a major operation, known as "Operation Anvil", was mounted to remove some 26,000 Kikuyu, Embu and Meru tribesmen from Nairobi. (2) The effects of this were twofold as regards the Kamba for, though many undesirables found it politic to leave the city, thousands of Kamba from the reserve flowed in to fill the vacuum left by the Kikuyu, Embu and Meru who were removed. At the end of May and the beginning of June there were desertions from the Railway of known *Mau Mau*, suggesting that the increased pressure was becoming too heavy for them, and five bad characters arrested within three weeks of their arrival in the Kaumoni location of Machakos confessed to no less than nine murders and eight thefts of arms perpetrated with Kikuyu in Nairobi. Increasing numbers of Kamba were beginning to return home for the harvest, and though the danger to the reserve had intensified, the situation in Nairobi, due to the unremitting vigilance of the Kamba screening centre, gradually improved.

14. With the decline of the purely Kamba organizations in Nairobi those Kamba who were still active adherents of *Mau Mau* were forced once more to ally themselves to the surviving Kikuyu formations, a reversion to the position they had occupied a year previously before organization on a tribal basis had been attempted. This process was further hastened by a systematic, if belated, attack on the *Mau Mau* concentrations in the railway estates which had been reduced by desertion or resignation to some 253 individuals of whom 91 were sufficiently important to be removed on detention orders. This action dislocated the courier system whereby the numerous Kamba employed on trains were utilized to deliver messages over the entire railway system. (3).

15. In spite of the ever increasing flow of youths from Nairobi and elsewhere the defences of the reserve stood firm. Most of these young men reported to their tribal authorities on arrival and those failing to do so were swiftly gathered in. Morale was high, for during July and August the crisis appeared to have passed, and the Chiefs were hopeful that victory

Note 2.—Comment on this will belong more rightly to the review of the Emergency period if and when it is written, but the fear of economic disruption expressed in particular by the Railways Administration and the Posts and Telecommunications Administration, was one of the reasons which lead to the long postponement of "Operation Anvil" and undoubtedly prolonged the Emergency.

Note 3.—It has often been asked why *Mau Mau* with the endless opportunities afforded to it did not make more determined efforts to sabotage communications post and rail. This is one of the answers. Until mid-1954 *Mau Mau* was so much in the ascendancy that to most of its followers victory appeared a certainty and these communications which to major extent were manned by *Mau Mau* supporters, were a valuable asset to the movement.

lay with them. Kamba interest in *Mau Mau* was on the wane, especially in Nairobi where the profit motive had almost vanished, for in July money collections had dwindled to virtually nothing though there were an estimated 25,000 Kamba in the city, where they were now the preponderant tribe.

16. The alleviation of the Kamba situation, of which the formation of a Kamba Union inaugurated by loyal Kamba leaders with official approval was symptomatic, warranted an extension of the activities of the Screening Centre to other tribes in September when it became the *Mau Mau* Investigation Centre. The screening of Kamba then constituted merely a single aspect of the Centre's main activities. By that time cards for over 8,000 Kamba had been recorded.

Immediately before its absorption into the larger organization the Screening Centre had achieved a signal success for on 24th August, with the assistance of the Kamba representative who for some time had been working for Government, it arrested the Kenya Parliament in session in a lawyer's office in Nairobi. This body was the strongest *Mau Mau* committee yet to have existed. A by-product of this achievement was a volume of information on the organized theft of drugs by Kamba.

17. Sporadic gang activity continued for some time but progress was so marked both in Nairobi and Machakos that it was now possible to go further afield in the task of purging the Kamba and a branch of the *Mau Mau* Investigation Centre was opened in Mombasa during October; at the same time efforts were made to plug the remaining gap in the Machakos defences, namely the railway running beside a large sector of the eastern boundary. *Mau Mau* cells were uncovered at Athi River in the labour force employed by the Kenya Meat Commission, and a strong passive wing, mostly, however, Kikuyu, in the various railway stations. With the removal of these, the last major menace to the reserve was neutralized and by the end of 1954 it was apparent that there was now no likelihood of a wholesale decline into *Mau Mau*.

18. And so ended by far the most serious threat to security outside the Central Province. This was due primarily to the inherent conservatism and loyalty of the Kamba in their reserve, a loyalty which had been strengthened by a real appreciation of the benefits of soil conservation brought to their reserve by the devoted energies of the administration and departmental officers. This must surely give the lie to the suggestion sometimes put forward that there was some justification for the disastrous course pursued by Jomo Kenyatta and his associates.

M A S A I

19. The nomadic cattle-owning Masai who number about 65,000 occupy an area of some 12,000 square miles on the boundaries of Tanganyika. In the vicinity of the Provincial Headquarters at Ngong, near Nairobi, the boundary of their reserve is contiguous to a portion of the Kikuyu district of Kiambu. Thereafter its generally northern and western boundary runs adjacent to the settled areas of Naivasha and Nakuru in the Rift Valley Province and the boundaries of Nyanza Province. Most of the area adjoining these two Provinces lies at a considerable altitude at the top of the Mau escarpment, is thickly forested and generally unsuitable for a pastoral tribe, but capable of agricultural development, a fact which was exploited by immigrant Kikuyu who for years had availed themselves of its potentialities. The main Masai grazing areas lie to the south and between them and the highlands is a vast, mainly uninhabited, area of the great Rift Valley traversed by an occasional dry weather track. It was in this difficult country that most of the gang activity took place.

There were well established Kikuyu settlements, not only on the Mau but also in the vicinity of Narok and Ngong. These, together with a network of Kikuyu traders, who had penetrated most of the scattered trading centres throughout a sparsely populated area, constituted a fertile field for the germination of subversion in the years immediately preceding the Emergency when administrative control was of the slightest, and was concentrated on the Masai rather than on the immigrant groups.

20. The Masai tribe, whilst contemptuous of the Kikuyu, nevertheless had strong Kikuyu affiliations for, from the early days of the century when the tribe was threatened with extinction from various causes, not the least being the infertility of its womenfolk, inter-marriage between Masai males and Kikuyu women had developed on a large scale. Though the descendants of these unions and the progeny of subsequent infusions of alien blood were considered by the tribe to be full Masai and treated as such, this practice inevitably entailed a dilution of the pure Masai stock. Numerous Masai, though indistinguishable from the pure strain, had in fact a very small percentage of true Masai blood in their veins, varying from half-bred to almost pure-bred Kikuyu in origin.

This dilution was a particular feature of the area of Narok district on, and contiguous to, the Mau where "half-breeds" were most numerous. Further south, in the Purko area, their numbers declined but they still embraced a considerable proportion of the apparently pure Masai, and finally in the Loita area, adjoining the Tanganyika border, the half-bred element was virtually negligible.

It is therefore apparent that the Mau area where alien elements, either of full or mixed Kikuyu ancestry predominated, was a potential threat to the security of the Masai, should such inflammable material be ignited by a spark of discontent from Kikuyu agitation in other quarters.

21. Reports of surreptitious oathing were received in June, 1949, when ceremonies were held at Nairage Ngare, throughout the Emergency a focus for gangsters and their supporters, and in the following year spread to neighbouring Kikuyu settlements where the regularity of the oathing, of which the authorities had more than an inkling, indicated that most, if not all, of the Kikuyu residents must perforce have embraced *Mau Mau*. In December, 1950, an influx of Kikuyu was noticeable, particularly in the vicinity of Nairage Ngare, doubtless for the propagation of the new doctrine.

Their efforts were not confined solely to the Kikuyu, for in October, 1951, there were frequent reports of secret conclaves in the forest, well attended by half-breeds who were steadily being indoctrinated. By February, 1952, *Mau Mau* was firmly established in all the cultivated areas on the Mau. Kikuyu strangers continued to infiltrate the Narok district on various pretexts, endeavouring to penetrate the Kikuyu pockets around Narok township and into the western regions of the district, with the result that by the middle of 1952 not only the Kikuyu but an appreciable number of Masai were, if not active adherents of *Mau Mau*, definitely interested in it. Though the focus of infection lay in the high country north of Narok, the taint also extended south into the Loita Hills.

22. But the general lack of communications and the paucity of staff prevented any effective action being taken and it was only on the very day a State of Emergency was declared that the District Commissioner and the police, acting on information, surrounded and arrested 33 pure and half-Kikuyu near Narok during an active *Mau Mau* oathing ceremony. But their convictions were later quashed by the Supreme Court on the somewhat surprising grounds that it believed the evidence of the defence that the occasion was an ordinary beer-drinking party.

23. During the remainder of 1952 and the first quarter of 1953 the Masai area remained placid on the surface, but throughout this period wanted persons from the Central and Rift Valley Provinces slipped in unobtrusively to the haven afforded by the forests of the Mau. By April these were ready to cause trouble for they launched an attack on a police post at Kiptunga. But, in addition to outside influences, there was also an internal threat. A number of pit-sawyers had been allowed to operate in the Mau forests upon payment of timber royalties, a reasonable imposition to which they illogically but consistently objected. During the first half of 1953 it was decided that this concession should cease and the pit-sawyers were in consequence thrown out of business. The principal in this enterprise was one Maitei ole Motian, until his conviction for theft a clerk at Narok and later an associate of Kenyatta, who proceeded to exploit this opportune grievance by instigating his partners, Ole Kisio and Ole Ngapien, to organize gangs of malcontent half-breeds. Their initial purpose was to enlist Masai sympathy for certain specific claims, including the former Masai lands in Laikipia, an area recently distributed for European farming at Mau Narok and forestry rights in the Masai forests. These persons had no difficulty in forming parties of disgruntled half-breeds, together with a leavening of pure Kikuyu, whilst Ole Motian applied himself to the organization of an ancillary passive wing and of further oathing.

Before these local gangs made their presence felt, visiting terrorists had commenced to infiltrate on a larger scale, for in May a gang of 30, two-thirds of whom carried precision weapons, was contacted on the Mau and driven into the Rift Valley with a loss of over one-third of its members. Thereafter a period of comparative quiet ensued, but in July three gangs were contacted and casualties inflicted on them. By this time all the Kikuyu settlements on the Mau were heavily infected, and oathing was still prevalent but was confined almost entirely to half-breeds and full-blooded Kikuyu. Of 58 persons sentenced at Narok in August for membership of an illegal society, only one was a pure Masai.

24. October, 1953, witnessed a great increase in activity by Ole Kisio's gangs, with which the pitiably weak Security Forces available were quite unable to cope, and the gangsters, having secured the initiative, next turned their attention to the enforcement of the oath on the pure Masai. This was perhaps not quite so serious as might at first appear, for the aim of the Masai tribesman was to avoid interference both from Government and *Mau Mau*, into whose purely private struggle he had no wish to intrude. His sole desire was to be left in peace with his cattle, and if the taking of an oath, which did not involve him in more than harbouring gangsters from time to time, would leave him unmolested he was willing to comply. Any molestation of himself or his herds would, however, arouse his active antipathy, a fact of which the gangsters at first took cognizance and were content to exact nominal allegiance only. Although there is no evidence that the Masai gave any active assistance to the terrorists, this attitude persisted until the second half of 1954. This is understandable as the Masai had learnt from bitter experience that shields and spears were no match for firearms.

25. By early 1954 most of the pure Kikuyu in this area had been rounded up and concentrated near Narok, but the heavy commitments of the Security Forces in the main centres of action had prevented sufficient concentration of force in this remote area to deal with the increasing activity of both the half-breed Masai gangs and the purely Kikuyu gangs which had infiltrated from the Aberdare Mountains. In June, 1954, it was estimated that there were some 350 resident gangsters in the area.

It was therefore of paramount importance to resuscitate Masai confidence, which had been badly shaken by the apparent inability to restrict gangster activity, and to rally the tribe as a whole to enlist itself unreservedly in the eradication of the gangs. Accordingly, closer administration of the district was accelerated, and further Security Forces were deployed. It was not long before the effects were felt, for on the last day of August Ole Kisio was killed and 19 days later Ole Ngapien was captured. These signal successes, which proved a tonic to Masai morale, spread dependency among the terrorists who by this time numbered between 105 and 120, divided into five gangs, still operating mainly in the Mau area and controlled by Serape ole Ngari, on whom the mantle of Ole Kisio had fallen.

26. Owing to commitments elsewhere the last operational army unit was withdrawn in October and the defence of the Narok district was once again thrown back on its own resources, the Kenya Police, the temperamentally inadequate Tribal Police, the Home Guard and the Masai warrior groups, and a mobile commando formation which had been improvised from local units in August 1954 ended in a fitful calm.

27. In February, 1955, the Narok gangs suddenly adopted more aggressive tactics. Though the situation once more warranted extreme concern, it was mitigated by a fresh outburst of vitality among the Purko, who on two occasions rallied and swept the countryside in their resentment at attacks on the persons and property of members of their section. The regular Security Forces were reinforced and, to meet the imminent threat to the area on both sides of the Narok-Tanganyika border, an overall commander was appointed to control this particular locality which was directly imperilled from Namanga in the Kajiado district, then becoming a base for recuperation and a source of supply. The pattern of raid and counter-action continued throughout the year, with the Security Forces, now being assisted more actively by the Masai, gradually gaining the upper hand.

28. Early in 1956 intensive operations between Ngong and Kiambu dispersed the gangs which had been infesting this thinly populated area, and on 1st May a large combined operation, designated "Royal Flush", eliminated the majority of the remaining border gangsters, including their "general", finally freeing the Ngong area from active terrorism; and by June the last remaining gangsters were concentrated in the Narok forests. They had suffered a severe blow in the loss of their leader, Ole Ngari, who, on venturing over the Naivasha boundary, had been killed by a police detachment, but had also been encouraged by the arrival of a new gang from Kiambu. This, as usual, settled in at Nairage Ngare. Pressure from local forces then caused the majority of the surviving gangsters to move.

29. By July, 1956, it was estimated that only some 35 active terrorists still retained their freedom, making desperate endeavours to avoid notice, for they were short of both food and ammunition. Ole Ngari had been succeeded by a leader assuming the pseudonym of "Mekanika", who had then two small gangs under his command, grandiloquently styling themselves the 271st and 272nd K.A.R. Their movements were obscure until August, when one gang of 15, split into two groups, was discovered in hiding on the Tanganyika border. These groups were attacked in turn by the Tanganyika and the Kenya Police and, of the survivors, a party of five succeeded in reaching Ndeiya in Kiambu where they surrendered themselves.

The hunt was now up for the remainder of the 271st and 272nd K.A.R., and September proved the most rewarding month since the outbreak of the Emergency, 11 terrorists from one gang and six from the other either being captured by, or surrendering to, special teams combing

the country between Tanganyika and Ndeiya. The total combined strength of the two gangs was thereby reduced to nine, who promptly disappeared from view, though in October a gang of six robbed a party of Masai who retaliated, wounding one of the aggressors.

No further contact with Mekanika and his few subordinates was subsequently established. Since October, 1956, neither he nor any other petty gang leader disturbed the even tenor of the uneventful pastoral pursuits of the Masai who, after a reluctant, timorous and incohesive beginning, had ultimately combined nobly with the Security Forces in ridding their territory from the bestial menace of *Mau Mau*.

Mekanika was ultimately captured in June, 1959.

NYANZA PROVINCE

30. The Nyanza Province, with headquarters at Kisumu on Lake Victoria, was, during the period covered by this survey, divided into four administrative districts—North, Central and South Nyanza and the Kericho district. Central Nyanza is populated solely by the Nilotic Luo, North Nyanza by a variety of Bantu tribes, together with a small number of Luo, and South Nyanza by considerable numbers of both Luo and Bantu, all of whom engage in agriculture. The indigenous population of Kericho district, on the other hand, is unconnected by blood or outlook with the inhabitants of the other three, being of pastoral origin, though progressively developing an increasing bent for agriculture. The district also embraces many European farms and tea estates.

Though remote from Kikuyu territory, the Province had been penetrated by groups of Kikuyu, some of whom had established themselves in appreciable numbers as squatters and labourers in the Kericho farming area. A large Kikuyu colony existed in the Kisii highlands and smaller pockets had established themselves in the larger towns or townships and in the forest areas. Though in the aggregate amounting to a few thousands, scattered among the two million inhabitants of the Province, these Kikuyu enclaves constituted a menace as they were generally easy of approach from adjacent provinces or districts.

The principal danger from this source lay in Kericho, parts of which adjoined the Masai district, the dense forests of the Mau and the Nakuru farms; the extreme south-east of South Nyanza also abutted on Masai while the northern section of North Nyanza was easily accessible from the forested and settled areas of the Trans Nzoia and Uasin Gishu into which a small minority of Kikuyu had also insinuated themselves.

31. Although the Nyanza Province, with the exception of the Kericho district, was riddled by numerous religious and quasi-religious sects and political associations neither the Luo nor the Bantu tribes evinced any deep interest in Kikuyu politics until the arrest of Kenyatta and his Luo associate Achieng Oneko in 1952. The Kenya African Union therefore was rightly regarded with suspicion as a Kikuyu dominated body, and its frequent attempts to extend its influence over the Nyanza people met with extremely limited success, enlisting as members only the small coterie of local "politicians" and less respectable professional agitators who as yet carried little weight with the stolid and slow thinking masses. Furthermore, the Kenya African Union under Kenyatta attracted a few adherents among the Nyanza tribesmen working outside the province, even though a very large proportion of the younger men were compelled to emigrate to all parts of the Colony in search of employment.

32. Against this background it is necessary, when tracing the growth of Kikuyu political penetration into the province, to revert to 1940, when

the first signs appeared in the Kericho district, which was even then unlikely to become a fruitful field for subversive action, as the Kipsigis tribe was noted for its loyalty. In that year one Solomon arap Mataget, who during his employment at Nanyuki from 1925 onwards had acquired both the Kikuyu language and outlook, returned to his district and started a school.

Though Arap Mataget had been a member of the African Pentecostal Church which had affiliations with the Kikuyu Independent Schools Association, his school appears to have been connected with the Kikuyu Karinga Education Association and its close affinity, the Kikuyu Central Association. Whatever its true sponsorship, it was known to the Kipsigis as a Karinga school, and throughout the war years was carefully watched as a potential source of subversion.

33. Next, in May, 1947, a meeting was convened in the house of one Stephen Gaitho, a Kikuyu Post Office employee at Kericho and secretary of the local branch of the Kenya African Union. This was attended by Njoroge Kagunda, both the acknowledged leader of the Kikuyu in South Nyanza and a notorious agitator, who was also the organizer of the proscribed Kikuyu Central Association for the Rift Valley and Nyanza Provinces. Arap Mataget and another Kipsigis, Arap Cheklelich, who also had a Kikuyu background, participated. At this gathering it was decided to form a new pseudo-religious cult to be known as the *Dini ap Mbojet*, the aims of which certainly included a return to the old tribal customs, opposition to European influence, and possibly violence to supporters and servants of the Government. It may perhaps have been coincidental that Jomo Kenyatta visited Kericho during the month preceding the inauguration of the new cult.

34. Once the disciples had been organized, the Kikuyu founders discreetly withdrew, leaving the conduct and propagation of the sect to Arap Mataget and Arap Cheklelich, for its ultimate success depended on its simulation of a purely Kipsigis movement. These apostles of the new faith then proceeded to institute a political society, the Kipsigis Central Association, the constitution of which bore a marked resemblance to that of the Kikuyu Central Association. In composition and in objects the quasi-religious *Dini ap Mbojet* and the political Kipsigis Central Association were synonymous, meetings of the former held under guise of religious observance forming a cloak for political discussion—an exact parallel to the subterfuge practised in the Independent Schools in Kikuyu areas.

Though primarily intended for the Kipsigis tribe, the politico-religious association, which will hereafter be referred to as *Dini ap Mbojet*, had definite connexions with the Kikuyu on the Sotik farms who formed a bridge between the Kipsigis reserve and the Kikuyu colony in the Kisii highlands. At meetings it was announced that instructions would emanate from Nairobi, nor was there any room for doubt that the leaders of the society followed the precepts of Kenyatta and Mbiu Koinange, which were communicated to them through Njoroge Kagunda. This alliance with Githunguri and *Mau Mau* was further cemented by the attendance of two of Arap Mataget's sons at the College.

35. Following the accepted pattern *Dini ap Mbojet* employed an initiatory oath, formulated by its Kikuyu founders and in all particulars unmistakably similar to the earlier *Mau Mau* oaths. A Kipsigis, Arap Murusin, was trained by Kikuyu experts as oath administrator and authorized to perform the initiation ceremony, probably on account of previous experience gained while working near Kiambu.

All initiations were conducted at night, a sheep or goat being brought into the hut in which the initiates were waiting. All present grasped its wool while a prayer was recited. Both the sheep and the initiates were then

taken outside where the oath administrator jumped over the prostrate animal, both sideways and lengthwise, before slaughtering it. The heart and stomach, and in some variations milk, blood and posho were added, were placed in a piece of calabash in the centre of the hut to which the initiates were reconducted singly, divested of all European clothing. The roots of a local plant, dipped in blood, were passed seven times round the neophyte's head. He was then required to take a bible and a Kipsigis hymnal in his right hand and hold earth to his navel with his left, while repeating an oath read out by the oath administrator. This enjoined complete secrecy together with an undertaking to use violence against any Government servant who might interrupt the meeting, and also to give instant warning of any proposed Government action against any member. On completion of this part of the ceremony the eyes of the sheep were placed on a table and pierced by the oath administrator as an indication that the initiate's eyes would in like manner burst should he divulge any of the society's secrets.

On occasions the first part of the ritual was omitted and only the piercing of the eyes performed. A further and subsequent variation of the rite included a ceremony of blood-brotherhood.

At the conclusion of the initiation the meat of the sheep was eaten and a fee of Sh. 13 collected. Part of this fee was sent to Githunguri and the remainder retained for local projects. Parenthetically during the short period of its active span the society sent 23 Kipsigis pupils to the Githunguri College and was required to pay entrance fees totalling £150 for the privilege.

36. Notwithstanding the claim of the society to function as a barrier to European encroachment on Kipsigis land, its membership was far from formidable and was confined almost entirely to the malcontents and the gullible of a single location. The authorities were kept apprised of its activities, and in February, 1948, the Governor addressed a meeting of Kipsigis, on the evils of secret and subversive societies, with the result that a flow of information poured in from the tribal elders who were ashamed of such a canker in their midst.

Acting upon this, the District Commissioner summoned the known leaders to appear before him in March, gave them a stern warning of the consequences of subversion, recorded their photographs for subsequent reference, and ordered their dwellings to be searched. Arap Mataget was promptly smuggled out of the district with a box of documents by the local Kikuyu members of the Kenya African Transport and Mechanics Union; but the search of his belongings and those of his confederates revealed a quantity of incriminating material, including correspondence from Jomo Kenyatta in 1947, a number of letters from known Kikuyu agitators in the Kisii highlands and further afield, and a list of members of the *Dini ap Mbojet*, which was subsequently to prove most valuable.

At this point it might be recorded that a large number of the Kikuyu in the Kisii highlands were, during this same year, 1948, convicted on their own admission of membership of the banned Kikuyu Central Association.

The evidence then in their possession, coupled with a powerful demand for proscription by the Kipsigis Local Native Council, enabled the authorities to declare the *Dini ap Mbojet* and the Kipsigis Central Association illegal on 14th May, 1948, after a bare year's existence. This was a crushing rebuff to Kenyatta's hopes of bringing the Kipsigis tribe under the wing of Githunguri, for though the society struggled on under cover, prompt administrative action had frustrated its attempt to propagate an evil influence among a loyal tribe.

37. Few supporters staunch enough to face tribal disapprobation remained, though, at the *baraza* held in the affected location to announce the proscription, a prominent and troublesome adherent publicly refused to renounce his allegiance and was promptly arrested. This man, Arap Kigen, had been educated at Githunguri. Shortly afterwards Arap Mataget was traced, arrested, and bound over to appear for sentence if called upon. Thereafter he desisted from any apparent interest in *Dini ap Mbojet*, remaining quietly at home for some 18 months. He then made an unobtrusive departure but, according to one of his successors, returned in June, 1950, attempted to start an oathing campaign on Kikuyu lines but, frustrated by the interruption of his initial meeting, finally and hurriedly withdrew from the scene.

No concerted attempt was made to reorganize the *Dini ap Mbojet*, though isolated meetings and some oathing persisted until 1952, but on a very small scale, for the society and particularly its Kikuyu pattern of oath, was abhorrent to the Kipsigis. Certain of its adherents indulged in spasmodic agitation and intrigue. For instance, in June, 1950, a group of former members requested that the Local Native Council should assume responsibility for a mission school at Boito. As this was an unsatisfactory institution, the suggestion was carefully investigated, but it transpired that the instigators intended that this gambit should be merely the opening move towards the ultimate acquisition of the school by the Kikuyu Independent Schools Association, already partially under the influence of Kenyatta.

At a *baraza* held in July it was ascertained that children from the Boito School were proceeding to Githunguri for further education, and that meetings under the aegis of the outlawed Kikuyu Central Association had been held in the area. Consternation ensued when the list of members of *Dini ap Mbojet*, captured in March, 1948, was read aloud, evoking embarrassed denials and subsequently eliciting a spate of information from many of those named in the list, in their eagerness to exculpate themselves and inculcate their friends. Arap Kigen was thought to have inspired this nugatory attempt at revival.

38. During this month another malcontent, Arap Boror, was sentenced for illegally collecting funds to open a branch of the Kenya African Union at Buzet. In his possession were a number of receipt books endorsed "Kiambu Branch, Kenya African Union", a further link with Githunguri. Thereafter, all *Dini ap Mbojet* activity ceased until, in August, 1951, Arap Birir, another *Dini ap Mbojet* stalwart, was reported as being chairman of a branch of the Kenya African Union at Koiwa. This branch included several other members of the society and had been started to resist Government's plans for a settlement at Kimulot. The close ties between *Dini ap Mbojet*, its lay aspect the Kipsigis Central Association, the Kenya African Union and *Mau Mau* were more than ever apparent, for all were centred on Kenyatta who had inspected the area in July, 1950, and was in receipt of regular visits from Arap Birir.

Elsewhere, there was little *Dini ap Mbojet* activity, though a meeting was reported from Sotik in September, 1951, when it was rumoured that members then called themselves "the Communists".

Following a further visit by Kenyatta to Arap Birir in connexion with a Kenya African Union petition regarding Kimulot, the latter's house was searched in May, 1952, with negative results excepting proof that he had been a very early member of the Kenya African Union and was an enthusiastic devotee of *Dini ap Mbojet*.

39. The remainder of the province had experienced its own domestic troubles and upheavals, including some indiscipline among the Kikuyu in the Kisii highlands, and attempts at spreading Kenya African Union

influence elsewhere, but little interest in Kikuyu politics had been aroused. As late as August, 1952, no single concrete instance of palpable *Mau Mau* activity had been established, although it later transpired that a few Luo had taken the oath in Kisumu earlier that year.

It was suspected that the Maragoli of North Nyanza had for some time been receptive to *Mau Mau*, though actual implication was unproved, as politically minded members of this tribe had been heard commending subversive developments in the Kikuyu reserve. Though *Mau Mau* had increasingly constituted a subject for discussion among the population of Nyanza, the Kenya African Union was unpopular and when its meetings were banned in August, 1952, the general reaction was insignificant except among a section of the Maragoli. A careful watch was therefore maintained over this tribe and all Kikuyu visitors.

40. The Nyanza Province had been peculiarly fortunate in the inauguration of an efficient, if numerically inadequate, Special Branch developed under normal conditions and not, as in other provinces, hastily improvised to combat a crisis. It was functioning smoothly in the latter half of 1952 and, acting on the assumption that *Mau Mau* was latent but inactive in the province, was competent to separate the wheat from the chaff of the wild discussion and rumours then becoming increasingly prevalent.

One reason for its early institution had been the presence of a subversive cult in the North Nyanza, the *Dini ya Msambwa* which, spreading to the Suk tribe in the Rift Valley Province in 1950 at Kalloa, had provoked the murder of Europeans. This politico-religious sect required constant and intensive surveillance since it offered a conspicuous target for Kikuyu exploitation. Immediate danger of this was, however, mitigated by the fact that all the known leaders were in gaol, and *Mau Mau* accordingly lacked a coherent organization which it could approach through emissaries from the Trans Nzoia and Uasin Gishu.

41. During September it was noticed that Kikuyu visits to the province had increased in frequency, mainly converging on the local Kikuyu pockets or colonies. *Mau Mau* meetings on the Kericho farms were rumoured, but the large Kikuyu settlement in South Nyanza remained unusually peaceful. And so the situation persisted throughout October, further rumours of *Mau Mau* stirrings in the settled areas of Kericho, Songhor, Lumbwa and the forest reserves, accompanied by visits from *Mau Mau* suspects, making it virtually positive that the seeds of the movement were being sown among the Kikuyu in these areas.

Both from the Luo and the Kipsigis areas came whispers, disseminated by workers returning home from Nairobi and elsewhere, of a general rising, instigated by the Kikuyu which would occur in October or November and result in European land and property becoming available to the African. Further, there were indications that the politically minded section of the Maragoli were displaying eagerness to support the Kenya African Union. But reaction to the declaration of an Emergency and the concomitant arrest of the leaders of *Mau Mau* was almost imperceptible.

42. A new phase opened when Messrs. Odede and Awori, the members of the Legislative Council nominated to represent the Nyanza Province assumed control of the Kenya African Union after the arrest of Jomo Kenyatta, Achieng Oneko and their *Mau Mau* associates on 20th October, 1952. (Chapter IV, 54.) Though this excited the interest of the younger generation, the tribal authorities and elders viewed these appointments with disfavour and alarm, knowing well the identity of K.A.U. and *Mau Mau*, and they called upon Odede and Awori to justify their conduct in taking

office without prior consultation with their constituents. They, however, found it convenient to avoid attending the conference convened to consider their representations, with the result that it passed a resolution requiring them to resign from the Kenya African Union.

43. Until the end of 1952 the situation in Nyanza remained static through land-hungry tribes, such as the congested Maragoli, displayed an increased interest in *Mau Mau*. Elsewhere the many Kikuyu colonies, fearful of eviction from their holdings in Nyanza remained inactive but kept a watchful and expectant eye on the drama being unfolded in the Central Province.

44. The year 1953 opened with an intensive campaign by Odede accompanied, perhaps unwillingly, by Awori to subvert the loyalists, including Government servants, and popularize the Kenya African Union. During the course of his peregrinations the former founded a secret society in South Nyanza, known as *Meru Meru*, with aims and objects identical with those of *Mau Mau*, but its existence proved brief. His purpose was clarified by a nocturnal visit to the loyal Senior Chief Musa, in the course of which he warned him to remember the fate of loyalists in the Central Province. Then, at a meeting of the Kavirondo Taxpayers Welfare Association (Chapter IV, 15) held in Gem location, Central Nyanza, at least five subversive speeches were delivered, certain orators suggesting that it was in fact a *Mau Mau* meeting and welcoming the advent of *Mau Mau* to Nyanza. It was decided to rename the association *Piny Owacho* (World Opinion) but, as Special Branch was aware of its tendencies, its term was short-lived and the subversive orators were arrested.

As I have commented in Chapter IV, paragraph 54, the infection of K.A.U. by *Mau Mau* had gone too deep, and Odede's underground machinations terminated in his arrest on 9th March, 1953. It was known that he had taken the *Mau Mau* oath. K.A.U. itself was proscribed on 8th June (Chapter IV, 54). W. W. W. Awori, who had prudently effaced himself, emerged from his obscurity in May, 1954, unequivocally and publicly expressing strong anti-*Mau Mau* sentiments.

45. The failure of the Government to contain *Mau Mau* in the Central Province and the settled areas had its expected repercussions in Nyanza Province, and oathing ceremonies with open support for *Mau Mau* were reported from all the Kikuyu colonies, the most numerous of which were in the farm areas of Kericho, and many Kikuyu were arrested. But a tentative suggestion by the Nyanza authorities that all Kikuyu suspected of *Mau Mau* activities be repatriated was not at first viewed with any enthusiasms by the Administration of the Central Province, which had its hands more than full.

46. For some time the presence of a *Mau Mau* committee among the Maragoli had been suspected, and in September this was identified and disrupted, the chairman not only possessing ammunition but confessing to a number of oathing ceremonies held in his house. This was the third disclosure of a committee in each of three of the four districts in the Province; all of these proved to have been organized under instructions from the central committee in Nairobi, again emphasizing the constant propagation of infection from the various Kikuyu colonies. As a number of Luo and Maragoli undesirables had been oathed, an outbreak of thuggery was an ever present possibility.

However, as a result of the decision to repatriate all suspected Kikuyu, screening teams introduced from the Central Province had started to investigate the Kikuyu in Central and South Nyanza. Of the first 400 persons interrogated at Kisii, 66 confessed to taking the *Mau Mau* oath, and five oath administrators were identified, but of 127 Kikuyu examined in Kisumu,

only three, who were already in custody for subversive offences, admitted their guilt. As these suspects were clearly mute of malice, they were detained pending expulsion from the town.

Notwithstanding the few local incidents and the contamination of Nyanza tribesmen in other areas, the Province at the end of 1953 was in good heart, albeit Central Nyanza reported increased sympathy.

47. 1954 opened on a more anxious note, and the keynotes of the next few months were unease and uncertainty in all areas except the Kipsigis reserve. Central and North Nyanza evinced signs of restlessness at the lack of apparent progress by Government in crushing Kikuyu terrorism. Kikuyu screening teams, which had been brought in, disclosed that the great majority of the Kikuyu "colonists" had taken *Mau Mau* oaths encouraged no doubt by the constant but fortunately small infiltration of Kikuyu from the troubled areas who had managed to evade the constant vigilance of the police. Nyanza tribesmen returning home also showed increasing sympathy for *Mau Mau* as an African national movement.

Up to mid-July, exclusive of numerous detentions, repatriations and deportations, 481 Kikuyu had been convicted of *Mau Mau* offences before the Nyanza Courts, whereas convictions of Nyanza tribesmen totalled four only—these figures could in no way be considered illustrative of the degree of sympathy prevailing among the Nyanza tribes but afforded a reasonable reflection of their preference for academic and pacific adherence to *Mau Mau* aspirations.

48. By August, 1954, tension had slackened; though a growing consciousness of African nationalism still persisted among the semi-educated, there were no indications of any extension of active *Mau Mau* in Nyanza, and a series of successes against terrorism in the troubled areas restored the assurance of the loyalists, whilst sowing the seeds of doubt among those who had visualized victory for *Mau Mau*. Constant vigilance was exercised, and by the end of 1954 it was apparent that Nyanza Province had successfully weathered the worst repercussions of the Emergency.

49. During 1955 the two main foci of possible unrest were the Kikuyu in the settled area of Songhor and in Kericho: but the final flicker of *Mau Mau* activity appropriately occurred in December, 1955, when, for the first time since the beginning of the Emergency, a gang of six terrorists appeared in the Kipsigis reserve, three being captured forthwith by the eager Kipsigis. Thus at the extreme end of Emergency conditions in the Nyanza Province the Kipsigis reaped some small satisfaction for their unremitting loyalty and readiness through the various false alarms which had disturbed them periodically during previous years.

TANGANYIKA

50. During the years before the declaration of the Emergency, many Kikuyu had immigrated to Tanganyika, the majority of whom had settled near Arusha. In September, 1952, the Governor of Tanganyika had estimated their numbers as 10,000. Although there were no reports of subversive activities during this period, it may be assumed that most of these Kikuyu were passive supporters of *Mau Mau*. In November, 1950, Jomo Kenyatta and Peter Mbiu Koinange had visited Moshi, with the object of fostering political co-operation between the Kilimanjaro Union and the Kenya African Union (Chapter IV, 37), but there were no reports either then or later that *Mau Mau* had affected indigenous tribesmen in Tanganyika.

51. In addition to the Kikuyu, many Kamba had also immigrated to Tanganyika, and although there is a long and vulnerable frontier between

the Masai districts of Kenya and the Northern Province of Tanganyika, the ingress of active *Mau Mau* did not become apparent until May, 1954. On 18th May, the Governor of Tanganyika reported that a gang of 50 had crossed over from Kenya near Longido and had approached Mount Meru. Subsequent reports suggested that this gang, comprised mostly of Kikuyu who had previously resided in Tanganyika, had gone to Tanganyika to steal arms for the *Mau Mau* gangs in Kenya. Contact was made with this gang, which had split into five parties, three were killed, four were wounded, and seven captured. The remainder were thought to have returned to Kenya.

52. Prior to that, the two Governors had met in February, when it was agreed that Kenya would accept 400 *Mau Mau* suspects for detention, and in May 700 were moved to Kenya. After that the Kenya Government agreed to accept only Kikuyu against whom there was sufficient evidence to support a detention order.

53. Pressure against the half-breed Masai gangs in the later half of 1954 forced them to retreat south, and in February, 1955, reports were received that a well organized *Mau Mau* committee was operating in Namanga on the Kenya side of the frontier, whose function was to assist gangs across the frontier, where they could rest and recuperate in Tanganyika. The handicaps imposed by Tanganyika's position as a Trust Territory, which limited the action which could be taken in Tanganyika, led to a series of meetings between representatives of the two Governments, and the main objective of Kenya Security Forces was accordingly to prevent gangs from entering Tanganyika. The Tanganyika authorities, however, continued to expel those who had been convicted of *Mau Mau* offences, and in April, 1955, 78 Akamba and three Luo were expelled.

The "extradition" difficulties continued until 1956, but were never very serious as gang activity inside Tanganyika never reached grave proportions, and by December that year active operations on the Tanganyika border came to an end, and although Mekanika (*see* paragraph 28 above) and a handful of adherents remained at large, they were no longer a danger to security.

UGANDA

54. The impact of *Mau Mau* upon Uganda never attained menacing proportions, for it was confined to the spread of infection to the comparatively small number of resident or immigrant Kikuyu and did not involve the indigenous populace.

In July, 1954, of the 45 Kikuyu students at Makerere College, seven were known to be deeply imbued with *Mau Mau*, and were sent back to Kenya.

55. As regards the ordinary Kikuyu scattered through the Uganda towns as servants or traders, these were kept under close observation until early in 1955, when 67 Kikuyu were sentenced to imprisonment and deportation for remaining unlawfully in Uganda. This was followed in March by 95 arrests of suspected members of *Mau Mau*, with a view to their deportation.

The Uganda Government then introduced legislation making it an offence for a Kikuyu to be in Uganda, except on permit, and some 900 arrests followed. Of these, 90 Kikuyu were detained as especially dangerous, and the remainder were offered to Kenya for dispersal through their districts in the Central Province. The Government of Kenya demurred, but expressed its willingness to accept any Kikuyu against whom there were grounds for the issue of detention orders.

CHAPTER X

*External and Internal Influences on
Mau Mau*

EXTERNAL INFLUENCES

Communist:

1. In considering the possible impact of communism upon the *Mau Mau* movement, it must be appreciated that the latter was fundamentally a Kikuyu tribal subversive growth stemming from and originated by the Kikuyu Central Association. Its organization was that of a primitive African tribe and bore little resemblance to that of a communist party in a civilized country. It must also be appreciated that the Communist technique for operating in backward areas, a technique which is openly preached, is not to impose dialectical Marxism on the people, as in their present stage of political development this would have no real meaning to them, but to spread subversion by exploiting grievances in continuance of its policy to disrupt colonial rule as part of the struggle against the "capitalist" powers. There were in Kenya a number of potential grievances, for example, a plurality of races and a big discrepancy in wealth, potentially a most dangerous combination.

Again, the main feature of communism which is repugnant to the western world is the denial of freedom, an aspect of communism which would not upset the African to the same degree. The Communist threat to an African country is not therefore dependent on the existence of an organized Communist party.

2. But the development of *Mau Mau* cannot be considered without reference to the personality of Jomo Kenyatta who was a leading figure in the K.C.A. from its inception and, since his return to Kenya in 1946, was the architect of *Mau Mau*. It was of course known that Kenyatta had visited Russia in 1929/30 when he joined the Communist Party, and again in 1933 when he attended the Lenin School, a known training ground for agitators. These experiences undoubtedly influenced his mode of thought but no indication has emerged suggesting that he was regarded, either by the Kremlin or by himself, as an agent of communism. Other than Kenyatta there were no *Mau Mau* leaders with a definite Communist background, though Fred Kubai and some of the trades union adherents had been protégés of Makhan Singh, a professed Communist, by whom they had of course been locally indoctrinated.

3. As I have recorded in Chapter V, there were many references in the speeches of the Kenya African Union and the vernacular Press to Russia and communism, but there was no attempt to explain what this "communism" was; all that was indicated was that in Russia there was no colour bar and that as Russia was in conflict with "imperialists and colonizers" it was *ipso facto* the friend of the Africans struggling to gain their freedom. These reports somewhat naturally led to the assumption that there was direct Communist support for *Mau Mau*, but despite abundant rumours to this effect it was known that in 1952 there was no Communist party as such in Kenya, and though there were a number of individuals, not

in excess of 30, who had at one time or another held Communist sympathies, the majority of these had divested themselves of their earlier leanings and were considered innocuous. No evidence can be adduced to indicate that at any time such sympathizers or fellow-travellers had been used by any exterior organization to forward assistance or instructions to the *Mau Mau* leaders who were probably unaware of their existence.

4. As support was unavailable from internal sources, the possibility of external aid requires examination. There were branches of the Communist party in the Sudan, Egypt and South Africa, but these may be briefly dismissed, those in the Sudan and Egypt both being weak and torn by dissension, and the South African party struggling for its very existence under the authoritarian rule of the Malanites. Under such circumstances there was no possibility of assistance to *Mau Mau* from these sources.

Sensationalist articles in the British and American Press suggested that *Mau Mau* was in receipt of material support and direction from the allegedly over-staffed Russian Embassy at Addis Ababa. These emanations, based on imagination and conjecture rather than on fact, embarrassed both the Ethiopian authorities and the British Embassy. That they were grossly improbable, if not mischievous, is clearly demonstrated by the facts. The Soviet Embassy and its concomitant hospital stood adjacent to the British Embassy and therefore open to scrutiny. The swollen staffs featured in the Press consisted of a mere handful of Russians and Central Europeans against whom there was no evidence of communication with *Mau Mau*, from whose habitat they were separated by hundreds of miles of desert country in which strangers would invite investigation unless they were inordinately successful in concealing their presence or avoided the main routes and watering points. Any suggestion of effective assistance from Russian agents in Ethiopia can therefore be discounted.

5. It is a reasonable inference therefore that the Communist hierarchy was not directly interested in *Mau Mau* for over a period of two years during the height of the Emergency the *Cominform Journal* made but two references to events in Kenya. Furthermore, another Communist agency, the World Federation of Trades Unions, was in the habit of addressing communications to a long defunct Kenya Union. This did not suggest an up-to-date knowledge of events in Kenya. It may well be that the higher hierarchy was reasonably satisfied with the indigenous efforts of *Mau Mau* and the excellent indirect progress being made to further its aims.

6. But if Moscow and its satellites in Africa were either uninterested in, or unable to keep in touch with, the Emergency in Kenya, this was not true regarding the British Communists whose interest was demonstrated by numerous feature articles in the *Daily Worker*. These harped on variations of the theme that *Mau Mau* was a figment of British imagination, that the fighting in Kenya consisted of brutal attacks by the British on the African people, and that such unwarranted attacks were being greeted with patriotic resistance. Although British Communists were in a position to give indirect assistance by denigrating all things European in Kenya, distance precluded any material aid had they wished to proceed beyond words.

7. It can accordingly be concluded that *Mau Mau* had virtually no connexion with communism, but was developed by Kenyatta as an atavistic tribal rising aimed against western civilization and technology and in particular against Government and the Europeans as symbols of progress. British Communists displayed an interest in *Mau Mau* in furtherance of the general Communist policy of embarrassing the western powers, but were

unable to exert any influence whatsoever in local matters, merely endeavouring, without success, to alienate British sympathy from the Kenya Government and the settlers. As alien Communist interest was never apparent it was evidently realized that *Mau Mau* was neither actuated by Communism nor was it possible to make contact with it. Except for Kenyatta's early training and the goodwill of British Communists the influence of communism on *Mau Mau* was insignificant, though admittedly the more unsophisticated rank and file of the movement was buoyed up by unfounded hopes of assistance from Russia, of which they had heard vague and Utopian reports as a land of plenty, opposed to British Imperialism, where the colour bar was unknown.

Non-communist:

8. Among the external influences which exerted a significant, albeit indirect, influence on the strength of Jomo Kenyatta's organizations was the support he attracted from the left wing of the radical movements in the United Kingdom. The great difficulty which faces anyone dealing with the influence of such people on the spread of violent subversion is that of distinguishing between those activities in support of African nationalism which are quite legitimate, and those activities which, however unwittingly, encourage violence. Jomo Kenyatta, as I have shown earlier, did his utmost to conceal the savage and revolutionary *Mau Mau* movement behind a façade of legitimate nationalism; he succeeded in deceiving many people, and not only those of radical progressive thought.

9. As a result, it was to Kenyatta and his associates that politicians and others turned in the mistaken belief that by so doing they were supporting a non-violent exercise in nationalist politics. By their support, on this basis, of wicked and perverted men, these people unwittingly provided them with the additional prestige and support which was so useful to them among their own people. Visitors to Kenya even when the first signs of violence were abroad, appeared to give their political support to Kenyatta and his circle and were used as examples of the power these *Mau Mau* plotters could exert in Britain. It is clear to me, from my close examination of the records, that these influences—intended to be no more than legitimate sympathies with budding nationalist thought—were a source of strength to the instigators of *Mau Mau*.

10. Examples of the way in which he successfully misled well-intentioned people are to be found in the visits of Mr. Fenner Brockway, M.P., to Kenya, when on one occasion he stayed with the Koinange family. Again Lord Strabolgi in the House of Lords on 29th October, 1952 (after the Emergency had been declared) said:—

“That brings me to the arrest of the leader of the Kenya African Union, Mr. Kenyatta, who I am informed by those who know him and know his work has had no connexion whatsoever with *Mau Mau* outrages and is, in fact, one of the most far-sighted Africans, who could be a great leader.”

These politicians obviously had no knowledge whatsoever of what was going on behind the clever façade so successfully built up by Jomo Kenyatta and his associates, whose prestige was, of course, greatly strengthened in the eyes of the Kikuyu and other tribes by apparently close association with British politicians. During 1951 and 1952 there were constant references in speeches made under the auspices of the Kenya African Union to the millenium which would result shortly from those associations. These associations were also viewed with great alarm and despondency by the many influential Africans who supported fully the political objectives of K.A.U

but sought, against ever increasing odds, to achieve them not by violence but by constitutional means; most of these Africans were assassinated by *Mau Mau*.

11. The lesson to be learnt is that the danger in the application of long distance liberalism lies in the fact that these who seek to better the lot of the African from afar often know so little of the conflicting emotions and the environmental background which have such an influence on those they seek to help. The result is so often the reverse of that intended. Nor do they realize the astonishing facility that so many Africans, at this present stage in their evolution, have of living two separate lives—that based on the enlightened present, and that based on the primitive past. I have referred to this in Chapter II. A particular manifestation of this was the skill with which persons such as Jomo Kenyatta had of suiting the tone of their speeches to their audience—sweet reasonableness to the European; violent nationalism to the African. Perhaps the supreme example is the closing speech made by Jomo Kenyatta after his conviction for managing *Mau Mau* to Kapenguria on 8th April, 1953, delivered in faultless English:—

“ . . . We wish to say that what we have done in our activities has been to try our level best to find ways and means by which the communities in this country can live in harmony. . . . We, as African leaders, have stood for peace. None of us would be happy at or would condone the mutilation of human beings.”

By 20th October, 1952, when Kenyatta was arrested, at least 26 Africans were known to have been assassinated by *Mau Mau*.

American:

12. In America there is a deep-seated and emotional antipathy towards “colonialism” and “imperialism”—an attitude which springs more from its revolutionary history as a colony than any extensive understanding of contemporary “colonialism”. This attitude is bound to have an effect on the political aspirations of those students who receive university education in America. Among the more notable of these was Peter Mbiu Koinange who, from the age of 24 to 31, spent seven years in American educational institutions.

13. This matter of foreign education was of some concern to the Kenya Government in the years before the Emergency, as it is now, but the demand for higher education exceeds the local capacity to supply it, and it is only possible to refuse travel facilities for these students when it is known for certain that they will be attending a definite subversive educational institution. This, of course, was not the case in America, but the dangers there lay in the general attitude to “colonialism” and the African students more often than not found sympathetic listeners to their exaggerated accounts of “oppression”.

INTERNAL INFLUENCES

14. As the Asian community is involved this raises somewhat delicate issues, but it is important to view the broad outline of the activities of the Asian politicians against the recent historical background of the grant of independence to the two great countries of India and Pakistan. As this followed many years of agitation against the Imperial power, it is a natural consequence that the Asian peoples as a whole should view with some sympathy the parallel efforts of the peoples of Africa to achieve independence from the same Imperial power. Colour consciousness also afforded a bond between the two communities. The activities of the more liberal Asians in this direction were not unconstitutional and were similar to those of liberal

opinion in the United Kingdom. This Indian point of view was well put to me in an interview I had with the Secretary to the Indian Association, and may be summed up briefly in the following words:—

“There must be full co-operation of all members in a multi-racial society, and this cannot be attained unless all members of that society are treated as equals and have an equal political future.”

15. There was, however, another side to this picture. It will have been seen from Chapters IV and V that the Asians were generally disliked by the Africans, the two main reasons being the Asian stranglehold on trade, and that fact that Indians, by their aptitude, filled so many of the junior posts in the Government and in commerce which might otherwise have been filled by Africans. Jomo Kenyatta and his associates, with the possible exception of Peter Mbiu Koinange, were therefore at heart as basically anti-Asian as they were anti-European, and Jomo Kenyatta in particular had often made it clear in private that he had no intention of being “tied to the coat-tails” of India. He may well have recalled the somewhat exaggerated claims by the Indian Government, shortly after it achieved independence, to “colonizing rights” on the coast of East Africa. But this did not prevent them from exploiting the liberalism of Asian—and more particularly Indian—opinion for their own ends. One notable instance was the success Jomo Kenyatta had in extracting moral and financial help for his so-called Kenya Teachers’ Training College at Githunguri. On the Asian side there were, as there are in most communities, individuals who were actuated not by liberal ideals but by personal hatred or the spur of monetary gain.

16. As a generalization it may therefore be said that such Afro-Indian unity as existed was exerted mainly for political purposes, each side endeavouring to use the other to its own advantage, while unity in the sense of human relationship did not exist.

17. The arrival of Mr. A. B. Pant as the Commissioner for the Government of India in Nairobi on 18th August, 1948, gave a considerable impetus to the efforts being made towards a political *rapprochement* between Indian and African politicians. Contacts with Kikuyu nationalists were strengthened, and in 1949 Peter Mbiu Koinange went to India as a guest of the Indian Government in furtherance of Afro-Indian solidarity. The Indian Government then financed scholarships for African students in Indian universities. In the prevailing atmosphere of anti-colonialism in India this step was of course fraught with some political danger. It was, however, on occasions a double-edged weapon, as some students returned to Kenya disillusioned.

18. As the political situation deteriorated in the months prior to the declaration of the Emergency the continued support given to the overt political activities of Jomo Kenyatta by the office of the Indian Commissioner encouraged him in his course of subversion, and so was an embarrassment to the Kenya Government and to the more liberal element in the Indian community. But although some Asians in Kenya were misled by Jomo Kenyatta’s façade of legitimate nationalism, once the Emergency was declared, the indigenous Asian community—both India and Muslim—gave full support to the Government in its fight against *Mau Mau*.

19. Nevertheless, the activities of a fringe of the Asian community, mentioned in paragraph 20, gave considerable help to the spread of subversion, and so to the spread of *Mau Mau*. Noticeable among this fringe were the editors of some of the less reputable Asian newspapers and the Asian Press owners who published many of the more seditious

vernacular papers; this has been commented on in Chapter VIII. And some of the more doubtful Asian lawyers also contributed their quota to unrest and subversion, as I have shown in Chapter V. These activities were more noticeable before the declaration of the Emergency. After that day the Asians realized that *Mau Mau* was no respecter of colour as many Asians who resisted the blackmailing efforts of *Mau Mau* were murdered. Such support as was given to *Mau Mau* was mainly from those Asians who continued to make money by supplying the gangs, or acting as bankers for *Mau Mau*. And this support tended to disappear after the *Mau Mau* stranglehold on Nairobi was broken by "Operation Anvil" in April, 1954.

European:

20. Before ending this section I must comment on one aspect of European politics which undoubtedly had its influence on the policy of African political organizations, although it would perhaps be unreasonable to relate this directly to the growth of *Mau Mau*.

21. Although there was much divergence of political opinion within the European community, its smallness helped to maintain an essential unity of purpose and this was almost always in opposition to Government. Many Europeans realized the danger of this attitude, especially when at times it advocated what amounted to almost open revolt. As far back as 1937 Sir Alan Pym, in his report on the "Finances of Kenya" drew attention to this.

"The native community can no longer be regarded as living in a sphere of its own, unaffected by occurrences in the other sectors of the community. The more advanced of their members are diligent students of the newspapers and might apply to their own case lessons learnt from such controversies."

22. After the outbreak of the second world war, leading members of both the European and Asian communities were taken into Government positions and so ceased to voice criticism of Government in Legislative Council, and European political expression was voiced in the Electors Union formed in 1944 which sought, in a general way, to guide and influence the European Elected Members' Organization. This organization continued to consider its true function to be that of opposition to the Government.

23. Again, in 1954, when the Lyttelton Constitution was introduced, the undercurrent of opposition to the acceptance by Elected European Members of ministerial posts in the Government expressed itself in a veiled criticism that these Elected Members had "failed" the European community by not remaining in opposition to the Government. It would be wrong to over-emphasize this attitude, but it cannot have failed to have had some influence on African political attitudes to Government.



CHAPTER XI

*Firearms***THE PRE-EMERGENCY PERIOD**

That the Kikuyu were becoming possessed of unauthorized arms and ammunition was clear from the statement made by Joseph Thuo, the secretary of the unlawful Kikuyu Central Association, at a secret meeting of the Association held at Githunguri towards the end of 1948, and recorded in paragraph 42 of Chapter V. He enjoined the meeting to increase the K.C.A. armoury by making weapons to supplement those stolen from the military, so that when the time came the European could be evicted by force.

2. Thefts of arms and ammunition first assumed noticeable proportions towards the end of 1948, but the first major recorded disappearance of any considerable quantity of ammunition was the loss of 5,055 rounds by the 4th K.A.R. in Uganda. This was communicated to the Kenya authorities on 6th October, 1948.

However a much graver situation came to light in Kenya itself when, on 8th January, 1949, the Naivasha police reported that 32,000 rounds of high-velocity .22 ammunition had disappeared from the Command Ammunition Depot at Gilgil. On 1st February it was recorded that a further 40,000 rounds were missing. These very serious losses naturally aroused the concern of both the military and civil authorities, and after a conference at high level the Member for Law and Order reported that during the discussion a shortage of a million rounds had been mentioned as occurring during the previous 12 months and, of these 72,000 had been recovered a few days previously. Both figures were in fact inaccurate for, as a result of prompt action by the Criminal Investigation Department, 76,748 rounds of mixed ammunition and two pistols had been recovered on the premises of an Indian trader in Gilgil, much of it securely packed up for transport elsewhere. A further small quantity was also traced to the stationmaster at Kijabe. On interrogation the trader admitted that his source of supply was from Africans.

3. The security at the Command Ammunition Depot at this time was nothing short of ludicrous; the depot covered an area of 4,000 acres, to which Africans had almost free access in charge of grazing sheep, and for the purpose of cutting firewood. The widely dispersed ammunition stores were closed by flimsy doors; a gap of 18 inches stretched between the walls and the roofs, protected by two or three strands of barbed wire which was easily detachable, affording almost unimpeded ingress. The total holding of the depot comprised sixty million rounds, or 12,000 tons, of ammunition which could only be checked in bulk by the reduced and untrained staff, who would be unlikely to notice the abstraction of a number of boxes from the middle of any dump. Round the whole perimeter ran a fence of poles and a few strands of barbed wire, which afforded no protection whatsoever, particularly after dark. And this vast quantity of ammunition was guarded by only 18 Africans armed with pick helms, without any European supervision.

Though there were European personnel attached to the depot, these paraded at certain definite hours, after which the security of the ammunition was entrusted to Africans and a few civilian Indians. At night the sentries were periodically inspected by an officer in a jeep, the lights of which advertised his arrival in advance. Furthermore, it emerged that the military authorities had been somewhat reticent regarding such losses as had come to notice, apparently regarding them as a domestic matter, but claiming in self-defence that they had reported them by telephone to the Gilgil police.

4. The Member for Law and Order, when apprised of this state of insecurity, approached the Chief of Staff emphasizing that all losses were the immediate concern of the civil authority which would proceed direct against military personnel suspected of offences. By 16th February, 1949, a military court of enquiry had established that 176,000 rounds, mostly high velocity .22 and a certain amount of .38 ammunition, were missing. A few days later the Gilgil police discovered 2,496 rounds of .303 ammunition buried close to Gilgil.

On 26th February the Chief of Staff advised the Member for Law and Order that present deficiencies amounted to no less than 248,760 rounds, the principal calibres being .22, .303 and 9 mm. He agreed that the deficiency must be attributed to the staff of the depot.

On 10th March the Gilgil police advised the Criminal Investigation Department that they had recovered 9,000 rounds of .22 ammunition and had arrested an African soldier in possession of these. Five days later they reported the continuance of thefts and the recovery of 12,000 further rounds, bringing their total of recoveries to 100,304 rounds. A Kikuyu civilian had been arrested in connexion with the most recent theft.

5. The Member for Law and Order again approached the Chief of Staff on 18th March, pointing out that total losses to date appeared to have reached a figure of 286,904 and demanding the strongest preventive measures. The following day the matter assumed an even more grave aspect for 9,300 rounds were discovered in a Kikuyu-owned meal store in the Wanjohi valley, many miles from Gilgil. It was extremely probable that this consignment was destined for the Kikuyu reserve.

On 22nd March the police recovered a further 2,000 rounds of 9 mm. ammunition on the Cole farm close to Gilgil, and on the 28th the Criminal Investigation Department advised the Member for Law and Order that a military lorry had been found in the act of transporting 34,000 rounds of .22 and 2,000 rounds of 9 mm. ammunition, but that the African military driver and his two accomplices had escaped with their vehicle. Such was the laxity of control over their trucks that the military were unable to identify the lorry concerned. By 30th March the Gilgil police estimated that the total loss was of the order of 285,000 rounds, of which 151,607 had been recovered to date. On 1st April a further 4,700 rounds were restored to the military.

6. It was not until April that decisive steps were taken to terminate thefts at Gilgil. By the 19th of that month the police were able to report that the entire staff of the depot had been transferred and that properly armed guards under British N.C.O.s were in operation. All the small arms ammunition was in course of transfer to an adjacent protection camp, formerly used for the custody of Jewish terrorists, and thefts had come to a standstill.

Despite the cessation of thieving from the Army, stolen ammunition still reappeared, for in July, 1949, 6,893 rounds were collected on a farm adjacent to Gilgil, and in February, 1950, a further 1,700 were found in the possession of two local Indians.

At a final computation it was decided that losses of ammunition from the Command Ordnance Depot until their termination in 1948, totalled 283,024 rounds, of which 149,559 were actually recovered. The fate of the balance of 133,465 rounds was never determined. There was no proof that it ever left the Colony and it may fairly be concluded that much of it reached the Kikuyu. On the other hand, 67,000 of these rounds were .22 ammunition and very few cartridges of this calibre were ever found in possession of gangsters; but it may have been used by them for shooting small game.

7. Shortly after the Gilgil thefts it was discovered in September, 1949, that automatic weapons were disappearing from the Central Ordnance Depot in Nairobi. A European Warrant Officer and his Italian confederate were detected in illegal possession of 19 automatic weapons, all of which were recovered. This instance serves to illustrate the facility with which dishonest members of the armed forces could procure and dispose of quantities of firearms at that period when there was an incipient market for them among the Kikuyu. With a general tightening up of precautions, major thefts from military sources virtually ceased until February, 1953, when approximately 2,400 rounds of 9 mm. and 1,200 rounds of .303 ammunition were stolen from the Royal Naval Arms Depot at Mtongwe.

8. The above paragraphs record the facts known about the disappearance of arms from military sources, but before dealing with the very serious state of affairs in regard to the loss or theft of arms from civilian sources, which became apparent at the beginning of the Emergency, I must comment briefly on the law as it then stood, concerning the control of arms and ammunition in the hands of civilians. This control was only one of the numerous functions of the Administration, which derived its authority in this respect from the provisions of the Arms and Ammunition Ordinance, 1927. This enactment, if strictly and universally enforced, afforded adequate powers for the regulation of firearms in the possession of both dealers and members of the public, but in practice many of its provisions were ignored, nor was full advantage taken of the various safeguards afforded. *Inter alia*, this Ordinance provided that all arms and ammunition should be imported into the Colony under licence at certain prescribed places of entry where it was necessary to deposit them immediately upon introduction in a public warehouse, usually the Customs stores. Privately-owned arms, in practice, seldom reached a warehouse, but were usually licensed forthwith at the place of arrival by the authorized licensing officer. An importing dealer was required to be licensed and to provide a suitable store for the accommodation of all arms and ammunition in his possession, having one double lock door, one lock of which could be opened only by officers of the Government. He was also under the obligation to maintain a register, liable to inspection, recording all deposits and withdrawals. A permit for the movement of arms and ammunition so stored was required from an authorized officer, usually a district commissioner or his representative.

9. Unfortunately these requirements were not observed. The number of private warehouses was excessive and at some of the smaller centres it was not possible for a Government officer to be in constant attendance when it was necessary for arms and ammunition to be withdrawn. Furthermore, lack of staff and other considerations negated the regular inspection of the records. Taking note, however, of the recent thefts from army depots mentioned above, the Chief Secretary, on 13th February, 1950, instructed district commissioners to undertake a monthly inspection of all private arms warehouses. In April, 1951, these checks and inspections were reduced to a quarterly basis. The number of such warehouses had also been reduced and in July, 1952, they were further reduced. Very few prosecutions were instituted, but in July, 1953, a prominent firm of arms dealers in Nairobi

was prosecuted for the loss of 34 pistols between January and April of that year. Owing to the firm's extreme carelessness the loss was not suspected until an identifiable weapon was found during a search of the Nairobi locations. Later, nine of these pistols were recovered from gangsters. It then transpired that during 1950 this firm had reported that 36 pistols were missing from its premises and that 12 had gone astray in transit to customers, but the subsequent investigations had been pursued in a luke-warm manner, not a single weapon having been traced. As the records kept by this firm were so unsatisfactory, it is impossible to conjecture the amount of ammunition, of which they held large stocks, which found its way to the gangs.

10. The situation regarding firearms in private ownership was, if anything, even less satisfactory. Any individual wishing to possess a lethal weapon merely applied to the nearest licensing officer for an arms licence costing Sh. 10 per annum, but there was no requirement in law that the firearms recorded on the licence should be produced for inspection when the licence was renewed. This licence fee covered all arms owned or used by the licence holder. Licensing officers were vested with the power to refuse to issue a licence without assigning any reason, but such decisions in the case of non-Africans were subject to appeal, with the result that it was a virtual impossibility to deny possession of a firearm to a European or an Asian, or to revoke a licence once issued, unless it could be proved that such possession would constitute a menace to the public. Africans were entitled, at the discretion of a licensing officer, to the issue of a permit to possess a shotgun. The law also required the transfer of any firearm from one person to another to be effected only under permit, and copies of all such permits and licences issued were to be forwarded at monthly intervals to the Central Arms Registry in Nairobi for record purposes. In theory this Registry was expected to maintain a check on all arms in the Colony, and to note all changes of ownership, losses, failure to licence, etc., but it was, in practice, so understaffed that its records were constantly in arrears and of little value. But these were not the only problems in connexion with the control of privately owned arms. During and after the East African campaign of 1940-42, a very considerable number of both smooth-bore and precision weapons were illegally introduced into Kenya by military personnel in complete disregard both of the firearms and Customs regulations. The majority of these never appeared in the records of the Central Registry and naturally, if lost, no report was made by their owners, who could not, of course, be identified with such arms in the event of subsequent recovery.

11. Small-scale thefts from civilian sources were well under way by 1950 for the crime reports for the first quarter of 1950 show that during this period two rifles, one shotgun and eight pistols or revolvers were reported as stolen and it may be presumed, in view of the large number of unlicensed weapons in the Colony, that many more thefts were not brought to the notice of authority. It has not been possible from the record kept in the Central Arms Registry to show statistically the progressive loss of firearms year by year, but between the years 1948 and the first quarter of 1953, when the control of firearms was handed over to the police, approximately 504 firearms were reported missing by their owners, including 291 pistols and 144 rifles. 87 of these were recovered during this period, together with 18 firearms which could not be identified with an owner.

12. Apart from these reported losses, intelligence reports from 1950 onwards referred to rumours of an increasing number of firearms, mostly small arms, coming into the hands of Kikuyu. Many of these reports came from Kiambu district where the Koinange family was named as being in possession of unauthorized firearms.

A detailed confession made by a prominent *Mau Mau* leader recounted the part he had played in collecting nine pistols in 1950 from various quarters in Eastleigh, Nairobi, including some from Boran tribesmen, and handing them over to the Koinange family. The confession also threw light on the mysterious disappearance in 1950 of David Gathiomi, son of Chief Koinange, and stated that he had been killed in a shooting accident while cleaning small arms. Previously this disappearance had been ascribed, in various rumours, to suicide, to murder for use as a human sacrifice in a *Mau Mau* ceremony, or to his being sent to Uganda or Kisii by his father. The D.C., Kiambu, had heard rumours that David had died in a shooting accident, but enquiries addressed to the Koinange family to elicit the truth produced no results.

13. In spite of these rumours and the actual record of firearms stolen, the Central Government did not appear to be unduly concerned, or to realize their true significance, and the first official reference I have found to this subject in the files is the recommendation in the report of the Internal Security Working Committee of 27th November, 1951, that the existing legislation relating to firearms and explosives should be strengthened (*see* Chapter V, paragraph 104), and it was not until a series of meetings which took place in August, 1952, on the general deterioration in the security situation that any serious consideration was given to the security of firearms in the hands of civilians (*see* Chapter V. paragraph 143).

14. The statistical position of arms and ammunition known to have been lost and stolen, and the number of civilian firearms licensed at the end of 1952, is as follows:—

1948-1952—ARMS AND AMMUNITION

	<i>Lost</i>	<i>Recovered</i>	<i>Balance</i>
Ammunition—Army (Command Ordnance Depot) ..	283,024	149,559	133,465
Arms—Civilian	504	105*	399
Licensed firearms as at 1st January 1953 ..			52,000

EMERGENCY PERIOD

15. Shortly after the declaration of the Emergency, authority for the control of civilian arms was vested in the police, who were both in their dispositions and numbers infinitely more satisfactory agents for the enforcement of proper control. The Central Arms Registry disappeared in favour of a Central Firearms Bureau, adequately staffed to maintain comprehensive and up-to-date records. And in November, 1953, a completely new and fully comprehensive Firearms Ordinance was enacted which confirmed the responsibility of the police. It provided for increased penalties for the possession of unlicensed arms or ammunition, and authorized the issue of a firearms certificate only to persons who could satisfy the licensing officer that they had good reason for possessing a firearm without danger to the public safety. Furthermore, licensing officers were vested with the power to demand production of the arms and ammunition in respect of which any applicant applied for a certificate or for the renewal or variation of an existing certificate, a most necessary provision which was not included in the original Ordinance.

A further important provision of the new law rendered it obligatory on all possessors of arms or ammunition to keep these securely and in safe custody and to take all reasonable precautions against loss, theft or use by

* Includes 18 which could not be identified with an owner.

unauthorized persons, and the licensing officer was empowered to refuse a licence if he was not satisfied with the arrangements made for the safe keeping of firearms.

16. At the beginning of 1953 there were 52,000 licensed firearms in civilian ownership, together with an unknown number of unlicensed firearms, and for the first two years of the Emergency a large proportion of the European and Asian civilian population went about their daily work fully armed. Although this was an essential precaution in the farming areas, it was often a superfluous one in the towns. And during these years it was an established fact that in a large number of the attacks on individuals or houses the capture of firearms and ammunition was the main objective. It was obvious that the presence of over 52,000 firearms, many of which were not required for self-protection, and many of which were not kept securely—an appreciable number of the thefts were from handbags—was a potential menace to public safety at a time when every Kikuyu was under pressure to acquire unguarded weapons for the use of terrorists. The public was therefore urged to deposit their unwanted weapons and ammunition in an Arms Depot opened at Gilgil, and by the end of 1953 some 3,500 had been so deposited. But in spite of this and the stricter measures of control, 414 civilian firearms were lost or stolen during the year. In the same period, 339 non-security force weapons were recovered, but a large number of them had not been licensed. It was clear, therefore, that further steps were required to decrease the number of unnecessary firearms in the hands of licensed holders. The first step was to get on the register those firearms which were still unlicensed, and during a general amnesty from 15th July to 14th August, 1954, 1,502 unlicensed firearms were produced by their owners and deposited at Gilgil. Much more stringent conditions were required before a licence was renewed, with the satisfactory result that by the end of 1954 15,000 firearms, with their accompanying ammunition, were deposited at Gilgil, and 5,500 were voluntarily placed in bank storage. Vigorous police action continued and this coupled with a growing sense of security consciousness among the public and the general improvement in the overall security position, led to a progressive reduction of civilian arms in circulation during the next three years, and a startling reduction in the number of civilian firearms stolen, as the following figures indicate:—

	Arms deposited in Gilgil Depot	ARMS REPORTED LOST, STOLEN OR CAPTURED			Arms Recovered
		Civilian	Security Forces	Total	
1948-52	—	504	—	504	105
1953	3,500	421	253	674	356
1954	11,500	123	151	497*	595*
1955	7,000	32	30	62	316
1956	5,000	19	8	27	120
1957	4,000	11	—	11	132
1958	1,200	14	—	16	12
Deposited in Bank	5,500	—	—	—	—
	37,700	1,124	437	1,791	1,636

* A careful check of the previous statistics made in December, 1954, revealed that 222 firearms reported lost or stolen and 118 recovered had not been included in the earlier statistics, due partly to inaccuracies in the earlier part of the Emergency, and partly to information revealed by the amnesty. The above totals have been included in the totals for 1954 but may well relate in part to 1953. It is not possible to apportion the 222 lost or stolen between civilians and security forces.

Of the 1,636 precision weapons recovered, 778 could not be identified with losers, and they had never been registered in Kenya, so the total number of licensed or security force arms recovered stands at 856. Assuming, as is probable, that the majority of the unlicensed arms recovered were among those held without a licence prior to 1954, the total number of firearms in civilian hands at the beginning of the Emergency was probably not less than 54,200 (this includes the 1,502 declared during the amnesty). By 1958 this had been reduced to 17,500. But there is another disturbing fact to be considered. Since 1,791 precision weapons were reported lost or captured before or during the Emergency, and only 856 have been recovered, there are still some 935 licensed or security force arms unaccounted for, in addition to an unknown number of weapons which may never have been included in official records. Even if only a small proportion of these have survived the ravages of exposure and lack of adequate maintenance, they continue to present a potential threat to public security, a menace for which many individual members of the public must bear full responsibility.

17. The emphasis in the preceding paragraphs has been on loss of civilian weapons. It is, however, of interest to analyse the losses suffered by the security forces from the beginning of the Emergency to the end of 1953, the year when *Mau Mau* was in the ascendant.

	<i>Lost</i>	<i>Recovered</i>
Military	31	5
Police	101	30
Tribal Police and Kikuyu Guard ..	121	15
	—	—
	253	50
	—	—

By far the most serious theft of firearms occurred during the notorious raid on the Naivasha Police Station on the night of 26th March, 1953, when a *Mau Mau* gang under the command of "General" Dedan Kimathi drove up to Naivasha Police Station in two lorries, overpowered the guard, released the prisoners, and stole 47 precision weapons, including 18 automatics and 3,780 rounds of ammunition. And it was during this period that the Tribal Police and Kikuyu Guard had to carry on with little material support from the Army and Police and a large number of posts were overrun. It may, therefore, be assumed that most of the 106 weapons not recovered fell into the hands of the terrorists. But apart from these, the majority of the weapons were lost on active operations, most in forested areas, and it is reasonable to assume that not many of them fell into the hands of the terrorists.

18. By the end of 1954 the arms position was reaching a state of equilibrium, and the possession of ammunition in the hands of the terrorists had become a matter of importance. During the first 20 months of the Emergency the C.I.D. kept an accurate record by calibre of all ammunition lost and recovered, and a review of the situation at the end of 1953 showed that some 159,300 rounds had been reported as lost and some 8,600 recovered. Included in the total lost were the 133,465 rounds stolen from Gilgil in 1948, the 3,000 lost in 1953 from the Royal Naval Arms Depot mentioned in paragraph 7, and the 3,780 captured at Naivasha. An analysis by the Government Chemist undertaken in 1953 of some 880 spent .303 cases which had been used by terrorists showed that 70 per cent had been manufactured between 1942 and 1944. These were the dates of issue for the bulk of the ammunition stolen from Gilgil in 1948. It is, therefore, reasonable to assume that most of the ammunition stolen at that time had found its way to the terrorist gangs who had, therefore, probably not less than 150,000 rounds of ammunition in their possession.

19. After the Naivasha raid there were no large-scale losses of ammunition, but there were persistent rumours of appreciable leakages of ammunition from the security forces. One continuing, although small, source of ammunition came from the Kikuyu prostitutes who demanded payment in ammunition, their fee being from 2 to 10 rounds, and in 1953, 555 rounds were taken from Nanyuki to Mile 102 on the Nairobi/Nanyuki line, and there handed over to terrorists by an engine driver, and it was shown that these represented brothel takings. This source of supply to the terrorists was, of course, not confined to Nanyuki district, but was universal where African personnel were serving, and was one which was most difficult to trace. But the whole question of traffic in arms and ammunition was of much concern to the Government, and on 30th July, 1954, the War Council approved the formation of a Special Arms and Ammunition Investigation Unit and Field Teams, under the joint command of a police and army officer, to carry out a continuous survey of and investigation into all matters connected with arms and ammunition in the hands of terrorists, including a study of all possible sources of supply.

20. In its first report, submitted in February, 1955, the Unit stated that it appeared probable that carelessness and dishonesty among some members of the security forces continued to be the main source of supply. In an effort to trace these leakages of ammunition it was at first hoped that it would be possible to base mark each batch of ammunition issued to all the main units of the security forces. This proved impracticable, but arrangements were made for a selective issue of ammunition bearing different marks to the different branches of the security forces. An analysis of 9,263 rounds captured or found from November, 1954, to February, 1955, showed that 2,747 rounds had identifiable base markings, and of this total 1,247 had been issued to security forces. A further breakdown of the latter total showed that 544 rounds had come from army sources, 180 from police, 444 from police, prisons and Kikuyu guards, and 79 from Kikuyu guards. In its second report dated 27th May, 1955, the Unit stated that of the 5,280 rounds of ammunition recovered, 2,747 had identifiable base markings. Of this total, some 1,500 had been issued to the security forces. It considered that the position disclosed was a serious one, and both the Commander-in-Chief and the Commissioner of Police issued fresh instructions on the subject of safeguarding ammunition.

21. In October, 1955 the sentence of death was confirmed on a Mkamba lance corporal in the K.A.R. and a Kikuyu cook in the officers' mess for selling ammunition to the terrorists, and this case brought to the notice of Government that Kikuyu personal servants were still being employed in army units. After representations to Army Headquarters, they were replaced.

The Arms and Ammunition Investigation Unit submitted its final report on 1st December, 1955. By a careful analysis of arms lost and recovered it estimated that the maximum number of precision weapons likely to have been in the hands of terrorists was 1,030. On the other hand, the continuous questioning of all captured terrorists showed that the number in active use at that time was about 400. It was known that many terrorists concealed their weapons before surrender, and it was thought probable that most of the 600 unaccounted for were unlikely to be recovered. During the period under review the Unit had scrutinized some 12,690 rounds of captured ammunition. The results were more satisfactory. Some 3,500 of them had been issued to security forces; of these, 1,200 rounds were from army sources, 1,060 from the police, and the rest from prisons, tribal police and Kikuyu guards. The Field Team of the Unit had made local investigations in all areas, including the Northern Frontier District, and into the possibility

of arms traffic by dhows at Mombasa, and reported that there had been no indication whatsoever that there were any nefarious organizations at work with contacts outside the Colony, and that such sources of supply as there were were all local.

As the Unit had finished the task for which it was appointed it was disbanded and its work was taken over by the Central Firearms Bureau and the Security Intelligence Branch.

22. Although there were constant rumours of "gun running", there is no evidence, nor are there any reasons for concluding, that either during or before the Emergency any appreciable quantity of arms reached the Colony from unauthorised external sources. During the East African campaign in the early part of the Second World War, Abyssinian and Somali tribesmen in the adjoining territories undoubtedly acquired numbers of precision weapons, and may well have done a limited trade in firearms (*see* paragraph 12 above), but the records of firearms recovered from the terrorists negative any suggestion that this trade was organized or extensive. Rumours of India as a source of supply occur in some of the thousands of recorded confessions, and it is possible that a small number of small arms may have been smuggled in by Kikuyu returning from India. If this did take place it was only on a very small scale. Had arms been smuggled into Kenya by professional gun runners or sympathizers with terrorist aims, this fact would also have become evident from the makers' identity markings.

23. Before ending this chapter I must comment briefly on the "home-made guns". These simple weapons consisted of a length of iron piping attached to a roughly shaped wooden stock. The bolt, which was more often than not a door bolt, was held back by a spring or on occasions by a strong rubber band. The cartridge was wedged or packed into the barrel and a primitive trigger arrangement released the spring which held the bolt. Their construction showed much ingenuity, but the workmanship varied considerably. As the bullets rattled down the barrel they were only effective at short ranges. They, however, gave their owner much "Dutch" courage. But many of them must have been more potentially dangerous to the firer than to the intended victim.

As the possession of a lethal weapon carried with it a capital charge, the courts insisted that the captured weapon should be shown to be potentially lethal: so it can be appreciated that the task of the police expert who had to testify in court that the home-made gun in question did fire was not an enviable one. By the end of June, 1958 some 3,600 home-made weapons had been captured.

24. To sum up, a computation from the statistics given in this chapter shows that at the time of the declaration of the Emergency in October, 1952, the Mau Mau probably possessed not less than 400 assorted precision weapons, assuming that that was the destination of the majority of the arms stolen. The total may well have been 800, as the theft of unlicensed firearms was rarely reported. The quantity of ammunition was probably not less than 140,000 rounds. During the first year of the Emergency there was a known net gain of 280 weapons, and this again may well have amounted to double that total, giving a possible total of some 1,300 to 1,400 weapons in their hands at the end of 1953. After that year the recoveries by the security forces overtook the losses, showing at the end of 1957 a net loss of some 530 weapons. There were, however, some 790 known losses still unaccounted for. The records of ammunition lost to the terrorists are perhaps too speculative to warrant any more analysis than that given above. There is no

doubt that the possession of this large number of precision weapons by the militant *Mau Mau* at the time of the declaration of the Emergency was a factor of vital significance in bringing about the state of affairs which necessitated the declaration of the Emergency, and the continued possession of precision weapons also had an appreciable effect in prolonging the length of active operations. In the review of capital cases by the committee of Executive Council, appointed to advise the Governor on the confirmation of the death sentence, it was most noticeable that the morale of a gang varied almost directly in proportion to the number of precision weapons it possessed, and once these were lost or captured the surrenders from that gang increased.

This chapter, therefore, makes sombre reading and the lack of control of arms and ammunition in the pre-Emergency period, which extended to the first year of the Emergency, reveals a very serious deficiency in the Government machine and is a deficiency in which many individual members of the public must share the responsibility.



CHAPTER XII

The Administration and the Police

This chapter will be short, its main objective being to show that the Administration and the Police were too thinly scattered in the Kikuyu areas to achieve what was expected of them, and to show also that, so far as the Administration was concerned, there was in the post-war period a lessening in contact between it and the Central Government in Nairobi, and a corresponding increase in a lack of appreciation of what it was expected to achieve, both of which became more noticeable in the two years before the declaration of the Emergency.

Administration

2. But before dealing with these more general considerations, I shall outline very briefly the functions and status of chiefs and headmen in the hierarchy of the Administration, as many of them feature prominently in this historical survey.

When Government was first set up at the turn of the century, although there were some notable Kikuyu individuals, such as Chief Kinanjui in the Kiambu area, and Chief Wambugu in the Nyeri area, there were no hereditary chiefs who commanded any extensive authority and nowhere was there any ready-made organization which could be converted into an administrative machine. The Village Headmen's Ordinance of 1902 provided for the appointment of headmen charged with the responsibility of maintaining law and order, and their powers were extended by the Native Authority Ordinances of 1912 and 1937. It was the normal practice to appoint headmen from among those who had some traditional authority, that is to say, men who commanded some local respect. In the course of time the more senior of these headmen were referred to as chiefs, but although a large number of them by virtue of their personal qualities rose to positions of accepted authority, positions which some of them might have achieved without Government influence, they were not African chiefs in the normally accepted sense. They have from the first been regarded as Government employees, and thus held appointments which were "extraneous" to the accepted tribal form of authority such as it was among the Kikuyu.

It has often been suggested that there was an inherent weakness in this system, and it might be argued that it would have been wiser to have made more use of the indigenous authorities, such as the Council of Elders (the *Muthamaki*), but as I have already stated they did not really exist in a form capable of incorporation into a governmental machine. In the circumstances it was inevitable that the Government had to exercise its authority through appointed headmen.

3. The professional agitators, and I use this expression advisedly, have always referred to Government appointed chiefs and headmen as "stooges" or traitors, as indeed they have regarded their hereditary chiefs and other Africans who support Government. This is understandable as these classes of Africans represent responsible Government authority which most of these agitators are intent on destroying. But this is a most powerful weapon in their armoury and, as will have been seen from Chapter V, full use was

made of it. What is perhaps less understandable is that many persons in the United Kingdom have and still do refer to these far-sighted Africans as "stooges". But I have already dealt with the effect of this outside "influence" on the growth of subversion in Chapter X.

4. These headmen and chiefs were assisted in their duties by the Tribal Police. It was these Tribal Police, together with other local supporters of the headmen or chiefs, who formed the nucleus of the Home, or Kikuyu, Guard that became the deciding factor in the long fight against *Mau Mau* in the Kikuyu reserve. The part they played during the Emergency was of such vital importance that I have included a short history of the Kikuyu Guard as an appendix to this chapter. I am very much indebted to Mr. S. H. Fazan, C.M.G., C.B.E., for a copy of his history of the Kikuyu Guard written as a tribute to the loyalist movement, on which much of my appendix has been based. There were at the beginning of the Emergency 240 Tribal Police in the Central Province (both Kikuyu and Kamba): by the end of 1953 their numbers had risen to 846, and to 1,900 by 1956.

5. Efforts to associate local authorities more closely with Government were made by the setting up in 1937 of Local Councils (under the Native Authority Ordinance), to which the headman (or chief) and other local Africans were appointed, the district commissioners being chairmen, with Africans as their deputies. These Councils eventually covered most of the native areas and have, incidentally, added immeasurably to the multifarious duties of the district commissioner. A further change in form, but not in substance, took place in 1950 when the African District Council Ordinance gave formal recognition to these Councils as ranking with Municipal and District Councils in the European areas.

6. The areas experiencing the maximum impact of the Emergency were the seven districts comprising the Central Province, to a greater or lesser extent the five settled area districts of the Rift Valley Province, and the Nairobi Extra-Provincial District.

During the five years immediately prior to the Emergency, the administrative staff deemed adequate for the proper administration of these districts under normal conditions had shown little variation and fluctuated between totals of 17 and 19 administrative officers in the districts now included in the Central Province, and between five and seven in the settled areas of the Rift Valley Province. Nairobi was ordinarily staffed by two officers for purely administrative duties.

All these officers were based at district headquarters and, with the steadily mounting volume of correspondence and routine duties, were increasingly precluded from the constant contact with the indigenous masses which is the keynote to administrative success. Administration was growing in complexity, whereas the cadre of administrative officers showed little, if any, increase, and by force of circumstances inadequate staffs tended to confine themselves to headquarters, or brief routine visits to fixed centres.

7. I quote two examples. In 1947 Kiambu district, the home of Jomo Kenyatta, which was experiencing much unrest, had one senior District Commissioner and two "cadet" District Officers, who had between them one uncertain lorry. Again, the District Commissioner, Nakuru, was, up till the end of 1952, with the aid of a single assistant—on occasions shared with the Provincial Commissioner—responsible for the administrative control of an extensive area which had originally been subdivided into the several districts of Nakuru, Naivasha, Eldama Ravine and a segment of the former Kisumu-Londiani district. Each of these had in the past been supervised by a separate District Commissioner with the assistance, in the case of Nakuru and Naivasha, of a District Officer. Further, the large

districts of Trans Nzoia, Uasin Gishu and Laikipia were each administered by a single officer, and under such an arrangement close contact with African opinion and trends was virtually precluded in the settled areas.

8. I have, in Chapter III on the Organization of Intelligence, recorded briefly the inauguration of the Membership System, a very necessary devolution of authority from the overburdened shoulders of the Chief Secretary to Members responsible for various separate departments of Government. This devolution was inevitable with the vast increase in governmental social and economic activities, but took some time to settle down, and in doing so developed some perhaps inevitable tendencies. One was a tendency to become too self-centred: much internal energy was expended in getting and keeping the machine working, and this resulted in a certain loss of personal contact with the Administration. The other was, in the well-intentioned and necessary exercise of their functions by the Members, to increase the amount of correspondence to the Provincial Administration which had not, as I have shown above, been increased to deal with the extra responsibilities and duties.

I have, in Chapter V, quoted several instances of these tendencies and will refer again to the occasion recorded in paragraph 15 of Chapter V when the Governor appeared to be more concerned that a most important report on subversion sent in by the Provincial Commissioner, Central Province, should have been wrongly addressed, than with its contents. The burdens of the Administration were expressed in a demi-official letter sent by the Provincial Commissioner, Rift Valley Province, to the Provincial Commissioner, Central Province, on 23rd December, 1946:—

“With regard to paragraph 3 of the directive, I could not agree with you more. It is time Nairobi, with its multitudinous departments and sections, ceased to issue the stream of circulars, most of which duplicate themselves, and let the Provincial Administration get on with the job. The lack of real opportunity for *safari* is one of the real troubles we suffer from. District Commissioners are getting tired of answering masses of questions, the vast majority of which do not bring any results in the end.”

9. But in dealing with these tendencies it is not possible to base conclusions entirely on documentary facts: I can only record the sum total of the impressions I have gained after a most extensive reading of the files and from discussions with some of those administrative officers who were in the field at the time. These are, very generally, that with the development of the Membership System the prestige of the Administration was allowed to fall too low. There was an apparent tendency in high quarters to assume that the affairs of Government could be conducted through departments and that the devolution of authority to District Councils which was then taking place would, and possibly should, lessen the authority of the District Commissioner. This may well have been the eventual outcome when local governments were firmly established on a sound basis, but it was apparently not appreciated that so long as the administration of the country was conducted on the lines on which it was, and still is, the principal symbol and organ of governmental authority in the Provinces was the Provincial Commissioner with his attendant administrative staff. It was to the Administration that the Kikuyu looked for guidance and government. Whether this was part of a considered policy cannot be known, but there was no doubt that the Administration felt “cut off” from Government House. And, in the last 18 months before the declaration of the Emergency, the Administration sensed a very definite lack of sympathy and understanding of their problems on the part of the Member for Law and Order. It is obvious from the extracts from the debate in Legislative Council, recorded in paragraph 138 of Chapter V, that the European Elected

Members shared this feeling. I have already mentioned in Chapter III the unsatisfactory nature of the dual role which the Member for Law and Order had to perform—he was no doubt overburdened by his responsibilities—and the somewhat anomalous position of the Chief Native Commissioner. The special appointment of an administrative officer to the office of the Secretary for Law and Order in 1949 did not, in fact, achieve one of its primary objectives—that of liaison between the Member for Law and Order and the Administration, through the Chief Native Commissioner.

I have also commented in Chapter V on one other aspect of this general tendency to ignore the Administration—the fact that although the great mass of intelligence from districts came into Nairobi from and through the District Administration, the reports of the Director of Intelligence and Security to the Member for Law and Order were based almost without exception on those emanating from police formations. This particular comment brings to notice a matter of great importance in the organization of intelligence. However effective a Special Branch may be in the sifting and collecting of intelligence, the final assessment of the value and import of that intelligence should rest with the Administration who, by training and the very nature of their wider contacts with native opinion, is best fitted to do so.

10. I shall sum up these observations with the remark by the Acting Governor to the Chief Native Commissioner on 15th June, 1950 (*see* Chapter V, paragraph 58):—

“*Mau Mau* is a matter which is very much your responsibility.”

This was true enough, but it reflected the general attitude of those in authority, which persisted until the declaration of the Emergency—the attitude that *Mau Mau* was an administrative affair and that it was the business of the Administration to ensure that it did not interfere with the general smooth running of the governmental machine which was engaged on more serious matters. But the Administration, with the able help of the all too small and scattered police force in the reserves, was denied the opportunities of discharging this responsibility, nor were its combined warnings listened to. At the Provincial Commissioners’ meeting held in October, 1950 (*see* paragraph 74 of Chapter V), the Provincial Commissioner, Central Province, “considered that the propaganda against *Mau Mau* was useless and that legal action against the offenders was the only line of action”.

I realize that the Central Government never—till perhaps July, 1952—realized the potential threat behind *Mau Mau* and that this, as much as anything, accounted for the lack of more positive action.

11. As personalities have intruded themselves into the above comments I may perhaps have exceeded my terms of reference, but they did have a most important bearing on the failure to check the growth of *Mau Mau*, and reflected if not actual deficiencies in the Government machine tendencies which affected its efficiency.

12. Neither did the Administration receive the full moral and practical support which it might have expected from the European Elected Members who were, with some justification, urging the Government to take more positive action against subversion in general and *Mau Mau* in particular. I can do little better than quote from a section of the Provincial Commissioner, Central Province’s original report for 1951:—

“A heavy blow fell at the end of the year when the Unofficial Members of Legislative Council of all races, coming together to reduce expenditure in the Budget, struck out of the estimates four District Officers (Community Development) from Fort Hall, Kiambu, Nyeri and Kitui. This came as a serious shock to all European civil servants

since it demonstrated how insecure are even officers on the permanent and pensionable staff under Legislative Council with an unofficial majority. More important is the undoing of the work built up over the last few years which is beginning to achieve results, since all things in Africa start slowly. Much of this work will now fall on the shoulders of officers who are already overburdened."

As this comment was a direct criticism of the Unofficial Members it was deleted from the report before publication, but it illustrates well the frustration felt by the Administration at a time of increasing strain. Extra clerical help to enable administrative officers to compete with the ever-increasing confidential correspondence was also "cut out".

After lengthy discussions with the Standing Finance Committee some of these posts were reinstated in 1952, but there seems to be little merit in a system which denied to the Government the primary right of deciding how expenditure should be allocated.

13. Another criticism of Government, voiced as much by Provincial Commissioners as by the public, was that administrative staff were transferred so frequently that individual officers had no chance of establishing personal contacts with those whom they were administering, and that this contributed to the loss of confidence by the Africans in the Administration, and consequently to the value of the intelligence they were able to obtain. I have made a careful analysis of the administrative postings in the Kikuyu areas of the Central Province and the settled areas of the Rift Valley Province in the seven years prior to 1953. This criticism is not true in regard to Provincial Commissioners and the more senior of the District Commissioners, but it was most certainly true of District Officers, who were transferred with alarming frequency, such posts changing hands two or three times a year. Another perhaps justifiable criticism is that all the administrative staff were centred in district headquarters, and although many of them were on tour during the week they tended to return to headquarters during the week-end. And, as one ex-District Commissioner, Nyeri, has commented to me, it was at the week-ends that the thugs streamed out of Nairobi into the reserves and spread their pernicious poison. Contact with the people was not therefore as close as it might have been, and this reflected a deficiency in the Government machine. But, in spite of this, the intelligence reports which emanated from the Kikuyu districts were good.

Police:

14. Apart from the small cadres of Regular Police stationed at provincial and district headquarters, whose main function was that of guard duties, the drafting of Regular Police into the native reserves as guardians of law and order did not start in earnest until 1950. In 1947 the Provincial Commissioner, Central Province, reported that:—

"The establishment at Fort Hall was reduced to five constables and one sergeant, which was quite inadequate for the duties they were called upon to perform."

And, again, he reported in his annual report for 1950:—

"The plans for policing the Embu, Meru and Kitui districts were abandoned for lack of funds and the Fort Hall police were placed under the Thika Division."

Once again the Standing Finance Committee of Legislative Council, which was the unofficial guardian of the public, appear to have been ill-advised in denying the Government the ability to maintain law and order.

There was, however, an improvement in 1950, when new Kenya Police posts were established in Nyeri and Fort Hall districts.

15. The introduction of Regular Police was not welcomed with any particular enthusiasm by most of the Kikuyu, and tended perhaps to cause some slight friction with the Tribal Police, but the Provincial Commissioner, Central Province, in his annual report for 1951, was able to write:—

“Once again it is pleasant to be able to record that co-operation between the Kenya Police and the Administration has been close and cordial throughout the year. The activities of the Kenya Police were not extended further into the reserves, and Meru, Embu and Kitui are still without police posts; Kiambu, Fort Hall and Nyeri have them. The results in crime detection and public behaviour more than justify their presence. A new outpost was completed at Kangema in the Fort Hall district.”

16. At the beginning of 1952 the provision of Kenya Police for the Kikuyu reserves was as follows:—

Kiambu Reserve (population 260,000): 44 African ranks, i.e. 1:6,000 head of population.

South Nyeri Reserve (population 171,000): 11 African ranks, i.e. 1:15,500 head of population.

Fort Hall Reserve (population 300,400): 43 African ranks, i.e. 1:7,000 head of population.

These small cadres of police, which received some reinforcements during the year, together with the Tribal Police officers, performed sterling services, but they became completely overwhelmed by the vast increase in crime and subversion in the few months before the Emergency. As the District Commissioner, Fort Hall, has told me, there was no time to rise above events to see where this was all leading to. In August there were nine reported murders (N.B., there were in fact many more) and the small force of police were out night after night, but not a single arrest was made. Intimidation was so strong that no witnesses were prepared to give evidence in court. One just lived from day to day and hoped for the best. The declaration of the Emergency brought with it an overwhelming sense of relief.

17. By the end of 1952 the total number of Regular Police in the whole of the Central Province had risen by 160 to 723, and the Kenya Police Reserve by 624 to 1,500. By the end of 1954 the totals were 2,775 and 2,741. In the settled areas of the Rift Valley Province during the same period the number of Regular Police had increased from 711 to 1,257, and the Kenya Police Reserve from 1,160 to 3,316.

18. To return to the Administration, the outbreak of the Emergency in 1952 underlined these deficiencies, emphasizing the pressing necessity for closer administration generally. At the end of that year the number of officers in the field in the Central Province had increased to 24, whereas the staff in the Rift Valley Province and Nairobi remained virtually at its original level. The following year brought further increases, the number of administrative officers in the Central Province rising to 35, in the Rift Valley Province to 15, and in the newly created Nairobi Extra-Provincial District to eight.

19. Much larger accretions were apparent in 1954 when, as a result of extensive temporary recruitment, the numbers increased to 206, 35 and 15 respectively, but in this year also a number of administrative assistants were recruited in the United Kingdom on two-year contracts with a view to relieving District Commissioners of a portion of the multifarious routine duties tying them to their offices. In addition, the posting of District Officers to divisions, and the consequent delegation of authority, reduced the

pressure in district headquarters. This devolution has been reflected in numerous other districts not directly affected by the Emergency, and has become an integral feature of the basic administrative framework.

20. 1955 was the peak year for administrative staff in the affected areas, 218 District Officers on various terms of appointment serving in the Central Province, 48 in the Rift Valley settled areas, and 14 in Nairobi. Thereafter it became possible, outside Nairobi, to effect a progressive reduction, and in 1956 the numbers diminished to 126 in the Central Province, 38 in the Rift Valley Province, but increased to 20 in Nairobi.

21. In 1957 the relative figures showed a further decrease to 93, 17 and 13 respectively, but at a lower level there were then a number of officers designated District Assistants, who were first appointed in July, 1956, from the ranks of temporary District Officers, Administrative Assistants, Revenue Officers and Assistant District Officers, *inter alios* for the purpose of releasing permanent District Officers from such ancillary functions as revenue collection, accounting, office supervision and public works.

CHAPTER XIII

The Law and Public Security

"While the rule of law was synonymous with the maintenance of civilized societies, the law must keep pace with the constant change of the society. Protection of the rights of the individual was not the sole function of the law; it had also to protect society from the selfish instincts of the individual." (Note 1.)

"The reason is the extreme difficulty of applying the cold logic of British judicial methods to the essentially imprecise undertones of much that goes on in Africa." (Note 2.)

1. It is abundantly clear from Chapter V that by July, 1952, the processes of law, in the Kikuyu Land Unit and in most of the Kikuyu-dominated areas elsewhere, had failed to achieve their most elementary requirement—the protection of the fundamental rights of the individual, not only to live, but also to live peacefully and in the lawful possession of his property. And this was no sudden failure. For some months the police had been having the greatest difficulty in prosecuting known adherents of *Mau Mau*—an unlawful society, let it be noted, which had been proscribed as such two years previously—for the simple reason that those who had been prepared to give their statements to the police were too frightened to testify openly in Her Majesty's courts of law. Assassination was abroad in the land; a reign of terror had started. At the end of August the Commissioner of Police reported that over 100 such cases had had to be dropped and the accused released to carry on their nefarious work. What may perhaps have been less clear at the time, but which is now clear, is that the law or the processes of the law had failed to achieve their second requirement—the protection of the whole body politic from rebellion and chaos. That this constituted a major deficiency in the Government machine is, I submit, self evident and the main object of this chapter is an attempt to assess the reasons for this failure of the law, a failure which, in my opinion, was as much a fundamental cause of the outbreak of rebellion as the admitted failure of the intelligence system to impress on the Government the seriousness of the situation. I use the word "impress" advisedly as it is clear from Chapter V that the basic intelligence was there.

I write this as a layman with no specialized legal training, but as an administrator who had had many years' experience of administering justice in Africa under the Sudan Penal Code and Code of Criminal Procedure, both of which were based on the Indian Codes, suitably and wisely adapted to suit the different conditions to be found in the Sudan. I also write with some humility and more trepidation as the trained lawyer has become a zealous and jealous guardian of the law, and may resent this incursion

Note 1.—Extract from the inaugural speech delivered by Pandit Nehru to the meeting of international jurists at Delhi on 4th January, 1959.

Note 2.—Extract from a leading article in *The Times* of 24th July, 1959, on the Devlin Report on the Nyasaland disturbances. It refers, in particular, to the judicial form in which the report had dealt with some of its judgments on the events, but it has a much wider bearing on the whole question of the application of British processes of the law to more primitive societies.

on his preserves; but I write it with one very clear objective in front of me, and that is an honest endeavour to ascertain how it came about that law and order, as we know it, had virtually disappeared from many parts of Kenya some months before the Emergency was declared. This is a complex subject which is worthy of a much more detailed study. All I shall attempt in this chapter are a few personal and general observations. From the answer to the question: "Was this deficiency due to weaknesses in the law or in the processes of law", it is obvious that this chapter falls into two distinct parts. I shall therefore, in the first place, outline briefly those portions of the law which relate specifically to the maintenance of law and order.

THE LAW

Emergency Powers Order in Council:

2. As explained in the preamble, the object of this Order in Council made at the Court at Buckingham Palace is "to make other provisions than those now existing for security in time of emergency in colonies and protectorates". It provides for the Governor to proclaim an Emergency and apply Part II of the Order in Council to the colony or any part of it. He may then make regulations as appear to him to be necessary or expedient for securing the public safety, the defence of the territory, maintenance of public order, and for the suppression of mutiny, rebellion and riot, and for the maintaining of supplies and services essential to the life of the community. Among the very comprehensive powers given to the Governor, he may make provision for the detention of persons and the deportation of persons from the territory; provide for amending any law, for suspending the operation of any law and for applying any law with or without modification and provide for the apprehension, trial and punishment of persons offending against regulations; provided that nothing in this section shall authorize the making of provisions for the trial of persons by military courts. These regulations have no limit in time and do not have to be laid in Legislative Council.

As will be seen from the above, this Order in Council gives the Governor absolute and dictatorial powers, and the Emergency in Kenya was declared under this Order.

3. In addition to the above Order in Council, the Emergency Powers Ordinance No. 12 of 1948 was enacted on 24th March, 1948, and amended by Ordinance No. 5 of 1950.

Section 2 (1) of this Ordinance reads as follows:—

"If at any time it appears to the Governor in Council that an occasion of emergency or public danger has arisen, or that any action has been taken or is immediate threatened by any person or body of persons of such a nature as to be calculated, by interfering with the supply and distribution of food, water, fuel or light, or means of locomotion, to deprive the community, or any substantial portion of the community, of the essentials of life, the Governor may, by proclamation, declare that a State of Emergency exists, either throughout the colony or any part or parts thereof specified in a schedule to the proclamation of the Emergency and may from time to time, by notification in the *Gazette*, add to or vary such schedule."

Section 3 gives the Governor in Council the power to make regulations for securing the public safety or interest and the essentials of life to the community. This regulations, apart from securing and regulating the supply

and distribution of food, water, fuel, etc., and the control of transport in all its forms, gave Government powers of arrest, search, detention, restriction, deportation and security for good behaviour.

It will be noted that this Ordinance was designed primarily to deal with an Emergency of short duration, one such as might be occasioned by a general strike. It was not intended to cover the more serious threat of a widespread breakdown in security or a general uprising.

4. The declaration of a State of Emergency is a most serious step to take, as it acknowledges the fact that the ordinary processes for the maintenance of security have broken down and the very great difficulty which faces a Government when called upon to do so is in justifying the timing of the declaration by events. There is, of course, an essential difference between the legal state of an Emergency and the actual physical condition of an Emergency. But the difficulty which faces the Government in this "twilight period" is a true assessment of the likelihood of a physical condition of an Emergency becoming a reality, as to be of any real value the legal state of an Emergency *must* be declared before the final breakdown in security takes effect.

An added difficulty is the fact that a Colonial Government has normally to justify its actions in advance to the Secretary of State who will subsequently have to justify his acquiescence to Parliament.

5. So far as this particular historical survey is concerned much of the above may be said to be of only academic interest as those in authority in the Government failed to realize the portent of the increasing state of subversion and insecurity taking place in Kikuyu country: consequently the question of a declaration of a State of Emergency was never seriously discussed. This is a fact which cannot be gainsaid. I have already, in paragraph 147 of Chapter V, recorded that at the meeting held with the European Elected Members Association on 19th August, 1952, the Acting Governor, presumably on the advice of the Member for Law and Order, categorically denied that the conditions were such that a physical State of Emergency existed, or was likely to arise. And this view was persisted in during the visit of the Member for Law and Order and the Chief Native Commissioner to the Colonial Office in September, 1952, recorded in paragraphs 155 and 156 of Chapter V, both of whom gave the impression during their contacts in the United Kingdom that the amendments to the legislation that they were discussing, which were in fact of a very minor character, would quickly restore the position. In a speech delivered by Lord Ogmores in the House of Lords on 29th October, 1952, he quoted the Chief Native Commissioner as saying that:—

"They (the amendments) are not needed now so much, but they are a safeguard against further subversion."

Deportation (Immigrant British Subjects) Ordinance:

6. It will be noted that both the Emergency Powers Order in Council and the Emergency Powers Ordinance give the Governor the very wide powers to detain the leaders of subversion without trial. The only other power that he has of restricting the activities of such dangerous agitators is the Deportation (Immigrant British Subjects) Ordinance of 1949. This, as its subtitle indicates, is an Ordinance to "regulate the deportation of undesirable British subjects and for similar purposes". Its main title is perhaps misleading as it gives the Governor in Council, subject to limitation,

the power to deport or restrict any British subject. The limitation is the requirement of what amounts to a trial, which can be held *in camera*, by a judge or a magistrate who will then make a report setting out his findings and his recommendations. In practice this limitation is a severe one. It assumes that an intent to rebel, or to incite the ignorant masses to murder, etc., must be preceded by acts or utterances which can be proved by evidence in a court. And although the enquiry can be held *in camera* the Government is often not in a position to reveal in court what might amount to delicate sources of information, particularly so if the person charged is likely to be "acquitted". Moreover, it is extremely difficult to keep witnesses out of sight, and even more difficult to induce them to believe that the fact that they have given evidence will not be known. The penalty for detection in giving evidence in *Mau Mau* cases was, of course, murder or severe intimidation, not only of the man himself, but his whole family (*Note 3*). It is this fact of intimidation which is such a common feature in Africa that renders nugatory so much of British processes of law.

It is thus only in the few cases which may be amenable to the procedure under the Deportation (Immigrant British Subjects) Ordinance that it is possible to detain a dangerous person without the necessity of declaring a State of Emergency. But experience has shown so often that if the Governor had this power during this "twilight period" there would be every prospect of preventing a state of affairs which would necessitate declaring a State of Emergency.

7. The main obstacle which prevents the strengthening of the legislation to give these powers is the necessity of persuading world opinion that they do not contravene the provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms, by which H.M. Government and the Kenya Government are bound. A Convention in which the scales are weighted heavily in favour of the individual and which, as I have commented on in Chapter II, places a great strain on the governing of those who know little of freedom and care less. The main article of this Convention which inhibits action is Article 5, which proclaims the right to liberty and security of a person and, in effect, prohibits detention without trial. There is, however, an "escape" clause (Article 15) which reads as follows:—

"In time of war or other public emergency threatening the life of a nation, any high contracting party may take measures derogating from its obligations under this Convention to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with its other obligations under international law."

Any such derogations have to be notified to the Council of Europe, as was done in respect of the present Emergency Regulations in Kenya. But this "escape" clause does not provide the answer to this particular problem as a State of Emergency has first to be declared. No detention without trial has been a cardinal, if not the cardinal, principle of British justice for many centuries and cannot lightly be discarded, except in times of extreme danger to the state. But the objective of preventing the spread of subversion in a "twilight period" might be achieved by restriction of residence rather than detention.

Note 3.—See Chapter V, paragraph 33. A copy of the letter sent by X to the Governor was stolen from his desk, and a day later was reported by Special Branch to have been seen in the hands of Jomo Kenyatta. Four of the eight potential witnesses were assassinated by *Mau Mau*, including Chief Waruhiu, and the fifth was seriously wounded.

I can do little better than sum up this problem in the words of Sir Philip Mitchell in his book *African Afterthoughts*—

“These are countries in which the rule of law is still a thing which has to be imposed; it has not yet replaced the ferocious freaks of magic in the savage natures of the great majority. If, in these circumstances, a Governor with the advice of his Executive Council is not to be trusted with the power of making detention orders until ‘the dangerous material which has accumulated has burst into flames’, he ought not be a Governor. But if, that having been considered, it is still held that what is right in Britain must be right in Africa, there is no more to be said, except that prevention of things like *Mau Mau* is made infinitely more difficult.”

8. I have already dealt with the law of sedition and public assembly in Chapter VIII. Here again the application of the law is severely circumscribed by the Human Rights Convention. Briefly, the great difficulty facing the prosecution is that of proving “seditious intention” as in the law of sedition the principles of the maintenance of law and order are carefully balanced against the preservation of freedom of speech, and it has become a long established principle for the British courts to favour liberty of speech. And as the failure to achieve a conviction will enhance the prestige of the person prosecuted, Attorney-Generals have always been wary of prosecuting unless the chances of “conviction” are overwhelming. In view of the Human Rights Convention any attempt to overcome this difficulty by a direct amendment to the principal law of sedition would not succeed. But the law in other East African territories and in Central Africa obviates this difficulty by an addition to the law of sedition which relates the intention of the uttered or written word to more precise acts or omissions. This difficulty of securing a conviction in a case of sedition was often used to reinforce another reason for not prosecuting—if the prosecution failed, it would enhance the prestige of the person acquitted. It may be a valid reason in certain special circumstances, but it is a most dangerous excuse. An extension of this line of thought, although it is strictly outside the particular objects behind this chapter, is that a conviction for sedition may make the accused a martyr. It is fairly obvious from the record of events in the pre-Emergency period that this line of thought influenced the Government unduly against taking action in the case of Jomo Kenyatta, but it is an even more dangerous excuse, and encourages the wrongdoer to further excesses. But the whole weight of experience has shown that the ultimate dangers to law and order far exceed the possible immediate dangers if a fear of the consequences of taking the correct action is the main reason for not taking such action.

Unlawful Oaths:

9. Any person who is present at and consents to the administering of an oath to commit a criminal offence punishable by death, or takes any such oath not being compelled to do so, is guilty of a felony and is liable to imprisonment for life. (Penal Code, Section 61.) Similarly, any person who administers or is present at or takes other unlawful oaths to commit offences is liable to imprisonment for seven years. But under section 63 it is a defence that the person was compelled to do so if within 14 days he makes a declaration to this effect before a magistrate.

In December, 1950, an additional clause 62 (a) was added, making it an offence to compel another person to take an oath by threat or intimidation of any kind. Section 63 was also amended, reducing the time for

reporting a forced taking of an oath from 14 to five days. Not long after the introduction of this last amendment the police reported that it was causing additional difficulties in obtaining convictions, as unless the person reported within five days he was treated as an accomplice and his evidence was not acceptable in the courts (*see* paragraph 13 below). This difficulty increased as the number of persons oathed increased.

Unlawful Societies:

10. Section 69 defines unlawful societies. The various definitions can be covered generally by that of a society of ten or more persons formed for the purpose of disturbing or inciting to the disturbance of peace and good order in any part of the Colony: and, more specifically, if declared by an order by the Governor in Council to be a society dangerous to the government of the Colony. The *Mau Mau* society was declared as such in April, 1950. Any person who manages or assists in the management of an unlawful society is liable to imprisonment for seven years (section 70) and any person who is a member of an unlawful society or knowingly allows a meeting of such a society to be held in any house, etc., over which he has control is liable to imprisonment for three years. A prosecution for an offence under these last two sections cannot be instituted except with the consent of the Governor.

The Law of Evidence:

11. The Indian Evidence Act, 1872, as applied to Kenya, governs the admissibility of evidence in the Government's courts. This act stringently forbids the admission of incriminatory statements made to a police officer of any rank or standing as evidence against the person making such statements, the relevant sections reading:—

25. No confession made to a police officer shall be proved as against a person accused of any offence.

26. No confession by any person whilst he is in the custody of a police officer, unless it be made in the immediate presence of a magistrate, shall be proved against such person."

With the widespread increase in subversion which took place in the months before the Emergency it was often quite impracticable to produce a would-be confessor before the sparse and over-burdened magistracy before he had repented of his resolution to confess. With the cautious acquiescence of the Attorney-General, and against the advice of the Chief Justice, and after convincing the Colonial Office that such a relaxation was inevitable, it was decided to introduce legislation extending the power of recording legally admissible confessions to senior police officers. On 3rd October, 1952, the Evidence Act was amended accordingly by the addition to the end of section 25 of the words:—

"Unless—

- (a) such police officer is of or above the rank of or a rank equivalent to assistant superintendent; or
- (b) such a police officer be an administrative officer holding first or second class magisterial powers and acting in the capacity of a police officer."

Section 26 was also amended by the insertion after the word "magistrate" the words:—

"Or an administrative officer holding first or second class magisterial powers or a police officer of or above the rank of or a rank equivalent to assistant superintendent."

12. But an even greater difficulty confronted the administration and the police during those critical months as intimidation had become so widespread that witnesses were unwilling to appear in court. The Government therefore sought approval for legislation covering the admissibility of statements made on oath to police or administrative officers as evidence in court. This again was one of the subjects discussed by the Attorney-General with officials of the Colonial Office when he visited London in September, 1952. The law advisers at the Colonial Office explained that it would be very difficult indeed for the Secretary of State to approve this Bill without very considerable safeguards, as by denying the right of cross-examination the scales were weighted heavily against the accused and made framing only too easy. They suggested that the position might be dealt with by enabling courts to hear the whole or part of the trial *in camera*, but it was explained to them that the processes of terrorizing witnesses had now gone so far that it was frequently impossible to get a witness to attend court. This had only recently been the subject of comment by one of the Kenya magistrates. After much further discussion an Ordinance entitled "Evidence (Temporary Provisions) Ordinance", with a life of one year, was agreed to and enacted on the 3rd October, 1952, but it was so hedged about with safeguards that it was never used and was, in fact, very shortly superseded by the declaration of the State of Emergency.

Evidence of an Accomplice:

13. Under section 133 of the Indian Evidence Act, a conviction based on the uncorroborated testimony of an accomplice is not illegal. But the presumption that an accomplice is unworthy of credit unless corroborated in material particulars has become a rule of application of almost universal practice in the courts of the United Kingdom, and consequently in the courts of Kenya. This rule of practice has become virtually a rule of law and no judge will convict on such uncorroborated evidence.

As it was estimated that at least 80 per cent of the Kikuyu had taken the *Mau Mau* oath by the time the State of Emergency was declared, and they were all therefore potential accomplices in any *Mau Mau* crime, the strict application of this rule increased immeasurably the difficulty of the police in obtaining convictions.

In addition to the above, the following two amendments to laws were discussed and agreed to during the visit of the Attorney-General to the Colonial Office in September, 1952.

The Societies Ordinance:

14. This was an Ordinance to tighten up the previous legislation which provided for the registration of societies. It did not, of course, relate to unlawful societies, which were dealt with under the Penal Code, but any legal society not being a registered society or an exempted society under this Ordinance was deemed to be an unlawful society. This Ordinance was enacted on 29th October, 1952.

Special Districts (Administration) (Amendment) Ordinance:

15. There was already in existence an Ordinance enacted in May, 1934, and amended in 1948, which provided for the maintenance of order in certain districts within the Colony. This Ordinance gave the provincial commissioners and district commissioners certain powers to restrict the movements of persons who were deemed to be dangerous to peace and good order after reference to a tribunal. It was enacted mainly for use in cases of tribal disturbances, such as blood feuds, etc. The amending

Ordinance gave Provincial Commissioners additional powers to restrict the movement of persons in the district or to remove them to places outside the district who are members of an unlawful society. This Ordinance was enacted on 3rd October, 1952. It was also overtaken by the declaration of the Emergency, which gave the Governor wide powers of detention and restriction. It was, therefore, too late to be of any value. My only comment is that had greater use been made of this Ordinance at an earlier date it might well have proved effective in curbing the activities of some of the agitators.

16. To summarize, the legal powers in the hands of Government, i.e. the law, were in the main adequate, except in one respect, but one of vital importance. The law did not give the Government sufficient powers in a non-Emergency period to protect the safety of the state against those who deliberately sought to destroy it. The legal powers to maintain public order, and thus individual security, were inadequate. They had failed to take sufficient cognizance of the two basic factors which still persist in many African communities—the baleful influence of the spoken or written word on the unsophisticated masses, and the prevalence of intimidation as a political weapon.

17. I have, in the preceding paragraphs, dealt very briefly with the main aspects and provisions of the law as they affected the maintenance of public security in the years before the declaration of the State of Emergency on 20th October, 1952. It now remains to discuss the more difficult, and perhaps the more delicate, question of how it came about that the processes of law gradually but inexorably failed to maintain even the semblance of public security in the Kikuyu dominated areas by the time of the fateful day of 20th October; more delicate because the British are, with some justification, proud of the legal procedures evolved in Britain for the administration of justice.

18. Before I proceed further I must make it clear that the judiciary and the magistracy are bound to administer justice in accordance with the law as enacted by the legislature, and any failure of the law to achieve its objectives of protecting the individual and society is no fault of theirs; the responsibility lies with the legislature, although the advice of the judiciary on both the law and the processes of law should be sought and given.

19. The concept of equality before the law, which the British people have implanted among the diverse peoples of the Commonwealth and the Colonies, may well prove to be one of their greatest contributions to the advancement of civilization in this world. They inherited this concept from the days of classical Greece and Rome, and have enriched and embellished it. It is summed up in the words "British justice". The British have in their own country evolved the processes of law suitable to a homogeneous people to safeguard and administer these principles of justice. Fully convinced of the essential rightness of their system they have, like the Romans before them, transplanted and imposed this system, with perhaps too little modification, on the subject peoples they have conquered or have by treaty become responsible for. They have sought to inculcate the concept of British justice with the full panoply of the law which was evolved in a completely different environment.

20. As I have already discussed in Chapter II, primitive and western societies have evolved in two entirely different environments. These have had their inevitable effect on the pattern of life and customs within those societies. The basic factor in primitive societies is the protection of the

community, and the individual is therefore subservient to the community. This attitude is illustrated well by their concepts which lie behind the administration of justice. When an individual transgresses, even to the extent of murder, it is the community, represented by the family, which has to pay the "blood money". The community and not the individual is deemed to be responsible. The concept behind this form of recompense is the same as that behind the payment of "bride price". The family or clan in each case has lost an individual: the recompense will enable it to replace that member. It is this idea of group or clan responsibility which gave such force to the *githathi* oath discussed in Chapter VI.

The evolution of western societies, on the other hand, has been based on the concept of the individual and of individual responsibility. This is again reflected in the evolution of the administration of justice, and the rock on which the British judicial system is built is the individual's respect for the law—respect which, by gradual growth throughout the centuries, has become part and parcel of the Anglo-Saxon heritage.

In Africa there was, of course, a respect for the law, but a respect based on the fear of the consequences which would overtake the community if the customary law was broken. This is changing fast under the impact of Western thought, but the African in the mass has not yet achieved that respect of the law which is taken for granted in the legal processes the British have evolved to suit their needs and characteristics.

21. But the British in Africa and elsewhere have sought not only to instil in the minds of the people their general principles of justice, which are wholly laudable, but also to impose their main processes of law in circumstances which are entirely different to those in which they were evolved. In doing this, has there not been a mistaken tendency to equate judicial procedure with the administration of justice? Have not the British, as it were, invested their legal processes with a "divinity" which they do not deserve and thereby impeded a modification of them to suit other circumstances, in the mistaken belief that any change will upset a carefully balanced machine?

22. The two differing lines of thought posed by these questions were the theme of a debate in Legislative Council on 8th October, 1953. Although this debate took place only one year after the declaration of the Emergency, and in perhaps different circumstances, the principles discussed were equally well applicable to the pre-Emergency period. The occasion for this debate was the fact that although the Lari Massacre had taken place on 26th March, 1953, over six months previously, not one single sentence of death had been carried out. One hundred and nine accused had been convicted, 105 had appealed, and 81 were still awaiting the completion of their cases. The theme of Mr. Blundell's speech proposing the Motion may be summed up in his words:—

"Unless we can convince the great majority of our people that the processes of our law are as effective and swift against the wrong-doers as the old tribal sanctions, we are going to have a great danger in front of us."

The Acting Solicitor-General, in a speech which received "prolonged applause", defended most ably and sincerely both the principles and the main processes of British justice. He mentioned the fact that the processes of law had been shortened by the abolition of the important preliminary trial procedure:—

"That safeguard whereby a man's possible guilt or undoubted innocence is tested even before he goes to trial."

The speech, which was directed in the main against any further shortening of the judicial procedure, is too long to quote in any detail, but its theme may be summed up in the following extracts:—

“At this crossroads there is a decision to be made. Do we progress as we go on, do we, by adhering firmly to the principles of justice as we have inherited them, progress through the rule of law and order to the establishment of the Queen’s peace, which is our goal, or if we abandon certain principles are we going to get any further any faster? For if we abandon them we have to say we will abandon the rule of law and order in its strictest form as we have inherited it.”

Mr. Blundell’s Motion was supported by Mr. Humphrey Slade, who spoke as “a lawyer with the very greatest possible pride in the tradition of British justice”, but he recognized that “the law is the handmaiden and not the mistress of society”. After commenting that the substance of justice is the same in many different Christian countries, although it appeared in many different forms, he continued:—

“In the past we have overlooked that fact in trying to bring our law to more primitive places and peoples. We have tried to bring out not only the person but all the clothes of a completely civilized country.”

He ended a long and distinguished speech with the words:—

“Better, surely, be honest and cut away some of the trimmings in order to satisfy all that there is still justice of some kind, because that is what we must preserve.”

23. These speeches dealt with some of the points I have endeavoured to bring out in these comments; they also illustrate well the great dilemma which faced, and still faces, those who are responsible for the administration of justice in colonial territories. There is an understandable reluctance to tamper with this judicial machine, which serves its purpose so well in the United Kingdom. There are, however, signs that the times are changing and there is a growing body of opinion, both lay and judicial, which realizes that what so many living in Africa have for some time realized—that the processes evolved in the United Kingdom for the conduct of the state and the administration of the law do not function so effectively in the still primitive conditions of so much of Africa. I can quote no greater authority for this view than Lord Justice Denning. In the course of his judgment delivered in February, 1955, on the Nyali Bridge tolls appeal, he said:—

“Just as with the English oak, so with the English common law: one could not transplant it to the African continent and expect it to retain the tough character which it had in England. It had many principles of manifest justice and good sense which could be applied with advantage to peoples of every race and colour all the world over, but it had also many refinements, subtleties and technicalities which were not suited to other folk. These off-shoots must be cut away. In those far-off lands the people must have a law which they understood and which they would respect. The task of making these qualifications was entrusted to the judges of those lands. It was a great task.”

24. In times of leisurely normal progress under peaceful conditions in Africa, little harm may be done in indulging in the luxuries of the refinements, subtleties and technicalities referred to in Lord Justice Denning’s judgment. The old adage that it is better that one hundred guilty go free than that one innocent man be convicted can be allowed to have its run. If a few guilty escape the rigours of the law, they may be less fortunate

the next time they appear before the courts. But we are not living in peaceful times, but times of great emotional stress, times which unfortunately play into the hands of those who seek their political objectives, which may themselves be legitimate, by violent ends. The failure of the processes of law to obtain a conviction *when the law is broken* is no longer a matter which the state can afford. And I say this advisedly as it happened so often in the years before the Emergency. I would refer, in particular, to the release on appeal of the nine persons found guilty of attending a *Mau Mau* oath-taking ceremony in Naivasha in April, 1950, recorded in paragraph 56 of Chapter V. This trial and the appeal, the first major contest between the "law" and *Mau Mau*, was being watched throughout Kikuyu country: *Mau Mau* won. Failures become progressively more dangerous as they gather momentum. Respect for the law disappears and this breeds more lawlessness. As the report of the Internal Security Working Committee, dated 27th November, 1951 (*see* Chapter V, paragraph 104), so rightly stated:—

"The potency of the organization (*Mau Mau*) depends on the extent to which it possesses the power, latent in all secret societies, of being more feared than the forces of law and order."

Mau Mau was in point of fact about to achieve this objective and, as I have remarked in Chapter V, it won the race with disastrous results for Kenya.

25. This is not the occasion for a dissertation on comparative law in Europe and Africa. Those who may be interested can read the most authoritative chapter on law and justice in Lord Hailey's monumental work, *An African Survey*. Although I have views on this subject which are based on practical experience, I am neither qualified nor am I called upon to make recommendations, but I would suggest that the pride with which the British have viewed their own methods for the administration of justice has tended to mask the fact that other Western civilizations have also achieved the aim of true justice by different methods. Other nations, for example, often find it difficult to fathom that peculiar British institution, "trial by jury", with its intricate pattern of cross-examination, an institution which, as much as anything, is responsible for the complicated rules governing the admissibility of evidence which may appear to some to afford the accused an undue share of protection and to deny to the judge a certain right of discrimination which he could by training and instinct be expected to enjoy. I quote again the extract from the judgment delivered when Fred Kubai was found not guilty of the attempted murder of Councillor Muchohi Gikonyo, which I have already quoted in paragraph 61 of Chapter V:—

"Fred Kubai is quite unworthy of belief on any material point. The case against him is one of the gravest suspicion. It is difficult to imagine a case which has gone nearer to conviction without the court being able to convict."

26. I have attempted little more in this section than some comments on the danger which may follow from the too strict an application of the forms of judicial procedure as evolved in Britain to more primitive societies.

I shall end where I began by repeating the undeniable fact revealed in Chapter V that law and order, in the sense of security for the life and property of the individual, as well as the well-being of the state, had disappeared from large areas of Kikuyu-dominated country by the time the Emergency was declared and this was no sudden disappearance but a process which had started some months, or even years, before that declaration, although it only gathered its devastating momentum some four or five months previously.

The declaration of the Emergency gave the Government extreme powers to deal with the rebellion which took place. A record of the legal steps taken to enforce these powers during the Emergency and their effectiveness will have to await a survey of that period if it is ever undertaken. But the short extracts from the debate in Legislative Council on 8th October, 1953, recorded above, indicated in one particular respect that great difficulties faced the country in the reasonably swift administration of justice which was at that time so essential. There is a further, but most important, aspect of the problems of administering justice: the great danger which faces the community where the normal processes of law have failed in that members or sections of the community may take the law into their own hands. Before and during the first months of the Emergency the Kikuyu areas were so dominated by *Mau Mau* that this danger did not become an immediate live issue. And the European community, although under the greatest strain, realized the danger and resisted it with commendable restraint. But as the Kikuyu Guard, who had suffered terribly at the hands of *Mau Mau*, gained strength this danger was constantly present, and was not fully averted. It raised its head at a critical time during the Emergency and forced the Government on a course of action in regard to its surrender policy which was not perhaps at that time justified by the operational situation.

27. It is already appreciated by the Government of Kenya that a strengthening of the law in regard to public order and security is necessary and I can only hope that those in the United Kingdom who are in fact the final arbiters in the matter will realize this. This historical survey, if ever it is published, should give them food for thought. (*Note 4.*)

Although I am not called upon to make recommendations, I would suggest that the facts revealed in this historical survey afford the additional opportunity for a more fundamental research to be undertaken into the application of British methods of administering justice in African countries. I have had occasion to discuss this with some members of the judiciary and I have noted with interest that many of them agree that some of the British processes of law fit uneasily into their African background. To quote from an article in *The Times* of 2nd June, 1959, on Rhodesia:—

“Subtle forms of intimidation have been alleged. The normal trappings of a democratic judicial system are ill-equipped to deal effectively with such threats to public safety.”

Such a survey would have the supreme advantage of studying not what might have happened, but what did happen, when the processes of law failed, and I might suggest that it is in the realms of admissible evidence that it might prove fruitful, bearing in mind the fact that truth is a somewhat rare virtue in the African whose main objective is so often to outwit the course of justice. (*Note 5.*) It is in this connexion worth noting that law reform is becoming a live issue in the United Kingdom. Among the other subjects it has now been agreed that the present procedure for committal to trial—although devised to safeguard the accused—needs review, on the grounds that its public nature may in fact seriously prejudice the defence of the accused at his trial. It was, as I have noted above, omitted during the

Note 4.—Since this report was written, the Preservation of Public Security Ordinance, 1960, of Kenya has been passed into law.

Note 5.—Since the writing of this report a conference on “The Future of Law in Africa” has been held in London, appropriately under the chairmanship of Lord Justice Denning, to discuss various aspects of legal processes, attended by delegates from Colonial Dependencies and those countries which have recently achieved independence.

Emergency in Kenya, but for reasons of necessity, and after some misgivings by the law officers of the Crown. And it might be noted here that this "double trial" is rarely understood by the African, just as he has found so much else in our legal system difficult to understand. To quote Lord Hailey:—

“He no doubt realized that the procedure adopted was intended to secure an equitable decision. But he must often have reflected on its shortcomings in this respect, due to the form of judicial machinery employed for ascertaining the truth. Whatever the merits of this procedure may have been in contemporary Europe, they were not easily recognized by the African.”



CHAPTER XIV

*Mau Mau and the Trade Unions***Introductory History:**

1. Shortly after the war the Labour Trades Union of East Africa was founded by Makhan Singh, an Indian Communist, who became its first general secretary. It was later eclipsed by the African Workers Federation which was formed in Mombasa in 1947 by Chege Kibachia as a direct result of the strike which took place there in January of that year. The latter derived its support mainly from the Kikuyu and the Kenya African Union showed much interest in its formation. After the strike, branches were opened in various parts of the country, including Nairobi. Kibachia's main ambition appears to have been the desire to have an all-African workers' organization. The Federation's office was known as the "*Offisi ya Masikini*"—the "office of the poor". This title attracted many Africans and it developed into an organization of some influence, with a political bias, as it interested itself in all problems affecting Africans and employees. On the arrest and deportation of Chege Kibachia in September, 1947, following the Uplands Riot (*see* Chapter V, paragraph 10), its influence began to wane and further deteriorated with the arrest of some of its leaders on charges of misappropriation of funds and of holding illegal courts.

2. Prior to this, in 1946, the K.A.U. had sent W. W. W. Awori to England on a political mission and while in Britain he got in touch with the British Trades Union Congress which obviously showed an interest in the possibility of a Trades Union movement springing up in Kenya. About this time a Trades Union adviser was appointed to assist in the formation of Trades Unions and other workers' organizations on sound lines.

3. On the eclipse of the African Workers Federation, the Labour Trades Union of East Africa became increasingly active. The Africans were now awake to the idea of joining workers' organizations, but the tendency was to form separate unions for different classes of workers, on the lines of the British Trades Unions. Makhan Singh and Fred Kubai, who were the chief champions of the workers' cause, encouraged the formation of such unions, and decided to form the East African Trades Union Congress to co-ordinate the activities of the various unions, with themselves as secretary and president.

This body sought to be registered under the Trades Union Ordinance, but this was not possible as the East African Trades Union Congress was not in itself a trades union, nor was the Government encouraged to give it any support as it showed unmistakable signs of becoming Communist. Although it served ostensibly the workers' interest, its activities were purely subversive and political. At the time of the granting of the Royal Charter to the City of Nairobi in February, 1950, it attempted to organize a boycott of the celebrations. In May, 1950, the Government therefore decided to take action against it in the courts for a decision as to its legality. The Congress thereupon called a general strike. Makhan Singh and Fred Kubai were arrested. The strike which was widespread, but confined to Nairobi,

lasted seven days. Makhan Singh was deported. Fred Kubai was fined, but was again arrested on a charge of the attempted murder of Councillor Muchohi Gikonyo (*see* Chapter V, paragraphs 60 and 61).

4. With the demise of the East African Trades Union Congress some of the smaller and more recently formed Trades Unions had to struggle for existence, but among those which continued to increase their influence was the Transport and Allied Workers Union (founded in 1947) under its president, John Mungai, a prominent member of K.A.U., and later of *Mau Mau*.

Mau Mau Influences:

5. A survey of the leading personalities in the Trades Union movement discloses that the protagonists in union activities and organization, both before and after the declaration of the Emergency, also held important positions in the Kenya African Union. Through their machinations trades unionism became inexorably more entangled in the *Mau Mau* web.

Two of the seven leaders convicted at Kapenguria for the management of *Mau Mau* were also stars in the Trades Union firmament. Fred Kubai, in addition to being "elected" secretary of the Nairobi branch of the Kenya African Union through Kenyatta's manipulation, was also president of the East African Trades Union Council and secretary of the Transport and Allied Workers Union, whilst his fellow convict, Bildad Kaggia, the general secretary of the Kenya African Union, held the posts of adviser to the Kenya Federation of Registered Trades Unions, and of president of the Labour Trades Union of East Africa.

Holding these key positions and in view of the preponderant Kikuyu membership of the majority of Trades Unions it was a simple task for these men to manipulate union policy for subversive purposes and to direct and stimulate *Mau Mau* penetration of the whole movement. Other Trades Union officials detained for *Mau Mau* activity on the declaration of the Emergency included the secretary, vice-treasurer and two members of the committee of the Transport and Allied Workers Union, the chairman and a former chairman of the Domestic and Hotel Workers Union and a former president of the Nightwatchmen, Clerks and Shopworkers Union.

6. The Trades Unions were, of course, centred upon Nairobi and in April, 1953, when many *Mau Mau* committees had been penetrated and removed, it became apparent that Trades Union leaders were figuring prominently in the *Kiama kia Wiyathi* (the Council of Freedom), the most influential *Mau Mau* conclave then in being. This body maintained a special committee to conduct the further penetration of the Trades Union rank and file though its duties cannot have been onerous for the bulk of the Kikuyu population of the city were demonstrably either active or passive adherents of *Mau Mau*, dominating the Trades Unions at all levels.

The revelation of the Council of Freedom resulted in the arrest of seven further Trades Union leaders, including the national general secretary and the national general treasurer, with three committee members, of the Transport and Allied Workers Union, the general secretary of the Domestic and Hotel Workers Union and the acting president of the Nightwatchmen, Clerks and Shopworkers Union, three of whom were also officials of the Kenya Federation of Registered Trades Unions and as such prominent in the Trades Union hierarchy.

The identification of union leaders with the highest levels of *Mau Mau* stemmed from investigations into *Mau Mau* activity, and not from surveillance of the unions, proving beyond doubt that contagion had spread from the summit and had not seeped upwards from the lower strata. The

two unions most seriously contaminated were the Transport and Allied Workers Union and the Domestic and Hotel Workers Union which were preponderantly Kikuyu in organization and membership.

7. Intensive action in Nairobi in April, 1954, resulted in the arrest of 56 Trades Union officials, two-thirds of whom were proved to have been definitely implicated in *Mau Mau*, whilst if the affiliations of the remaining third were not so obvious it was probable that they were equally involved. These arrests were followed by intensive investigation of Trades Union personalities, which disclosed that the president of the Kenya Federation of Registered Trades Unions, D. J. Gichungwa, who was also a member of the executive committee of the Transport and Allied Workers Union, served on *Mau Mau* committees, made his office available to *Mau Mau*, and enforced the boycott on public transport in December, 1953. He was also secretary to the committee of the Council of Freedom appointed for the subornation of the Trades Union movement to *Mau Mau*.

8. D. N. Njuguna, the national general treasurer of the Kenya Federation of Registered Trades Unions, had a similar record of attendance at *Mau Mau* committee meetings and in the enforcement of the boycott on public transport. In addition, he was in direct contact with the central *Mau Mau* committee in Nairobi and responsible for the custody and distribution of *Mau Mau* funds which he secreted in the safe of the Domestic and Hotel Workers Union, of which body he was treasurer, in Kiburi House.

These two examples illustrate how secure and deeply seated *Mau Mau* influence over the Trades Unions had become for the connexion of these two officials with subversion dated only from November, 1953, when they returned to Kenya after attending a Trades Union course in the United Kingdom.

The intensified investigations led to the detention of the following Trades Union officials:—

Transport and Allied Workers Union	10
Domestic and Hotel Workers Union	9
Nightwatchmen, Clerks and Shopworkers Union ..	2
East African Building and Construction Workers Union	2
Kenya Local Government Workers Union	2
Kenya Distribution and Commercial Workers Union	2

A total of 27 officials.

9. Both the Transport and Allied Workers and the Domestic and Hotel Workers Unions maintained offices in Kiburi House which, since the outbreak of the Emergency, had been the hub of *Mau Mau* and had previously been used first as the head office of the Kenya African Union and later as the headquarters of the Nairobi branch. This building had housed numerous secret meetings to plan *Mau Mau* tactics, and frequently been visited by leading terrorists, such as Kimathi and Mathenge, and had been used for the administration of oaths.

In such an atmosphere the identification of these two unions with subversion was inevitable, but their scope was severely curtailed by the arrest of 19 of their officials as mentioned previously. These comprised two branch secretaries, one assistant secretary, one treasurer and six members of the committee of the Transport and Allied Workers Union, and the assistant general secretary, two branch assistant secretaries, the national general treasurer, the editor of the union's paper, three head office collectors and one member of the committee of the Domestic and Hotel Workers Union.

10. The subversive activities of the Transport and Allied Workers Union were particularly far reaching for with the abundant facilities under its control it was in a position to afford supply, transport and courier services and maintained a shuttle service of taxicabs to oathing ceremonies. Not only did it arrange the transport of arms and medicines to the terrorists, but it provided a ready-made organization through which *Mau Mau* could function after the proscription of the Kenya African Union.

On the other hand the Domestic and Hotel Workers Union, the membership of which embraced a large proportion of hard-core *Mau Mau*, directed its main efforts to the production of funds.

11. The exercise of control over the unions by subversive Kikuyu, who were ready to exploit any means of overthrowing the rule of law, had the undesirable effect of attracting numerous members of the criminal classes who gravitated towards them in the hope of self-advancement. Of 42 officials interrogated in 1954 no less than 14 had criminal records, even the President of the Kenya Federation of Registered Trades Unions having been sentenced to a term of hard labour for unlawful use of a motor vehicle. With such personalities in control and the vast numerical preponderance of the Kikuyu membership such Trades Unionists as belonged to other tribes were reduced to impotent silence and indeed a number of them were, by their evil associations, enticed or forced into subscribing to Kikuyu opinion. Under such circumstances the investigation of illicit activity was confronted by numerous obstacles, not the least being the usual Kikuyu conspiracy of silence.

By the end of 1954 the situation in Nairobi had attained a considerable degree of normality and with the arrests of the majority of their leaders the Trades Unions had ceased to be a grave menace to public security, facing as they did a period of disorganization and the risk of proscription should they again endeavour to act as agents of subversion.



CHAPTER XV

The Organization of Mau Mau

1. The control of *Mau Mau* by any central directing body long remained a matter for debate and conjecture for, as the organization was unique and followed no set pattern, the task of identifying the chain of command and tracing it through the various committees and gangs is most complicated.

Initially, the propagation of *Mau Mau* and the conduct of the oath campaign was the function of those district branches of K.A.U. officered by Kikuyu under the general direction of the extremist leadership of Jomo Kenyatta and his close associates.

2. It has, however, transpired that in October, 1951, *Mau Mau* leaders inaugurated a central committee composed of representatives of 18 *Mau Mau* divisions in Kiambu, the Rift Valley Province and Tanganyika, presided over by Jomo Kenyatta. This body functioned through two sub-committees, one in Kiambu and the other in the Rift Valley. Meetings of the central committee were held at frequent and regular intervals, usually under the guise of clan gatherings in Kiambu.

Later, in March or April, 1952, the central committee moved to Nairobi, where it functioned under the guise of the K.A.U. central committee, and whence it extended its influence over the remaining Kikuyu areas and also over such tribes as were capable of penetration, organizing *Mbatuni* or fighting groups, led by semi-educated thugs, for forcible oathing, counter oathing and money collection. It also instituted district, divisional and locational committees for the formulation of policy and the general forwarding of local *Mau Mau* interests, again usually working through K.A.U. branches and agencies.

3. Such, in broad outline, was the position at the outbreak of the Emergency when Kenyatta and the main leaders were arrested, the *Mau Mau* thereby being deprived of high-grade direction. New leaders of lesser calibre filled the gaps, but were in turn arrested and detained in a series of operations between November, 1952, and February, 1953, a large proportion of the detainees being office bearers or members of K.A.U.

4. Successive arrests created a vacuum and about February, 1953, a clique of Kikuyu agitators, mostly insignificant disciples of the detained leaders, decided to assume control. Those persons adopted the name of *Kiama kia Wiyathi*, or the Council of Freedom, and were ultimately uncovered by Special Branch in April. To assist them in their control of the movement they established three subordinate groups, firstly a committee of six to organize the domestic, industrial and municipal workers, and secondly a group of taxi drivers to ensure mobility and, with the assistance of criminal elements, to commit *Mau Mau* crime.

The third and most important group was responsible for dealing with delegates from *Mau Mau* district committees, forming the link by which instructions were conveyed and information passed between the *Kiama kia Wiyathi* and the districts. All orders and directives were issued through this

body, an indirect channel of communication duplicated in the chain of command between the district and locational committees.

5. Whilst the central organization was relatively new, the organization at lower levels had, as indicated above, been in existence for many months and was virtually identical with the ramifications of K.A.U. District committees, consisting of seven members, existed in the Embu, Nyeri, Fort Hall, Thika, Kiambu, Nairobi and the Elburgon-Molo area of Nakuru district, and to these were attached two additional elders responsible for relaying orders to the locational committees. The organization of *Mau Mau* at district level was controlled entirely by these nine persons who were, however, bound by certain strict rules also applicable to the locational committees. Attached to each district committee was a "High Court" of three elders who were empowered to impose any sentence, including death.

Below the district committees or "district governments", as they were known to the *Mau Mau*, came the locational committees composed of seven members and enjoying a considerable measure of autonomy, for they had authority to carry out terrorist operations in the locations without reference to higher authority. Only matters of outstanding importance were referred by these bodies to the district committee which nevertheless could initiate action at locational level.

Apparently, however, neither the Council of Freedom nor its subordinate bodies controlled the forest gangs which were independent units, nor did they actually participate in outrages and acts of violence, their role being confined to planning and stimulating action, assisting the gangs by the provision of men, materials and information. They constituted what became known as the "passive wing".

The organization described appears to be somewhat loose, but this is a characteristic of all Kikuyu organizations and had the advantage of extreme flexibility, allowing the lower formations to exercise their own initiative within the prescribed limits.

6. During April, 1953, several members of the council and of its ancillary committees were detained, the remainder then disappearing. A period of dislocation followed at the higher levels, but the district and locational committees remained as before, though lacking central direction. Certain changes however took place in Nairobi City and also in the Nyeri area where two councils of elders emerged in direct support of the two main gang leaders in the forests. On the dissolution of the Council of Freedom the *Mau Mau* elders turned to the *Mbari* society which had been led by ex-Senior Chief Koinange and was concerned with the recovery of the "stolen" Kikuyu lands and national aspirations generally.

But the conduct of affairs in Nairobi by the *Mbari* elders was too cautious for the younger elements in *Mau Mau*, who tried to take matters into their own hands, firstly setting up a "Supreme Court" at Mathari, and secondly embarking on a campaign of violence without the approval of the *Mbari* elders who were unable to assert their authority, their executives being the very elements they sought to curb. Thus there arose a number of thug groups, all acting independently, but a number of their leaders came to realize that if Kikuyu objectives were to be attained, some liaison with overt political figures and trades unionists was advisable.

As a result a body known as "Group 4" evolved, a mixture of thugs and politicians endeavouring to influence, but unable to control, militant *Mau Mau*.

7. The militant side of the movement was divided into three "Land Freedom Armies". No. 1 Land Freedom Army operated in the Aberdares, having its own council of elders, generals and other ranks, supported outside

the forests by the district, locational and even lesser committees. No. 2 Land Freedom Army, operating in the environs of Mount Kenya, was similarly organized. No. 3 Land Freedom Army functioned in Nairobi and the surrounding areas and was directed by a group of thugs known as "central", below but not subservient to Group 4. Central usually consisted of 15 members comprising a chairman and two members of each of the district committees operating in Nairobi, namely Nyeri, Fort Hall, Kiambu, Embu, Meru, Rift Valley and Nairobi. These committees, which were drawn from natives of these districts resident in Nairobi, should not be confused with the district committees of the same names actually operating in the districts. They, as in the reserve, were also supported by locational committees based on reserve subdivisions. For instance, the Kiambu committee within Nairobi had its own locational committees in Githunguri, Chura and Gatundu and, of course, its own "court". No. 3 Land Freedom Army also had connexions with subversive elements among the Masai half-breeds and the Kamba.

8. Naturally these committees were often disrupted by security force action, but the Kikuyu showed himself outstanding in his ability to carry on and fill all gaps almost as soon as they occurred. Even if a district committee were removed or dislocated, the lesser locational committees were quite capable of continuing general policy action till a new superior committee came into being.

"Operation Anvil" in Nairobi, however, resulted in the disintegration of No. 3 Land Freedom Army and "central", but the other two armies had a somewhat longer span of life.

9. After April, 1953, centralized control of the very loose *Mau Mau* organization virtually ceased to exist though there were sporadic attempts to revive it by such bodies as the "Kenya Parliament", whose life was in every instance brief. The movement persisted because it appealed to the majority of the Kikuyu tribe and had their spontaneous support, even if high-level leadership was lacking. So strong was this support, and so great the potency of the *Mau Mau* oaths on primitive minds, that the various local leaders, striving towards a common objective, were able to prolong the struggle without overall direction, for which an adequate liaison system compensated, by virtue of the very looseness and unco-ordinated nature of their organization until gradually overwhelmed by a superior force and the consequent secession of the masses to the winning side.



CHAPTER XVI

Summary of Conclusions

1. As I remarked in Chapter I, this historical survey has two main objectives. The first was, as my terms of reference require, to examine and report on circumstances which permitted the movement to develop so rapidly and on any deficiencies which have made themselves apparent in the Government machine. As the origins of this violent revolutionary movement, which eventually dominated all but a small proportion of the Kikuyu people, both in the Reserves and in the Settled Areas, lay deeply in the past, it has not been possible to deal with its rise and growth without delving, if only in outline, into the complex forces which have influenced the evolution of African political thought in Kenya. And in an endeavour to ascertain how it came about that this revolution broke on the Government so apparently unprepared, it has been necessary to examine many aspects of the Government machine and, what is perhaps even more important, the subtle influences both internal and external which have affected the operation of this machine. Moreover, this savage manifestation of a violent but limited nationalism cannot be divorced from the contemporary scene in Africa, where nationalism has become an emotional force of great import to the future political development in this great continent. The lessons to be learnt from a critical study of *Mau Mau* can therefore be of value which extends beyond the confines of Kenya, a value which is enhanced by the fact that it is based on a cold recital of what actually happened.

The second objective was the simple and straightforward one of collecting under one cover the salient facts relating to the origin and growth of *Mau Mau*, which were scattered among an immense number of records and files now in the hands of Government and elsewhere.

2. This historical survey has, consequently, gathered a momentum of its own and has emerged as a most formidable document. As such I trust it will be of some value to the future student of African history, but it would be perhaps asking too much of the ordinary readers, who may be interested in the contemporary African scene, to expect them to digest this document in its entirety. I shall, therefore, in this final chapter, summarize as briefly as possible some of the more salient facts in the history of the growth of *Mau Mau*, based mainly on Chapters IV and V, before attempting the more difficult task of commenting on the deficiencies which have made themselves apparent in the Government machine.

SUMMARY OF THE RISE AND GROWTH OF MAU MAU

3. The rise of *Mau Mau* must, first of all, be considered against the background of the impact of civilization on peoples who had for centuries, by the accident of history and geography, been shielded from outside cultural influences. The British colonial policy in East Africa, as elsewhere, was, in the words of Sir Phillip Mitchell, imbued by "a determination to persevere in the task to which we have set our minds—to civilize a great mass of human beings who are in a very primitive moral and social state". It was

also imbued from its earliest days by a concept of trusteeship and evolution—of a leading of these peoples to eventual self-government and independence. This may be self-evident, but it is an aspect of colonialism which is so imperfectly understood in so many other countries.

4. The phenomenal advances made the last half century in all fields of human endeavour have impinged on Central Africa with a suddenness which has put a very great strain on these primitive societies. This strain has been aggravated by the fundamental difference between the European and the African social system. In the European system, the customs and laws are based primarily on the right of the individual, and although the individual is a member of a nation or group, it is as an individual that he contributes to the well-being of the community; original modes of thought and action are the very life blood of a western society. But in an African society the individual is of importance only in so far as he is a member of a group and conforms to the accepted patterns of behaviour of the group; it is the group which counts. This attitude is bound up with the necessity for protection, not only against hostile neighbours, but also against the unseen powers which dominate his world and which can be kept at bay only by the joint action of members of the group. This group, or tribal system, has thus kept the African secure, but at the very heavy price of social and mental stagnation.

5. The trials with which the African has had to contend in this period of transition are very real, and it is often not realized how dangerously near his primitive past the African still has to live, with so often a foot in both camps. In his primitive state life was highly insecure, but he achieved a sense of security by strict adherence to traditional rules. This life to the African has the supreme advantage that he knew where he was—hence the cult of the “golden age”. But the comforting cloak of his tribalism is fast disappearing—he has become rudderless, and it is “too easy for him to identify his troubles with the European”. (*Note 1.*) It is therefore no small wonder that in his insecurity the African in transition “craves to belong once more to a collective organization: hence the great attraction of trade unions or political movements.” This important background is dealt with more fully in Chapter II, which should be read.

6. The rapid economic advances in Kenya have led to a stratification of society, where the African has tended to be relegated to the lowest strata, with the Asian and European above. This was perhaps inevitable, but in addition to the ensuing economic grievances, some real and some imaginary (Chapter II: 28-34), it has led to a deep sense of social and political frustration, which has not perhaps been fully realized by many who live in Africa. This sense of social injustice has been the main motive force behind the upsurge of more violent expressions of precocious African nationalism (Chapter II: 34-38).

Note 1.—Dr. J. C. Carothers (*Note 1*, Chapter I). In commenting on this in a paper submitted to the Sociological Committee, Ministry of Community Development, on 9th September, 1955, Dr. G. Wilson wrote:—

“ . . . It was a semi-sophisticated minority whose level of aspiration exceeded their skills and techniques, in short, their ability to achieve the level of aspiration they had set for themselves, who became the instigators of the movement. Followers they had in plenty because of the real and imaginary grievances held by many and by the fact that the society was, from the point of view of authority and social control, at a point of disequilibrium. The scales of balance were finally overturned by the rapidity at which the evil force of *Mau Mau* took hold. The initial slaughter of those who commanded traditional status and authority accelerated the process and intimidated those who looked to traditional authority for direction. . . .”

7. So much for the general background which may be summed up by saying that the seeds of potential unrest are sown whenever any primitive society is brought in close contact with a more highly civilized society. But the difficulties of this transitional period were not peculiar to the Kikuyu: many African tribes have survived, or are surviving, this difficult period. Why then did the Kikuyu break down under the strain, and seek a solution through *Mau Mau*? The partial answer to this lies in the fact that, partly by reason of their tribal structure and characteristics, and partly by the chances of history and geography, these difficulties have been accentuated in the case of the Kikuyu. Since the early days of the Protectorate Government, the impact of an alien power on the Kikuyu has been more intense than on other tribes in Kenya. Nairobi, the physical and commercial capital, lay on the southern outskirts of Kikuyu country. Trade to the north and west passed near or through their country and mission influence was first centred there, particularly in Kiambu District. And probably, most important of all, alienation of land for European settlements spread out from Nairobi.

8. As claims to the alleged Kikuyu lands alienated for European settlement were the mainsprings of all Kikuyu political movements, I have covered this contentious subject in some detail in Chapter II: 10-27. In brief, I have shown quite clearly that European settlement was undertaken not by the indiscriminate seizure of land by unscrupulous Europeans from the defenceless and primitive African—a view still expressed by many whose political background appears to have prejudiced their judgment—but as the result of the predetermined policy of H.M. Government which, in the circumstances then ruling, was eminently necessary to the needs of Kenya at that time. These vast areas of empty land cried out for economic development, a development which was quite beyond the capacity or capabilities of the indigenous population at that time. Secondly, that the area of land which was alienated for European settlement and which might not have been so alienated had more been known of local land usage amongst the Africans, did not exceed 110 square miles; and, thirdly, that the Government, by accepting the recommendations of the Carter Commission, made full restitution for this alienation. But the cardinal point to bear in mind is not whether these claims to “the stolen land” had any real substance, or whether such as were justified were dealt with equitably by the various commissions set up by the Government; it is a fact that by a process of auto-suggestion, self-deception and the propagation of patent lies, a sufficiently large number of Kikuyu believed they were true to enable the agitators to make full use of this highly explosive source of discontent.

9. The first recognized manifestation of Kikuyu political consciousness was the formation in 1920 of the Kikuyu Association, which in the next year was renamed the Young Kikuyu Association, with Harry Thuku as its secretary and prime mover. Members on joining were required to take a solemn oath binding them not to sell their land to strangers. But there was nothing sinister in this oath-taking, as oath-taking ceremonies conducted openly and in accordance with native law and custom were of frequent occurrence. Although land alleged to have been stolen by the Europeans from the Kikuyu had already become the stock-in-trade for the political agitator, the immediate causes of unrest at that time were the introduction of the *kipande* (the card of employment) and an increase in poll tax, coupled with a decrease in agricultural wages occasioned by the fall in world prices. Unrest due to the latter spread through Nyanza Province and Harry Thuku attempted on the strength of this to form a militant East African association. But as the Government considered that his activities were “dangerous to peace and good order” he was arrested in March, 1922 and deported to Kismayu (then part of Kenya), although not without touching

off a riot in Nairobi when three Africans were killed. It is significant that during the course of legal proceedings evidence was adduced by the Native Commissioner that the main theme of Harry Thuku's movement was—

“to stimulate enmity between black and white and to get people to consider that they are in a state of slavery which has been imposed upon them by Europeans.”

It is a sad commentary that this theme, which ignores the immense benefits which the Europeans have brought to Africa, has been, and continues to be, the mainspring, if not the very foundation, of so many of the African political movements. During that year, a young employee of the Nairobi Town Council, Jomo Kenyatta, became a member of the Association.

10. After this initial setback, the Young Kikuyu Association remained inactive for a time, but was revived under the name of the Kikuyu Central Association. As the main battle cry of the K.C.A. was “to get back the land”, it received its main support from the Kikuyu in Nairobi and in the Settled Areas. It was thus by its very nature anti-Government and anti-European, but for the first few years of its existence it managed to present a reasonably constitutional front. It would be wrong to deny to some of the leaders of this movement all sense of patriotism. They were undoubtedly fired with a desire to help their people and to set right their wrongs, both genuine and imaginary. As I have already shown, the stresses and strains which beset a primitive society in transition are very real. But the tragedy was that they conceived only one way to achieve their aims, and that was by subversive activities and not by co-operation with the Government. The penchant of the Kikuyu, in particular, for intrigue may well have been responsible for this attitude. Neither could they resist the monetary rewards which flowed from battenning on the less sophisticated of their people, a failing which has characterized so many African political institutions, and a failing which has also had the obviously undesirable effect of attracting to the movement those whose sole aim was to make a living out of agitation and thuggery. In 1928, Jomo Kenyatta became General Secretary to the K.C.A.

11. For some time many Kikuyu adherents of the various Christian Missions had already begun to ask themselves whether the Missions' insistence on monogamy and on the abandonment of certain Kikuyu customs, particularly that of female circumcision, was really essential to the status of Christianity. There was therefore a tendency for indigenous Christian sects to be formed. These sects were also a reflection of the strong nationalist and religious tendencies of the Kikuyu: they were a means of religious expression and communal worship which enabled them to adopt and adapt Christianity while still retaining some of their tribal customs.

It was against this background that an event took place in 1929 which had a profound effect on the future political scene in Kikuyu country. The Church of Scotland Mission decided to adopt a firm, if perhaps injudicious, stand against female circumcision. A wave of resentment swept Kikuyu country, which led to an outburst of violence in which an elderly woman missionary was mutilated and murdered. Although the Church of Scotland Mission later modified its views, this original pronouncement gave a great fillip to the anti-European teachings of the K.C.A.—not only had the Europeans stolen their land, but they were now attempting to destroy the very foundations of the tribe. The immediate outcome was the setting up of two separate independent educational bodies—the Kikuyu Independent Schools Association, and the Kikuyu Karinga Education Association. As these associations arose from a political-religious clash, so later they increasingly became vehicles for Kikuyu nationalism. From this date the Kikuyu became a divided people—the Kikuyu Karinga, the traditionalists,

who sought to maintain their anti-European attitude by an increasing adherence to Kikuyu customs and traditions, and the Kikuyu Kiroro, those who in the main followed the teaching of the Missions and believed that the path of progress for the Kikuyu people lay in co-operation with the Government. Many Kikuyu witnesses stressed the point that the fundamental nature of this division, which set the pattern of future political alignments, was never fully realized by the Government.

12. In 1929 Jomo Kenyatta proceeded to the United Kingdom with Isher Dass, known to have Communist affiliations, to present Kikuyu grievances. In August of that year he went to Moscow, returning again in October. In September, 1930, he returned to Kenya, but went back to England in 1931 to represent the K.C.A. before the Joint Parliamentary Committee. From May to August, 1933, he again visited Moscow and, after returning to the United Kingdom, remained in England for the next 15 years.

13. The next important landmark was the release of Harry Thuku from detention at the end of 1930. He had undergone a change of heart and before release had given an undertaking to oppose Government in a constitutional manner only, an undertaking which, to his lasting credit, he has faithfully and conscientiously kept to this day. In 1932 he returned to the scene and became President of the K.C.A., but his policies were too moderate for the extremists and in 1933 the K.C.A. split into two factions, the extreme faction being led by Jesse Kariuki, its Vice-president. The storm abated in 1935 when Harry Thuku, realising that moderation and constitutional methods were an anathema to the irresponsible majority, withdrew from the K.C.A. and founded the Kikuyu Provincial Association, leaving the K.C.A. in the hands of the extremists (Chapter IV: 8-12). This break however marked the beginning of a long drawn out struggle between the extreme and violently anti-European K.C.A., and the more moderate K.P.A., which reached its climax when Jomo Kenyatta dismissed Tom Mbotela from the Vice-presidency of the Kenya Africa Union in 1951 and Tom Mbotela was assassinated by *Mau Mau* in November, 1952.

14. Towards the end of the inter-war period, slow but solid progress had taken place in the Kikuyu Reserve and, in spite of the more determined efforts on the part of the K.C.A. to spread its influence, the more modest shades of opinion represented by K.P.A. were in the ascendent. One very cogent reason for this was the stricter control which the Government was able to exercise on subversive political activity, and the absence of a virulent native Press (Chapter VIII). The commencement of hostilities in 1939 however afforded the K.C.A. extremists their long sought for opportunity of participating in active measures to free themselves of the burden of British domination. But they went too far, and in 1940 the Association was declared an illegal society following clear proof that it was in contact with Italian agents and its leaders were arrested and detained. The K.P.A. gained in stature and, under the leadership of Harry Thuku, gave unfailing and loyal support to the Government during the war. But it was hardly to be expected that the K.C.A., although proscribed, would disappear from the political scene and, as early as February, 1941, a secret intelligence summary noted that a secret executive of five had been appointed to keep the Association in being until more favourable times. Throughout 1942 and 1943 it remained comparatively torpid, but a few secret meetings were convened under cover of a business concern conducted by Solomon Memia, a former member of the K.C.A. Executive Committee, and known as the Kikuyu Farmers' and Traders' Association. And it received an infusion of energy on the release of a number of its former leaders towards the end of the latter year, the remainder being set at liberty in November, 1944.

15. At the end of 1943 the representation of Africans in Legislative Council became a burning issue and in 1944 Eliud Mathu, a well educated Kikuyu, was nominated as the first African Member of Legislative Council. He, feeling the need for a political organization to support him in Legislative Council, formed the Kenya African Study Union which, in 1946, changed its name to the Kenya African Union. This Union—the first serious attempt by Africans to present a co-ordinated national front—received full encouragement from the Government, and Harry Thuku was elected its first Chairman, but his tenure of office was all too short.

16. With the end of the war, the never-ending political struggle between the moderates and the extremists was renewed with greater intensity. The ex K.C.A. leaders who had recently been released were not slow to realize the potential value of this new organization, and very soon after his return from detention Job Muchuchu, the former Treasurer of the K.C.A., advised his audience at a secret meeting held in the Fort Hall District to support the Kenya African Study Union, with the obvious intention of subverting it. These leaders found a much more favourable atmosphere for agitation. Thousands of the younger generation of Kikuyu, many of whom had travelled far afield and had tasted some of the less respectable fruits of civilisation, had returned to their country. The bonds of tribal discipline, which even before the war were loosening, now meant little to them. Harry Thuku was far too moderate in his views and, after only three months of office, he resigned the Chairmanship and his place was taken by James Gichuru, a prominent member of the proscribed K.C.A.

17. With the return of Jomo Kenyatta to Kenya in September, 1946, a new and powerful influence appeared, or rather re-appeared, on the scene. He was met by Peter Koinange who, on his return from the U.S.A. in 1939, had founded the Kenya Teachers Training College at Githunguri, and he made immediate contact with his old K.C.A. associates. In one of his first private speeches, reported by Special Branch, he announced that he disliked Europeans and Indians and that in the course of time they would all be removed from Africa. He set to work with commendable speed and as early as 28th October, 1946 the District Commissioner, Fort Hall, reported:—

“During the last three months there has been a marked deterioration in the morale and discipline of this district. The main cause of this appears to be the return of Jomo Kenyatta to the Colony, which has been hailed by the African Press, and his starting up again, in a most virulent form, on the activities of the K.C.A. It is clear that a heavy tide of subversive propaganda, which includes strong anti-European feeling and encouragement to flout the authority of Government and local authorities, is flowing from Nairobi to the Kikuyu districts.” (Chapter IV: 24.)

The stage was now set for the rise of *Mau Mau*, the direct offspring of K.C.A., which was the instrument with which Jomo Kenyatta and his associates intended to subvert the Kikuyu peoples to his absolute will.

18. The first rumours of secret meetings and oath-taking were received in 1947, and the probable existence of a Kikuyu secret society, the aim of which was the elimination of the Europeans by murder was reported by the District Commissioner, Fort Hall, in December, 1947 (Chapter V: 19). And in 1948 an oath-taking campaign was known to have been launched in the Kiambu district and spread through the fertile and favourable medium of the Kikuyu Independent Schools and the “age groups”. The former were gradually but inexorably coming under the influence of Jomo Kenyatta and Peter Koinange, and the latter were organized by Dedan Mugo under the direction of Jomo Kenyatta, for the ostensible purpose of raising funds

for the Kenya Teachers Training College at Githunguri, which was already becoming suspect as the headquarters of the subversive activities of K.C.A. (Chapter V: 34 and Chapter VII.)

19. The hard core of fanatical Kikuyu nationalists required little or no persuasion to enrol but, for obvious reasons, information as to their numbers and the localities in which the ceremonies were taking place was extremely difficult to come by. Oath taking increased in 1950, partly owing to rumours that Nairobi, which was about to assume the status of a city, would extend its boundaries further into Kikuyu-owned land. Such rumours, which were calculated to arouse suspicion that the European was about to "steal" more land, were a far more potent method of obtaining members than direct anti-Government propaganda and, at the same time, they not unnaturally promoted anti-European feeling (Chapter V: 50). Those responsible for the activities of the organization, having already enlisted the willing and having cleverly distorted a ready-made situation to enlist the sympathies of many of the "lukewarm", turned their attention to the less politically minded and to the unwilling. They began to resort to forcible and more barbaric initiation, a step which boded ill for the future but which nevertheless had the advantage, from the point of view of the authorities, of bringing the campaign more into the open. And a few of the more courageous Kikuyu people, some of whom worked on European farms and had been for many years under direct European influence, took their lives in their hands and gave information either to their employers or to the police.

In April, 1950 this resulted in two major and successful prosecutions taking place in Naivasha and Kiambu. In his judgment in the former, the Magistrate recorded:—

"This case has disclosed the existence of an evil and subversive association."

And in August, 1950 *Mau Mau* was proclaimed an "illegal society" (Chapter V: 55-58). In the latter case, among the accused were Dedan Mugo and Solomon Memia, mentioned above, who had been prominent members of K.C.A. and were close associates of Jomo Kenyatta (Chapter V: 54) who, incidentally, took a great interest in the case.

20. During the latter half of 1950, 1951 and the first half of 1952, in spite of many successful prosecutions, the tide of subversion rose, so did intelligence reports from the Kikuyu-dominated areas. (*Note 2.*)

Note 2.—I would refer in particular to the following:—

- (a) A report by the District Commissioner, Nyeri, dated 21st July, 1950, "that there exists in this district an organization, the members of which are centrally trained and directed, which has as its aim the eventual disruption of Government activities and authority". (Chapter V, paragraph 64.)
- (b) A report by the Assistant Superintendent of Police, Central Province, Nyeri, dated 20th November, 1950: "It is felt that the time is near when the masses will act in greater harmony and when the majority will fall into line to fulfil common political purposes (dictated from Githunguri). Generally, the picture painted is a "stormy" one. It is said that the tension is growing and a political consciousness, with an evil outlook, is already present among a dangerous portion of the tribe." (Chapter V, paragraph 76.)
- (c) A report by the District Commissioner, Nyeri, on a particularly subversive K.A.U. meeting at Nyeri on 27th May, 1951: "There is every likelihood of trouble in the near future . . . the district is hot with rumours of 'deeds, not words'." (Chapter V, paragraphs 91-93.)
- (d) A long memorandum on *Mau Mau* submitted by the Director of Intelligence and Security on 30th April, 1952. (Chapter V, paragraphs 129-131.)

By this time Jomo Kenyatta had successfully ousted all moderate African opinion from the K.A.U. It was dominated by Kikuyu extremists and had become almost synonymous with *Mau Mau*. This course of events has been covered fully in Chapter V and I can best summarize the position at the end of June, 1952, by quoting from a top secret letter addressed by the Commissioner of Police to the Member for Law and Order on 14th July, 1952 (Chapter V: 139)—

“The recent activities of the Kikuyu people, both constitutional as well as unconstitutional, together with other evidence of the state of mind of these people, give one very seriously to consider what is afoot among these million and a quarter of the most intelligent and most progressive, but at the same time most disgruntled and most criminal, people of Kenya. Is this but one of their periodical manifestations of discontent, or is it something far more dangerous to the peace and good order of the Colony? I am forced to the conclusion that it is the latter, and that something in the nature of a general revolt among the Kikuyu people against European settlement and the policy of Government has been planned, and that the plan has already begun to be put into effect. It should have been possible from the sources of intelligence available to Government to obtain positive information of the existence and details of any such plan, but precise information on this subject has not yet been obtained. The Kikuyu are a strange suspicious people, deeply influenced by superstition, steeped in black magic, and intensively secretive. These qualities make them a people exceedingly difficult to penetrate. Although no positive information of any well-formed plan of revolt is available, I am strongly of the opinion that the events of the last seven months clearly indicate the existence of such a plan.

(ii) The events and evidence which I consider indicate this state are the following:—

- (a) The mass demonstrations of thousands of Kikuyu women in the Fort Hall area in November and December, 1951, which were inspired and incited by political leaders, directed against compliance with Government regulations and attended by violence and destruction of Government and public property.
 - (b) The rapid spread of subversion, throughout all Kikuyu reserves and squatter areas, on European farms employing labour of this tribe, and in large Kikuyu centres such as in the Nairobi city.
 - (c) The generally increased tempo of Kikuyu political activity.
 - (d) The influence and position of the Kikuyu Independent Schools Association.
 - (e) The growing truculence of these people.
 - (f) The increased incidence of serious Kikuyu crime.
- (iii) To deal briefly with these matters:—

- (a) Although a number of events prior to the Fort Hall demonstrations indicated a stiffening of Kikuyu animosity towards Europeans and resistance to Government—e.g., *Mau Mau* activity in many parts of the country, strike of coffee-pickers in the Ruiru area, intimidation of loyal servants of Government and Europeans in the Kikuyu and neighbouring areas, the nature and extent of the Fort Hall demonstrations give clear evidence of a degree of concentrated subversive incitement that marked it as the beginning of a new stage of organized resistance to Government. There occurred a lull in

events following the occurrences at Fort Hall, but swift punishment meted out to over 500 women demonstrators, the trial and conviction of four notable political leaders and the imposition of a heavy fine of £2,160 in the form of a police levy force, were measures which must have caused those inspiring the directing resistance to pause. However, even though the punishment awarded was swift and heavy, it resulted in no more than a pause for, within two months, in an adjoining area, much more serious trouble of a like nature arose.

(b) *Mau Mau* subversive activity has been gradually increasing since 1950. The rate of its increase was not particularly marked until the period beginning with the end of January of this year, when 23 cases of arson, directed alike against loyal Africans as well as Europeans, occurred in the Nyeri area, two of which at least involved attempts to murder. There followed from that incidence a rapid and widespread growth of this society to virtually all parts of the country where Kikuyu are found in numbers, including Kikuyu prison inmates. The evidence of this growth is the extensive spread of oath-taking. Although no accurate estimate of the number of *Mau Mau* initiates can be made, it would not be an exaggeration to state that the movement has now at least a quarter of a million followers. Already the Kiambu Reserves are said to be 60 to 70 per cent *Mau Mau* initiated; the number of initiates in the Nyeri area is reported to have increased from 5 per cent in February of this year to 25 per cent in June; there is more marked increased activity still in the Fort Hall area; the spread to the White Highlands and forest areas of the Rift Valley is very great; one initiation ceremony in Nairobi within the last month is reported to have been attended by from 500 to 800 people and there is some evidence of the spread of the movement to European areas and adjoining forests of the Nyanza area. The intensive drive to increase membership of the society has been accompanied in many cases by violent intimidation and terrorization and, it is believed, by at least two murders or *Mau Mau* executions. Mass levies for subscriptions are understood to have produced an immense fund. The terms are, as administered at secret oath ceremonies up to some months ago, as follows:—

Not to disclose the workings of *Mau Mau* to Government or to any European.

Not to inform against a fellow member of the organization.

Not to sell land to any European.

Not to assist any European.

To drive all Europeans from Kenya.

The recent addition of the following terms indicates the increased criminality and danger of the organization:—

- (1) If I am sent with four others to kill the European enemies of this organization and I refuse, may this oath kill me.
- (2) When the reed-buck horn is blown, if I leave the European farm before killing the European owner, may this oath kill me.

- (3) If Jomo Kenyatta is arrested by our enemy, I will die if I do not follow him wherever he is taken and free him.

Some of the instances of the intimidation and terrorization to which Africans are subjected by members of this movement are:—

With few exceptions trials conducted by tribunals in Kikuyu areas are now patently corrupt and non-members of *Mau Mau* have no hope of receiving justice.

The Elders of the Kikuyu Panel, Nyeri, were recently condemned and cursed by sacrificial oaths for trying to persuade the people of the area to report a breach of ancient custom, i.e. forcible oath-taking. In consequence, the Panel has had to abandon its efforts in this respect.

The comparatively few pro-Government Kikuyu are in desperate fear; four Chiefs in the Nyeri District have recently been threatened with death for assisting police; Africans of no matter what tribe are deeply fearful of enforcing Government orders on Kikuyu people.

There is increasing evidence of trials by *Mau Mau Courts* and of Africans of other tribes being assaulted by Kikuyu for showing courtesy to Europeans.

Headmen now refuse to accompany police on raids in Kikuyu Reserves unless disguised in police uniform.

- (c) The period of the last seven months has been marked by a progressively increasing tempo of Kikuyu politics to the present state when meetings and parties are held at most frequent intervals throughout the whole country where these people are found in numbers. Today in Nairobi alone, five separate meetings are being held.

The leaders of the Kenya African Union have just returned from the most extensive, crowded and successful tour that has ever been carried out in the Rift Valley. Recently a tour in the Coast area, an unusual occurrence, was completed. Visits and tours in the Nyeri area are more frequent and important than they have ever been and an extensive, well-organized tour is planned for the immediate future in Nyanza.

Progressively increasing space is being given to the 12 vernacular papers to political articles, propaganda and political pamphlets and books are being circulated in tens of thousands to Kikuyu all over the country. An immense drive for funds is being carried out. This has brought in over £4,000 in the last three months at those meetings only which have been covered.

Other evidence of growing political activity are the widespread and increased singing of "national" Kikuyu songs calculated to create hatred and disrespect for Europeans. The Kenya African Union flag, but recently created, is finding its way to the most outlying Kikuyu concentrations and pressure is being brought to abolish the use of Christian names.

(d) It is fully acknowledged that the schools of the Kikuyu Independent Schools Association, whose pupils now number no less than 40,000, exist almost primarily to teach hatred of Europeans, Kikuyu nationalism, unity of youth, opposition to and non-co-operation with Government and suspicion and antagonism against Christian Missions. The Boy Scout movement in these schools is rapidly disappearing. There is clear evidence that many of these schools are used as the venue for *Mau Mau* oath ceremonies and a number of teachers and pupils have been convicted of *Mau Mau* offences. The recent trial of one pupil produced amazing evidence of the extent and bitterness of his anti-European indoctrination. This association exists to a certain extent also for the collection of party funds.

. . .

(e) The growing indiscipline and truculence of this tribe and its antagonism to Europeans, Government and Missions is widely reported and well substantiated. There is growing apprehension, which is readily acknowledged, by the European settlers in the Kiambu, Ruiru, Thika and Nyeri areas, as well as elsewhere where Kikuyu labour is employed and in the vicinity of Kikuyu concentrations.

. . .

Anti-European propaganda is being found recently in considerable quantities during raids on shops and houses in Kikuyu Reserves, and wild stories are being spread and believed of European fear, wickedness and ill-treatment of Africans. The vernacular papers lately have begun to carry anti-European cartoons which cannot help but provoke enmity and disrespect, and there is increasing evidence of the spread of rumours and threats of disorder and bloodshed and of attacks upon Europeans and those who are loyal and friendly to them. The collection of arms and incitement to thieve from Europeans are further features of this growing animosity.

Missionaries who have lived among the Kikuyu in their country for many years are now so apprehensive for their safety that they ask for police protection. Mission property has been maliciously damaged in two cases and certain Missions are gravely considering the advisability of closing down, owing to fear and since their pupils are being forced away from them.

(f) . . . In the principal Kikuyu areas, and in the City, serious crime has increased by over 20 per cent during the first five months of this year over the figure for the worst similar period last year, itself a record. Notable features of this increase are the growing greater violence resorted to, and the frequency of the use of firearms. . . .

The resistance to police by the Kikuyu has proceeded to the length that it is no longer advisable to employ any Kikuyu Inspectors in a Kikuyu area, and all have been removed to other areas. A similar transfer of all Kikuyu N.C.O.s will shortly have to be made. Unlike most other parts of the country, it is unsafe and undesirable for police to patrol in smaller groups than four (armed) in Kikuyu Reserves. . . .

(iv) The facts and evidence in the preceding paragraph are strengthened by a mass of opinion found among a large number of European settlers, missions and missionary societies working amongst the Kikuyu, responsible Europeans and Asians of standing who have contact with these people, as well as among leading Africans of other tribes. I submit they indicate the widespread disaffection of this people which has been deliberately brought about in furtherance of some determined and well-planned effort to cause, as I have said, a revolt among these people.

(v) From time to time throughout the last 20 years and more these people have staged minor uprisings which were quickly suppressed as they were neither well supported nor well planned. The Colony, and in particular the Kikuyu people, at those times was in a comparatively isolated position, having little contact with neighbours in other countries. This tribe was then in a much less advanced stage than it is now. These facts helped also in the suppression of planned disorders. The present position is a far different one however. I submit that the question of what is afoot can readily be answered and the answer is the course of events on the Gold Coast since 1948. To bring about in this Colony what has occurred there must satisfy every aspiration of the Kikuyu leaders and people who are certain that they can and would supply the governing element in what new order of government would follow in this country.

. . . .

(vii) If it is accepted that a general revolt among the Kikuyu people is being carried into effect, and I have no doubt that this is the case, the situation calls for immediate action, and action which must go far beyond that which lies in the hands of the police. I make this statement with conviction, from experience of the signal failure of police action in somewhat similar circumstances in Ireland and Palestine, and from what I am informed of similar failure on the Gold Coast. . . . Apart from this, there are not the forces of police available in the Colony at present to take such action, nor could they be produced under a period of six to nine months, unless but half-trained police were to be employed. This in itself would be the surest way of courting police failure. To take action against all, or even a small percentage of Kikuyu criminals, and I include *Mau Mau's* criminal adherents, would result in the conviction of tens of thousands for whom no prison accommodation is available. Certain police action is necessary, and urgently necessary. . . . Time is against us and delay can only result in a worsening of the situation, not only in so far as the Kikuyu is concerned, but with regard to other tribes, which cannot help but be disaffected by the Kikuyu revolt. In particular I have in mind the Luo and Kamba, for whose support a campaign has already begun."

21. As this was the first occasion on which the Commissioner of Police had expressed his views so forcibly, there was a tendency to assume that the picture of unrest had been over-painted. But the seal was finally set on a potentially explosive situation by a mass meeting of K.A.U. held at Nyeri on 26th July, 1952, under the chairmanship of Jomo Kenyatta. It was attended by about 25,000 Kikuyu and many hundreds of the riff raff had come out by bus and taxi from Nairobi, including elements of the "Forty Gang", the strong arm of *Mau Mau*. The whole tone of the meeting was dominated by the display of the well-known *Mau Mau* symbols of an arch of sugar cane on the platform. Many times the meeting was on the verge of violence and even Jomo Kenyatta himself was at times visibly disturbed (Chapter V: 137).

Although the Chief Native Commissioner and the Provincial Commissioners agreed at a meeting held on 29th July, 1952, that the overall situation, now reinforced by the Nyeri meeting, had been correctly assessed by the Commissioner of Police, and must, therefore, be regarded as extremely grave, the Acting Governor, advised by the Attorney-General, did not consider that the situation warranted the declaration of a State of Emergency. And without such a declaration the Attorney-General advised that effective legal action against the known leaders of *Mau Mau* under the laws of sedition, as interpreted by the Courts, might not succeed (Chapter V: 140-147).

22. Early in September, however, the Acting Commissioner of Prisons was seconded for special duties in connexion with subversive societies (Chapter V: 157) but the Central Government continued to place undue confidence in counter propaganda. The counter-oathing campaign which had been organized in Kiambu in June by the leading moderate Kikuyu in a somewhat pathetic attempt to rally the loyal Kikuyu was continued (Chapter V: 133-154). And at a mass meeting in Kiambu in August one last, but ineffectual, attempt was made to get Jomo Kenyatta to denounce *Mau Mau* (Chapter V: 154). These efforts proved unavailing and throughout August and September there was a very rapid deterioration in the Kikuyu dominated areas. Mass oathing proceeded apace and reports of assassination of witnesses by *Mau Mau* increased, and although spasmodic police action was able to restore the situation in certain areas, the improvement was short lived. At the beginning of September there were 412 *Mau Mau* convicts in prison and many hundreds were awaiting trial. On 12th September, 1952, the Senior Superintendent of Police, C.I.D., reported to the Member for Law and Order details of nine known cases in which Africans who had given assistance in *Mau Mau* cases had been brutally murdered and mutilated. He continued:—

“That this campaign of terror and violence has had its effect is obvious from the fact that charges against over one hundred persons for administering or partaking in the administration of illegal oaths have had to be withdrawn because of witnesses turning hostile or disappearing. At least four Magistrates have been constrained on different occasions to comment in open court on the intimidation of witnesses.

... There is little doubt that unless extraordinary legislation is enacted to combat this insidious and vicious campaign to obstruct and pervert justice, the situation may well become intolerable. In the absence of such legislation (i.e. the admissibility of secondary evidence), the police and the Courts of Justice are virtually powerless.” (Chapter V: 160).

By the 24th September, 1952, the numbers of known murders had risen from some nine to 23, including two women and three children.

23. On 30th September, 1952, Sir Evelyn Baring was sworn in as Governor and Commander-in-Chief. He made an immediate tour of the main disaffected areas and on 9th October, the day that Chief Waruhiu was murdered, he sent a telegram to the Secretary of State recommending the declaration of a State of Emergency and the early arrest of Jomo Kenyatta and his associates. His reasons for so doing are given in the following extracts from this telegram:—

“No. 616. TOP SECRET. Following information gained during a short tour of the most troubled areas of Kikuyuland, both reserves and farms, and recent sharp increase of the tempo of crime, I have regretfully come to the following conclusions:—

1. Quite apart from their political views most of the Kenya African Union leaders, including Kenyatta, are the planners of the *Mau Mau*

movement, an organized conspiracy exists, and *Mau Mau* crimes committed are either the result of direct instigation by the Kenya African Union leaders at Nairobi or arise indirectly from the initiative of local Africans inflamed against loyal Africans and Europeans by speeches and messages from these leaders.

2. The main reasons for holding this view are:—

- (i) There has been a regular pattern of events at most places in the troubled area (e.g. Fort Hall and Nyeri Reserves and the Timau and Thomson's Falls farms). First speeches by Kenyatta and other Kenya African Union leaders, next a shuttle service of emissaries from Nairobi and local men returning there for instructions; then widespread *Mau Mau* oath taking; finally murder, assault, boycott. All this has happened in areas which before the speeches mentioned were either quite quiet (e.g. Thomson's Falls farms) or were areas of small oath taking ceremonies (e.g. in Fort Hall attendances at these ceremonies rose from an average of about 20 to several thousands after the speeches).
- (ii) When he chooses, Kenyatta has induced most Kikuyu to obey him. He practically stopped the drinking of European beer by Africans in Nairobi. Yet his denunciation of *Mau Mau* crimes has been ineffective and has often, I am told by Kikuyus, been accompanied by sayings and gestures making clear to his audience that he did not mean what he said.
- (iii) Kikuyu chiefs and headmen, African administrative officers, Kikuyu teachers, both European and Kikuyu missionaries of the three denominations predominant (i.e. Roman Catholic, Church of Scotland and American Independent Mission) in Kikuyuland as well as European Government officers and farmers unanimously and with emphasis told me that—
 - (a) the Kenya African Union leaders, and particularly Kenyatta, were at the back of the *Mau Mau* movement and the violent crime; and
 - (b) without their removal no other measures would succeed in checking the increasing rate of deterioration of the position.
- (iv) Kenyatta has allowed his name to be inserted blasphemously in hymns and prayers as part of the strongly anti-Christian movement which has gone a long way in some areas to empty Mission schools in favour of Kikuyu Independent schools and churches in favour of the *Mau Mau* religion.

3. I conclude, therefore, that we must remove Kenyatta and several of his henchmen during the next few weeks. If we do not—

- (i) the chiefs, headmen, Government servants and missionaries among the Kikuyu who still support us will cease their support and may well be killed;
- (ii) the trouble will spread to other tribes who are more warlike than the Kikuyu and who provide the men for the Kenya Police. Already attempts are being made to infiltrate into the Nyanza Province and the Wakamba area.
- (iii) There will be reprisals by Europeans. Attacks have been first on loyal Africans, headmen and informers, 26 of them have been murdered, next on European property and finally on leading Africans and on Europeans. During the last few days the killing of Chief Waruhiu (perhaps one of the three leading Africans in

Kenya) and two murderous attacks on Europeans have produced a temper bound to lead to reprisals and then almost to civil war unless the leaders of the *Mau Mau* movement are removed during the next few weeks.

4. If we do remove them, I believe that indoctrination of tribes other than the Kikuyu will cease and even among the Kikuyu there are—

(a) sufficient centres of resistance; and

(b) so many followers of *Mau Mau* who have joined from fear alone that the position can be regained.”

24. After the necessary military dispositions had been made, a State of Emergency was declared on the evening of 20th October, 1952, and orders were signed authorizing the detention of 183 of the known leading members of *Mau Mau*. Eight were already under arrest for other offences.

DEFICIENCIES IN THE GOVERNMENT MACHINE

Intelligence:

25. My researches into the origins and growth of *Mau Mau*, which are covered in the main by Chapters IV and V, show, with no shadow of doubt that during the course of the years which preceded the declaration of the State of Emergency, a mass of intelligence reports covering all aspects of subversion had flowed into the Central Government in Nairobi. And although these reports may have lacked a precision which might have enabled the Government to take more active steps against the main instigators of *Mau Mau*, within the limited confines of the law, the view can, in my opinion, no longer be held that lack of intelligence was the main reason which “permitted the movement to develop so rapidly without the full knowledge of the Government”. The basic intelligence was in fact there, but what was not there was the full appreciation of the import or potentialities of this intelligence knowledge. The immediate inference is, therefore, that the organization of intelligence must have been at fault. This has proved to be true, and in Chapter III have analysed this organization during those critical years and have endeavoured to show how far this organization fell short of the requirements of a fully integrated intelligence system outlined in paragraphs 1 and 2 of that chapter. Two major deficiencies, from which many minor deficiencies followed, are disclosed.

26. The main function of a Special Branch is the collection (and not necessarily the final assessment) of political intelligence, and it was too readily assumed by the Central Government that the small Special Branch which functioned only in Nairobi under a Director, who was not a very senior police officer, was all that was required. It, in fact, produced a prodigious volume of reports on the political aspirations and, in many cases, on the intrigues of the many racial organizations, trade unions and of individuals based mainly on sources of intelligence in Nairobi. But it had little or no personnel in the Provinces under the immediate control of its Director. It had to rely on reports from the Administration and from the local C.I.D. officers, whose main function was the detection and suppression of crime. As the collection of political intelligence was always less urgent, it suffered in consequence. This fundamental defect was realized as early as 1947, but efforts by the Commissioner of Police to rectify it were defeated by shortage of staff and, until 1952, by the obstruction of the Standing Finance Committee of Legislative Council, on which the Unofficial Members had a majority vote (Chapter III, 6 and Chapter XII, 12)—a highly unsatisfactory constitutional arrangement.

27. A further failing of Special Branch, as it then functioned, was that although it received regular and in many cases excellent reports from the Administration, it based its reports to the Member for Law and Order almost entirely on Police reports. The fault here lay not with the Director of Intelligence and Security, but with a very generally accepted, but dangerous, tendency in the office of the Member for Law and Order to consider that political security intelligence was primarily the responsibility of the Police. A further defect of some importance was the failure to disseminate intelligence downwards from Nairobi and the importance of this was never fully appreciated by Government. An outstanding example of this was the fate which befell the first truly authoritative memorandum on *Mau Mau*, compiled by the Director of Intelligence and Security. This was submitted to the Member for Law and Order early in May, 1952. But although copies were sent to the neighbouring territories, and to the Joint Intelligence Committee, Middle East, it was not brought directly to the notice of Government House until mid-August, and copies were not circulated to the Provincial Commissioners until 25th September, 1952 (Chapter V: 131).

28. But the major deficiency disclosed is without any doubt the lack of a properly constituted body, not only to assess the import of the many reports received, but also to keep matters of intelligence policy under constant review. Some efforts were made to correct this deficiency, but they were never carried to fruition. In 1949 an Administrative officer of some seniority was appointed Secretary for Law and Order. His main functions were to deal initially with the security aspects of the Member for Law and Order's portfolio and thus relieve the latter of some of the burdens inherent in his dual office of Attorney-General and the Member responsible for internal security (Chapter III, 10, and paragraph 36 below), and to act as a liaison with the Administration. Later, an attempt at a collective assessment of intelligence was made when, in August, 1950, an Internal Security Working Committee was set up under the chairmanship of the Secretary for Law and Order. The original objective was a combined military/civil study-exercise of the principles and practice of internal security in Kenya. This idea was later abandoned by the General Officer Commanding, East Africa Command, and in October, the Committee was asked to assess the internal risks to security in Kenya in the light of current conditions and to review the existing defence schemes accordingly (Chapter III:14). After a delay of 14 months, it submitted a report to the Governor. I have dealt very fully with this important report in Chapter V, paragraphs 104-105. It covered well the general background of the political scene and the latent causes of unrest and pointed out that "the potency of *Mau Mau* depends on the extent to which it possesses the power, latent in all secret societies, of being more feared than the forces of law and order." And although it failed to appreciate the full significance of the potential dangers of *Mau Mau*, it emphasized, most rightly, that: —

"The real issues of policy are rather those preceding the violent state; they are those of ensuring that the elements which lead to violence and the means of achieving any serious disorder are denied."

But Central Government failed to implement its recommendations, nor was the original intention that the Committee should thereafter report half-yearly carried into effect.

29. Had this body existed, it is probable that many, if not most, of the lesser, but no means unimportant, defects mentioned in Chapter III and summarized above would have been righted. But would this in itself have stopped the growth of *Mau Mau* and so prevented the onset of Emergency conditions? The reasonable assumption must be that a more forceful and authoritative appreciation of the general situation, which such a body would be expected to produce, would have so impressed the Government that

more effective action would have been taken at an earlier date to forestall, or at least mitigate, the violence of the outbreak. But it is not easy to accept this as a final and all-embracing answer. Nor is it one that is likely to be accepted by many of those, both European and African, official and unofficial, who at the time viewed the changing scene with increasing alarm and despair.

30. Other questions raise their heads. It is clear that the Government was alive to the importance of intelligence, and had the best intentions in regard to it. But I can find no simple and straightforward answer to the question why the Government, having received so many reports from so many sources which showed at its least computation that *Mau Mau* was a potentially dangerous society—it was in fact proscribed by Government as an illegal society in August, 1950—did not take more active steps to ensure that its good intentions in regard to the organization of intelligence were not prosecuted more thoroughly. It is perhaps even more difficult to find a rational explanation for the attitude of Government spokesmen during the period immediately preceding the declaration of the Emergency. I have already mentioned the Acting Governor's announcement to the European Elected Members Organization on 19th August, 1952:

"I categorically deny that there is a state of emergency." (Chapter V, 147.)

This reads strangely after the very definite statement by the Commissioner of Police, made on 14th July, 1952 (paragraph 20 above) that, in his opinion, a full-scale Kikuyu rebellion had actually started. The Central Government was, of course, entitled to accept the view that the immediate dangers were exaggerated, but the simple catalogue of actual events recorded in length by the Commissioner of Police could, and could only disclose that a highly dangerous state was developing. A month later, during which the situation had deteriorated still further, the Member for Law and Order and the Chief Native Commissioner during their visit to the Colonial Office to discuss various amendments to the legislation stated:

"They are not needed now so much, but they are a safeguard against further subversion." (Chapter XIII, 5.)

Yet, barely six weeks later, the new Governor, after only some ten days in the country, informed the Secretary of State:

"It is now abundantly clear that we are facing a planned revolutionary movement. If the movement cannot be stopped, there will be an administrative breakdown, followed by bloodshed amounting to civil war."

There had been no sudden deterioration in the position during this period. The deterioration had been slowly, but inexorably, advancing for many, many months, if not years. The only material difference between these two periods in time was the arrival of a fresh mind.

Internal Security:

31. If this historical survey is to have any real value, I consider it essential that an attempt be made to analyse some of the reasons for the above. Were there other factors which influenced or impeded Government action? There are two separate aspects to this which, although inter-related, should be dealt with separately, to the extent that some of these factors were common to all Colonial Governments. These may be classed as external ones. The other set of factors were those which were more particularly related to the Kenya Government. I shall deal first with the external factors.

32. The outstanding external factor was the very great disability under which all Colonial Governments have to function in this modern age, which has become obsessed with the words "Human rights and the four freedoms". Both the Colonial Office, answerable to a Parliament which interprets these expressions of a high ideal in terms of its own environment, and which knows so little of the stresses and strains of an African society in transition, and the Colonial Governments, have been "caught in the ever-present struggle of our nation to resolve the dilemma of being autocratic abroad and democratic at home" (Chapter II, *Note 7*): a dilemma so rarely appreciated by those who live in a settled civilized society. It was the deliberate exploitation of the western ideals of freedom, and of the liberal outlook of the British, by the more extreme African nationalists which placed the Government of Kenya on the horns of that dilemma: And it was the inability of that Government, faced as it was with these outside influences, to resolve this dilemma which was a decisive factor in the spread and near victory of *Mau Mau*. I have dealt with the pitfalls and dangers attendant on the introduction of "undiluted democracy" to primitive African societies in paragraphs 39-42 of Chapter II.

33. As early as October, 1948, the Provincial Commissioners recommended that a despatch should be sent to the Secretary of State stressing the fact that—

"The present trend of the vernacular Press constituted a grave menace to the future of the Colony." (Chapter VIII, 2.)

Again, in February, 1947, the Acting Chief Native Commissioner stated that, in his view, if the Government was unable to control the continuous stream of lies, misrepresentations and colour consciousness which was then pouring from the vernacular Press—

"We are bound to have trouble in this Colony, and I do not think it is going too far to say that those troubles will lead to bloodshed."

As 1952 drew to its close, the Press became more and more virulent, but during the course of those years there were only five occasions on which it proved possible to institute legal proceedings for seditious publication. The actions of the Government were completely inhibited by the "sanctity" surrounding the so-called freedom of the Press. The same inhibitions influenced the control of public meetings—the British, by tradition, were loath to interfere with the public expression of the "legitimate political aspirations" of the Africans. In the words of the Acting Provincial Commissioner, Central Province, in September, 1947:—

"It is not freedom of assembly and speech that these people want. They want to undermine all institutions of good government." Chapter V, 14.)

I have dealt with this in some detail in Chapter VIII.

34. The second outstanding factor, which is a corollary of the above, was the progressive failure of the law, under the increasing threats of subversion and intimidation, to maintain security until, by August, 1952, the courts of law in the Kikuyu-dominated areas had virtually ceased to function (paragraphs 20 and 22 above). The British in Africa, and elsewhere, have sought not only to instil in the minds of the people their general principles of justice, which are highly laudable, but also to impose their main processes of law in circumstances which are entirely different to those in which they were evolved. In doing this, has there not been a mistaken tendency to equate judicial procedure with the administration of justice? Have not the British, as it were, invested their legal processes with a "divinity" which they do not deserve and thereby impeded a modification

of them to suit other circumstances, in the mistaken belief that any change will upset a carefully balanced machine? Again, the greatest of difficulties attended all attempts to adjust the law to suit the particular needs of the situation. A most noticeable defect in the law was that covering sedition. In the words of Sir Philip Mitchell:

“The laws of sedition have been subjected to an ever-increasing severity of judicial interpretation, with the result that it is always a matter of doubt whether a conviction for sedition can be obtained in cases which, although they are flagrant, may in certain technical legal aspects lack the elements which are now required to establish guilt.” (Chapter XIII, 17, and paragraph 21 above.)

One disastrous result of this rigidity in the law was the fact that it was virtually impossible to take any effective action to forestall a breakdown in public order and security except by the declaration of a State of Emergency, and this could not be done until an emergency was actually in being. The fire brigade could not be summoned until it was quite obvious that the building was well and truly alight (paragraph 43 below). As I have dealt with this in Chapter XIII, which should be read, I will not enlarge on it further, except to say that failure of the law, and of the processes of the law, were as much the fundamental causes of the outbreak of rebellion as the admitted failure of the intelligence system to impress on the Government the seriousness of the situation. I use the word “impress” advisedly, as it is clear from Chapter V that the basic intelligence was there.

35. It should be within the wit of man to frame laws in such a way that a Government is enabled to preserve the well-being of the state, and the inherent rights of the individual, without offending against the principles of true justice. And it may be argued that had these facts been brought to the notice of Parliament, which is the ultimate arbiter of the destinies of Kenya, Parliament would have acquiesced in the passing of legislation which would have enabled the Government in Kenya to govern. But the experience of post-war opinion in the United Kingdom points otherwise. During the years preceding the Emergency various minor amendments to strengthen the hand of the Government were agreed to but none of these enabled the Government to take effective action against the dangerously subversive activities of the organizers of *Mau Mau*. There are many references in Chapter V to statements by the Attorney-General that the Secretary of State would not be able to persuade Parliament to agree to this or that proposal. The “extreme difficulty of applying the cold logic of British judicial methods to the essentially imprecise undertones of much that goes on in Africa” (Chapter XIII, *Note 2*) was never resolved. And, in my opinion, the fault here lay as much with Parliament in Great Britain as with the Government of Kenya.

36. Before dealing with the second set of factors which were more directly related to the Government of Kenya, I must again stress the point I have already made. I have been concerned, primarily, with one aspect only of the general picture—subversive activities in general and *Mau Mau* in particular—but the Government in the post-war period of expansion and rapid change was immersed in a vast number of activities, economic and social, as well as political. One has only to read through the minutes of Executive Council during this period to realize the diversity and importance (and, on occasions, unimportance) of the subjects which have to be dealt with at this high level. This is no attempt to excuse the Central Government in Nairobi for the strange and almost inexplicable policy of “laissez faire”, but this facet of subversion must, in fairness, be considered against this wider background, which in the event clouded the Central Government’s vision of what was taking place. I have, in Chapter III (paragraphs

8-12), discussed the very necessary reorganization of the Central Government by the introduction of the Member System to meet this growing complexity of post-war conditions and development. The most significant upshot of this reorganization, which was to be the forerunner of a future Ministerial System, was that the Chief Secretary was no longer responsible for internal security. This responsibility was passed to the Attorney-General, who became the Member for Law and Order. At its best this arrangement can only be described as unsatisfactory. It may have been politically expedient in the early stages of constitutional development, but with the growing burdens of post-war colonial government it became increasingly important that an Attorney-General should be called upon to exercise his peculiar, but highly important, functions unfettered by executive responsibilities outside the legal sphere. This defect was recognized in 1951, but it was not until after the declaration of the State of Emergency that the Secretary of State directed that the responsibility for law and order be handed back to the Chief Secretary. I have very little doubt that this defect was one of the factors which contributed to the eventual breakdown in law and order.

37. One most noticeable outcome of this unsatisfactory duality of responsibilities was an understandable tendency for the Member for Law and Order to become more concerned with what may be described as the purely legal aspects of subversion—the arrest and conviction of offenders within the strict limits of the law as it then stood. I must, however, stress here what I have stressed in Chapter III, that this comment has nothing whatsoever to do with personalities. It was an inevitable constitutional weakness inherent in this portfolio. The prime function of the Member for Law and Order was the highly specialized one of Attorney-General. The “Law” was thus bound to take precedence to “Order”, and the question of the basic causes of the rising tide of subversion among the Kikuyu was, so far as the office of the Member for Law and Order was concerned, considered to be within the province of the Chief Native Commissioner. This was made clear in a minute dated 15th June, 1960, addressed to the Chief Native Commissioner by the Acting Governor which read:—

“*Mau Mau* is a matter which is very much your responsibility.”
(Chapter V: 58.)

But the Chief Native Commissioner held a very indeterminate position in the Government. He was the chief adviser to the Governor on African Affairs, but had no executive authority, and it may not have been easy to tender advice if it was not conscientiously sought. With the result that the spread of subversion and its control under the law, which should have been treated as one indivisible problem, tended to be treated separately. This reflected a very general attitude on the part of the Central Government which persisted until the declaration of the Emergency—the attitude that *Mau Mau* was an administrative affair, and that it was the business of the Administration to ensure that it did not interfere with the general smooth running of the governmental machine, but the Administration, with the able help of the all too small and scattered police force in the reserves, was denied the opportunity of discharging this responsibility.

Moreover, the Administration itself was understaffed and overburdened with work. And, with the inauguration of the Membership System, important as it was, the Central Government in Nairobi tended to assume that the affairs of the Government could be conducted through departments, and that the devolution of authority to District Councils, which was then taking place, would, and possibly should, lessen the authority of the District Commissioner. This may well be the eventual outcome when local governments were firmly established, but it was apparently not appreciated that so long as the administration of the country was conducted on the lines

on which it was (and still is) the principal symbol and organ of governmental authority in the Provinces was the Provincial Commissioner with his attendant administrative staff.

I can here only record the sum total of impressions I have gained after a most extensive reading of the files and from discussion I have had with some of those officers who were in the field at the time, and they are that much of the above contributed to a growing estrangement between the Central Government and the Administration which was a noticeable feature of the pre-Emergency period (Chapter XII: 8-11).

38. Again, there is always a tendency for Central Governments to become self-centred, and the post-war Government in Kenya was no exception. Much energy was expended in keeping the complex machine working and this led to a decreasing lack of personal contact with those in the field. Many realized that "something was in the air", but the Central Government in Nairobi appeared to have built round itself what I can only describe as a protective wall of self-deception. This was particularly noticeable in 1952 when it interpreted momentarily and spasmodic improvements in the situation as general trends (e.g. Chapter V: 138). In medical terms, a form of neurosis had set in. For three or more years the Government had been receiving ever-increasing doses of *Mau Mau*, with the result that the almost lethal dose administered in 1952 had little or no effect. One factor of the greatest importance was the self-induced but comforting thought that the Kikuyu would never be brave enough to take the final plunge. By comparison with other tribes in Kenya, the Kikuyu were not a warlike tribe in the normally accepted sense. Their strategy was based on defence within their own country, and not on attack outside it, but, as I have mentioned in Chapter II, within their own country they were, in the early days of the Protectorate, a match for all who invaded it. Being individualists, they are not easily led, except by leaders of their own, with the result that very few were recruited for either the Police or the Army, although in times of war large numbers were recruited for the lines of communication service. With the gradual advent of more settled conditions, these warlike propensities of the Kikuyu were lost sight of, and it became generally accepted that the Kikuyu were basically a cowardly people. This assessment appears time and time again in reports, and may be summarized as follows: throughout their history the Kikuyu have been troublesome; in the event, such disturbances as there were have been dealt with satisfactorily. *Mau Mau* was but another, though admittedly more serious, manifestation of this unrest. If it does finally break out, it should not be too difficult to contain, as the Kikuyu would quickly succumb to a show of force. This view was held, not only in Government circles but widely throughout the country. But it is always most dangerous to assume that any people, whatever their natural propensities, will not, in given circumstances, fight.

Another factor which influenced this mode of thought was the apparent impracticability of the expressed aim of *Mau Mau* to achieve power by ousting the Government, and thus the European influence, by force, but history has shown that most revolutions flourish on a state of mind which believes that some impossible Utopia is close at hand.

39. Was there any logical reason for this general attitude of the Central Government—this manifest failure to appreciate the probable outcome of this rising tide of subversion? A clue may perhaps be found in an important pronouncement of policy made by the Governor in his covering letter of November, 1951, which accompanied the report of the Internal Working Security Committee referred to in paragraph 28 above. I have dealt with this report and the covering letter most fully in Chapter V, paragraphs 104-108. I shall here only comment briefly on the letter. In paragraph 1 it stated: "The major problem in Kenya and East Africa generally is social

and agrarian, and not nationalistic." This was, and still is, fundamentally true, but it is not a truth to which a nascent African nationalist agitator subscribes. But it was already clear to, and had been reported by, those in closest contact with the African that one of Jomo Kenyatta's objectives was the sabotaging of all efforts of the Government in the way of agrarian reform. To quote again from paragraph 2: "We are at present at a stage when improvement in social conditions and such land reform as is practicable could bring about a marked betterment in the attitude to Government, and it is for that reason that we can regard such improvement and reform as major security measures." This again is a fundamental truth, and in any case the repression of unrest with no attempt to remove the basic causes of that unrest would have been a barren policy, but the simple acceptance of reform as a major security measure depended entirely on which side would win the race—subversion or reform.

I now have very little doubt that the broad lines of policy set out in this covering letter influenced the general outlook and attitude of Government officers in Nairobi and tended to divert their eyes from the dangers of the rising tide of subversion. And although the Administration, supported by many local police officers and Africans who realized the dangers of *Mau Mau*, had continually stressed the paramount necessity of dealing effectively with the known leaders of agitation, the emphasis in Nairobi continued, right up to October, 1952, to be placed on propaganda through *barazas* and what might be termed near-appeasement. I have quoted many examples of this in Chapter V.

40. Before ending this section, I must mention one other deficiency: the importance of maintaining a proper control of firearms was not appreciated until August, 1952, and it was not until shortly after the declaration of the Emergency that the responsibility for the control of firearms was handed over to the police. A check at the end of 1952 disclosed that during the previous five years some 133,500 rounds of ammunition, mostly from Army sources, and some 400 licensed civilian firearms had been lost or stolen. The true position in regard to firearms was in fact more serious, as the theft of unlicensed firearms was rarely reported (of the 1,636 precision weapons recovered during the Emergency, 778 had never been registered). Thus the number of precision weapons in the hands of *Mau Mau* terrorists at the beginning of the Emergency may well have amounted to some 800. And during the first year of the Emergency, of the 674 known losses of precision weapons, only 356 were recovered, giving a further net gain of some 320 weapons in the hands of the terrorists.

The failure to control firearms was a very serious deficiency in the Government machine and was a factor which contributed materially, not only to the outbreak of violence but also to the long drawn-out struggle against the terrorists (Chapter XI). The lax and irresponsible attitude of holders of firearms, mostly Europeans, contributed to its deficiency.

Lessons to be learnt:

41. It has been suggested, as an apologia for *Mau Mau*, that the conditions in Kenya were such that the Africans could only achieve their political aspirations through violence. I can find no truth in this whatsoever. Political progress may have been slow—it is always too slow for the small coterie of ambitious nationalists: and the determination of the reasonably safe rate of political emancipation is one of the major problems which face all Colonial Governments. But the general backwardness of the mass of Africans in Kenya was a limiting factor if precipitous progress was not to lead to chaos. And one has only to read the annual reports of the Provincial Commissioners to realize the immense efforts made by officials and unofficials to raise the material and moral welfare of the Africans. It has been suggested that had the hand of co-operation been

given to Jomo Kenyatta, history would have taken a different turn, and there would have been no *Mau Mau*. But all the evidence points otherwise. The overwhelming impression left on my mind at the end of this review of the events which led to the savage outburst of *Mau Mau* is that without the freedom afforded them by a liberal Government, Jomo Kenyatta and his associates would have been unable to preach their calculated hymn of hate and to exploit, through the medium of perverted witchcraft and of intimidation, the almost inevitable grievances which must accompany the rapid evolution of a primitive society. Can anyone imagine what sort of African State would have arisen in Kenya on the foundation of *Mau Mau*, which sought to eliminate all non-African influence and which, by the unspeakable debauchery of its oaths, achieved the terrible result of breaking and debasing the dignity of thousands of human souls. It is almost impossible to convey to those who have had no personal experience of the product of *Mau Mau* the appalling mental state of those who had taken the more advanced oaths. In the words of Father Trevor Huddleston, written as early as December, 1952:—

“*Mau Mau* is a movement which in its origins and in its development is wholly evil. It is the worst enemy of African progress in Kenya. It has about it all the horror of the powers of darkness: of spiritual wickedness in high places. There can be no compromise, no common ground, between *Mau Mau* and the rest of the civilized world. It must be utterly destroyed if the peoples of Kenya are to live together and build up their country.” (Chapter V: Note 38.)

This is the supreme lesson to be learnt.

42. It was the realization and dread of this future which was the mainspring of the brave, and often lonely, fight of those few Kikuyu and others, both Christian and pagan, who, with so little thought for their personal safety and so little effective help from Government, sought to oppose *Mau Mau*. Through them the light of civilization was spreading. If they prevailed, *Mau Mau* could not succeed. The whole weight of evidence shows clearly that Jomo Kenyatta realized this, and from the earliest days his first objective was their elimination: only thus could he hope to establish a firm Kikuyu base from which he hoped to achieve his major aim of the liquidation of European and Indian influence. *Mau Mau* therefore assumed all the known characteristics of an inverted resistance movement, and since it claimed the mantle of a limited national movement directed against the “invaders”, those who resisted it were the “quislings” and the traitors. The result was tantamount to a civil war. It was the misunderstanding of these basic facts which has led to the erroneous view that *Mau Mau* was basically anti-African and not fundamentally anti-European and anti-Indian.

Such was the power of *Mau Mau* that a large number of those who resisted were assassinated. Some 1,800 are known to have died, but the true number will never be known. They are called the “loyalists”, but they should more rightly be called the “patriots”. They were the true patriots, and not those who so often received moral encouragement from Britain and elsewhere.

43. The main lesson to be learnt in administrative terms from this historical survey is the paramount duty and obligation of any Government to maintain law and order. And it was the failure of the Government of Kenya—preoccupied as it was with the material progress of the peoples of Kenya, and inhibited from taking action by a feeling that it would encounter the opposition of world liberal opinion—to appreciate the importance of this very foundation of good government, rather than the failure of the intelligence organization to present to it a fully co-ordinated picture of subversion, which was the basic cause of the outbreak of violence.

As one of the final objectives of this historical survey was, in the words of the Chief Secretary, "to restore public confidence and to make it clear that steps have been taken to remedy deficiencies which might have existed" (Chapter I: 12), it will be asked: "Has this lesson, with its complementary one covering the deficient intelligence organization, been taken to heart?" The answer is "Yes".

(a) As I have indicated in Chapter III, the organization of intelligence was completely overhauled at the beginning of the Emergency under the advice of Sir Percy Sillitoe. Special Branch now has its necessary roots in the Provinces, and there is a regular review of all matters pertaining to intelligence and security by a competent committee of senior Government officers. The public can rest assured that the present machine, within the limits of human fallibility, is as efficient as it can be.

(b) But the major deficiency was the lack of the "fire brigade" legislation (paragraph 34 above)—powers that would enable the Government to put out a fire before it had obtained a disastrous hold. Since this historical survey was started, such legislation has been enacted—the Preservation of Public Security Ordinance, 1960. And it is important to bear in mind that these powers are necessary for any Government, whatever its complexion. African nationalism will not be enabled to build itself on firm foundations if it rises to power on a wave of violence.

44. But there are other lessons to be learned, which are of great importance to a continued but orderly constitutional progress in Kenya:—

(a) State Police must remain in the reserves.

(b) While every encouragement should be given to self-help in the matter of education, it is essential that education be controlled, as it now is, by the Central Government.

The control of the Kikuyu Independent School Movement gained by the political agitators turned the schools into centres of political indoctrination. They became the main centres for the organization of *Mau Mau* (Chapter VII).

(c) Though so much emphasis in the world Press is on the material advancement of the African, the immense power of witchcraft must not be underrated. The feeling of terror inspired by *Mau Mau* sprang as much from superstition as from physical fear. The African, through no fault of his own, still has perforce to live dangerously near his primitive past.

(d) Intimidation, both mental and physical, was and still is a weapon of great potency in the hands of unscrupulous aspirants to political power. It is used both against the wavering mass of the people and against those Africans who realize that the greatest contribution they can make to their own nationalistic aspirations is by co-operation with the Government. The stigma attached to the appellation of "stooge" or traitor is very hard to bear, and moral courage of a high order is required of those prepared to bear it.

(e) Although this may perhaps be outside my strict terms of reference, Missions and Mission teaching in schools still have a most important function to perform. Without Missions the slow and painful, but eventually successful, process of building up among the Kikuyu the resistance movement which (with the dogged bravery of the European farmer) eventually defeated *Mau Mau*, would not have been possible. And without the light of some basic religious belief to replace the darkness of witchcraft, there would appear to be no real future for the African state.

APPENDICES

3000-0000

CHAPTER I

(Paragraph 2)

TERMS OF REFERENCE

1. On 3rd December, 1953, a Motion was moved in Legislative Council by the Member for Mount Kenya (Group Captain L. R. Briggs) in the following terms:—

“BE IT RESOLVED that this Council requests His Excellency the Governor to appoint one or more Commissioners under the Commissions of Inquiry Ordinance and to commission such person or persons to inquire into the following matters:—

- (a) Having scrutinized all relevant intelligence reports, despatches, reports of Legislative Council proceedings or other documents, and called such witnesses as were considered necessary to report whether such documents or evidence gave reasonable information or warning of the existence of serious subversive activities and if so by what dates.
- (b) If it should be shown that such warning was given—to affix responsibility (if any) for the failure of Government, or of individual members thereof, to appreciate the potential seriousness of the *Mau Mau* movement in the earlier stages and to take action accordingly.
- (c) To report whether in the Commissioner’s opinion the Colonial Office or any individual officer serving in the Colonial Office having been acquainted with the situation and of the steps which this Government desired to take to deal with the situation retarded actions or steps which were recommended at the time and which have since had to be taken.”

The Government was unable to accept the Motion on the grounds that the time was not opportune for such an inquiry.

2. On 7th December, 1955, the Member for Mount Kenya (Group Captain L. R. Briggs), referring to the Government’s reply to the Motion moved by him in December, 1953 (paragraph 1 above), asked the Chief Secretary if the Government would state if they considered that the opportune time had now arrived. The Chief Secretary replied in the following terms:—

“The Government is not prepared to initiate an inquiry on the lines advocated in the Motion. Nevertheless, as was indicated in the Government’s reply to the Motion, the Government does consider that a full examination of the origins and growth of *Mau Mau* is required; this would include an examination of the circumstances which permitted the movement to develop so rapidly without the full knowledge of the Government and of any deficiencies which made themselves apparent in the Government machinery. This examination will be undertaken as soon as possible after the end of the active phase of the Emergency.”

In reply to supplementary questions, the Chief Secretary stated that the examination would be in the nature of an official history, and not an inquiry under the Inquiries Ordinance and would, in regard to the calling of evidence, be such as was normally undertaken by an official historian compiling an official history.

3. On 22nd February, 1956, the following Parliamentary Question was put to the Secretary of State by Mr. F. Harris, M.P.:—

“If at the cessation of the active phase of the Emergency in Kenya he will instigate a full inquiry into and an examination of the origins

and growth of *Mau Mau* to ascertain why the movement was allowed to grow to such an extent before the Kenya Government took action and in order to ensure such circumstances shall never come about again."

In reply, Mr. Hare, Minister of State, said:—

"The Kenya Government intends to investigate these matters fully at the end of the active phase of the Emergency."

4. On 1st March, 1956, the Member for Mount Kenya (Group Captain L. R. Briggs) moved the following Motion:—

"That a suitably qualified person be appointed to conduct an inquiry to examine the origins, methods and growth of *Mau Mau*, and to consider if deficiencies in the Government machine permitted the movement to develop and, if so, whether these have been remedied, and to report thereon, and that, for this purpose, full access be given to all Government documents and that memoranda be invited from members of the public."

In a debate on this Motion, the Chief Secretary made it clear that the Government could not agree to a public inquiry under the Commissions of Inquiry Ordinance. He however accepted the Motion in its present terms and said that there would be an examination by a suitably qualified person appointed by the Governor and that the Report would be made to the Governor. It would not be an inquiry supported by recommendations, but a factual historical examination of what happened, when it happened and, as far as can be judged, how it happened. The detailed description of matters which should form the subjects of this examination would be laid down by Government, but would be within the ambit of the Motion. Members of the public would be allowed to submit memoranda to the person charged with this examination, but there would be no question of their having a right to be heard. It was the intention of the Government that the Report should be in a form which could properly be published, but if the person charged with the examination was to have access to secret documents, as was intended, part of the Report would have to be withheld from publication. But the Government did recognize that one of the purposes of the Report would be to restore public confidence and to make it clear that steps had been taken to remedy deficiencies which might have existed. And the Government could give no undertaking that action against any person in the public service would automatically follow the examination though, no doubt, if the examination disclosed a dereliction of duty, Government proceedings would be taken in the proper manner.

5. In answer to a question submitted by the Member for the Aberdares (Mr. Humphrey Slade) on 5th June, 1957, the Chief Secretary informed Legislative Council that Mr. Corfield had agreed to undertake this inquiry and that the terms of reference would be within the ambit of the Motion, modified by the reservations which he expressed to the Council when he replied to the Motion of 1st March, 1956.

6. On 8th October, 1957, in answer to a further question by Mr. Humphrey Slade, the Chief Secretary stated that any person invited to give evidence to the Commissioner would be informed when the invitation is made to him that he will not be inhibited in what he said by the undertaking of the Official Secrets Act. And the Government would take steps to make it known publicly that any one who thinks he has valuable evidence to offer will not be debarred from giving it merely by virtue of his position as a civil servant.

7. On the 11th November, 1958, in answer to a question by Group Captain Briggs, the Chief Secretary said that he could give no assurance that the report would be debated "because although it is the intention of the Government that the Report should be in a form which could properly be published it may not necessarily be in the public interest to do so".

8. On the 19th November, 1959, in answer to another question by Group Captain Briggs, the Chief Secretary said *inter alia* that as soon as the Government had had time to consider the Report it would be published.



CHAPTER IV

(Paragraph 43)

**MEMORANDUM SUBMITTED BY THE KENYA AFRICAN UNION
TO THE RT. HONOURABLE JAMES GRIFFITHS, P.C., M.P.,
SECRETARY OF STATE FOR THE COLONIES ON 17th MAY,
1951.**

We, the Kenya African Union, on behalf of the African people of Kenya generally, greatly appreciate your short visit to our country. We are particularly pleased that you have been able to find an opportunity to visit this country a few months after your memorable statement which you made in the House of Commons regarding the Constitutional development of Kenya. We broadly welcome your statement.

The following are the main important points which we would like to raise regarding the Constitutional development of Kenya:—

1. CONSTITUTIONAL CHANGES

(a) *Executive Council.*—The African people in Kenya have no direct representation in the Executive Council, and we do not see any biological justification for their exclusion in this essential body. We therefore strongly request that immediate consideration should be given to the appointment of an African member in the Executive Council.

(b) *Kenya Legislative Council.*—There are at the present moment over five million Africans in Kenya who are represented by *only four* African Nominated Members in the Kenya Legislative Council. The absurdity of this, admittedly, cannot be overstressed. Each of the four members has at his back a constituency of over one million souls and it is practically and physically impossible to cope with the ever increasing public duty as far as the interests of the Africans are concerned. We therefore strongly request that immediate consideration should be given to increasing the African seats from 4 to 12 on Provincial basis. We recommend as follows:—

Central Province	..	..	..	3 Members
Nairobi	..	..	..	1 Member
Coast Province	..	..	..	2 Members
Rift Valley and Settled Areas	..	..	..	2 Members
Nyanza Province	..	..	..	2 Members
Masai and the N.F.D.	..	..	..	2 Members
				12 Members

(c) *East Africa Central Legislative Assembly.*—We favour and support the continuation of the life of the Central Assembly, but we demand that only capable African Members should be appointed in this important body.

(d) *Nairobi City Council.*—There are over 85,000 Africans residing in Nairobi. About three-quarters of this number is a permanent population. They are represented by *only two* African Nominated Members in the City Council. It is therefore very difficult to know how to apportion the various work of the City Council which is principally in form of Committees and Boards and it is

impossible for the two Members to divide themselves up to fit in properly with the necessary work.

We therefore strongly recommend that we should have eight African Members in the City Council. We also request that special consideration should be given to the appointment of an African Member in the Kenya Legislative Council to represent the interests of the African residents of Nairobi.

(e) *Other Government and Municipal Boards and Committees.*—We strongly recommend that the Africans should be adequately represented in all local Government and Municipal Boards and Committees. Appointment of African Members in the Transport Licensing Board and Rent Control Board whose duties and functions are at the moment increasing tremendously as far as African interests are concerned is a matter of dire necessity. It is our considered opinion at this juncture to stress that such opportunities will undoubtedly fall in conformity with your statement in which you expressed the hope that His Majesty's Government that all persons having concern with the future of these territories will work together towards that goal of true partnership on which the future prosperity and happiness of all in East Africa must depend.

We sincerely appreciate and endorse this statement if it could be implemented in its true sense.

(f) *European Parity.*—We have given a matured consideration to the demand for Parity by the European Unofficial Elected Members of the Kenya Legislative Council, and we have come to our honest conclusion that we cannot under any circumstances give support to this unreasonable demand.

The following resolution which was passed unanimously by the Kenya African Union and the East African Indian National Congress during their joint meeting on Sunday, 13th May, 1951, in the Kaloleni Hall, Nairobi, indicates our stand against this demand:—

“This mass meeting held under the auspices of the Kenya African Union and the East African Indian National Congress on the 13th May, 1951, strongly opposes the demand by the European Elected Members of the Kenya Legislative Council for Parity between European Unofficials on the one hand, and all non-European Unofficials on the other.”

We have six points which were passed as a Resolution by the Kenya African Union on the 20th December, 1950, immediately after your statement.

The following are the points:—

1. The goal should be a common roll for all races on a basis suitable to circumstances of the Colony.
2. This meeting is totally opposed to nomination of its Members and demands the immediate introduction of elective principles.
3. As a transitional step, until a common roll is introduced the Africans must have on the Legislative Council parity of membership with non-African Unofficial Members as in Uganda with the difference that the elective principles must be introduced.

4. That if equality of unofficial representation for the Africans with each of the two major immigrant communities is proposed, African public opinion must be consulted before accepting any such proposals.
5. That on no account any African representatives accept parity of Unofficial representation for Europeans with the other races combined.
6. There should be not less African Members on the Executive Council than are allowed to any other community.

2. DISCRIMINATION AND COLOUR BAR

One of the things which have created considerable amount of suspicion among the African subjects in this Colony towards the British Administration, is the discriminatory policies which are not only practised by some individual Europeans and Asians, but are supported and encouraged by certain laws governing this country.

There are discriminatory laws relating issue of Trade Licences, deciding price for foodstuffs grown and produced by Africans and there is intensive discrimination in Hotels and Restaurants, etc.

We strongly appeal that all racial discriminatory laws including the Penal Code Section 159 and other most irritating laws should be completely abolished as soon as the new changes come into force.

We appeal to the British Government in the United Kingdom, through you, Sir, to take a serious view towards stamping out Colour Bar in all her Colonies, Dominions, etc., by enforcing a special legislation. This fact will definitely increase and consolidate the degree of confidence among the African subjects which has now been badly shaken by the present situation.

3. EDUCATION

Education is the key to progress. We therefore request that the British Government should give more aid to African education in Kenya. General and Technical Education should be given in parallel to both African boys and girls. We again appeal strongly to the Government to pay particular attention to this matter.

4. AGRICULTURE AND ECONOMICS

We attach particular importance on the question of land for which a Petition has been addressed to you under separate cover. Land is the only Social Security that the African has. We entirely agree that preservation of our soil is a matter which should receive drastic attention by both Government and the African people. Tremendous improvement is required in Agricultural Education among the Africans, and State financial aid to African farmers and livestock keepers is of the utmost importance.

We recommend that every possible encouragement and facilities should be provided for Africans economically in order to build up a self-supporting community.

5. CIVIL SERVICE

At the moment the Africans are not appointed to higher posts in the Civil Service. We see no reason why posts in the Secretariat should not be created for capable Africans such as Assistant Secretary and Deputy Chief Native Commissioner,

6. FREEDOM OF ASSEMBLY AND FREEDOM OF MOVEMENT

Freedom of Assembly and Freedom of Movement are not what they should be in Kenya. In certain parts of Kenya Africans cannot hold meetings to discuss their social and political problems. In certain districts in Kenya Africans are not allowed to visit each other without a pass from the D.C.

We strongly recommend total abolition of the Native Authority Ordinance which empowers District Commissioners and the Local Chiefs to disallow people to meet. This, as a matter of fact has been responsible for encouraging some Africans in certain Provinces to organize secret societies.

This does not in any way mean that Law and Order should not be maintained.

7. TRADE UNION MOVEMENT

We strongly recommend that Trade Union movement should be allowed to function in Kenya the same as it does in other advanced countries without unnecessary interference.

8. CONCLUSION

We hope and trust that you will give these and other points your sympathetic attention, and we request you, Sir, to convey our loyal greetings to H.M. Government and to the people of Great Britain.



APPENDIX C

CHAPTER V

(Paragraph 6)

OLENGURUONE SETTLEMENT

1. During the years 1925-1930 a large number of squatters with their stock from the Rongai-Njoro area moved into Narok district at Mellili after the compulsory reduction of their livestock which followed the greater measure of control being exercised under the Resident Labour Ordinance. As they threatened to infiltrate more and more into the Masai country they were again moved to a permanent agricultural settlement at Olunguruone. When the original area chosen was surveyed it was found to be larger than originally anticipated and certain Kikuyu who were living as trespassers in the Masai Native Land Unit were allowed to use the additional land together with some 50 families of Wanderobo from the Tinet Forest area. This move took place in 1941 and the Kikuyu were not settled there by virtue of any recommendation of the Carter Land Commission but were accommodated there because they were landless. This is of importance as in later years the Kikuyu maintained that they were given this land on the recommendations of the Carter Commission and that it was in fact a part of the Kikuyu Native Land Unit.

These settlers were allowed to reside under conditions approved by the Native Lands Trust Board. Such conditions as were imposed were intended solely to preserve the fertility of the soil and to improve the amenities of the settlement in the interests of the inhabitants. Ever since their arrival in the settlement a large body of Kikuyu flouted the regulations and challenged the right of the Government to exercise any control. In 1943 the Chief Native Commissioner held a large meeting in which the position was fully explained to them, but this made no difference to their attitude. Finally, after a visit by Jomo Kenyatta to the settlement in 1947, they informed the European Settlement Officer that he had no right to be there and asked him to leave. This position could not be tolerated and the Provincial Commissioner informed the tenants that any who were not prepared to accept the new and increased acreages which had been offered, or to abide by the settlement rules, would have to leave. The settlers still refused to listen. Subsequently, 14 days' notice to quit was given which, after representations by the tenants, was extended to three months. Almost all concerned refused to co-operate in any way and disobeyed orders to appear before the District Commissioner, Nakuru. Arrangements were accordingly made to prosecute a number of the offenders; but since it was necessary that the Government should not lay itself open to criticism in connexion with the removal of the families from Olunguruone it was agreed that their fares to their original native land unit should be paid and, in appropriate cases, freight charges in respect of the removal of the stock. But this did not alter the attitude of the settlers and they remained adamant.

The next move was the arrival of a deputation from Olunguruone to see the Chief Native Commissioner. It stated that none of the settlers wished to apply for a new permit but asked only for a reasonable time to arrange alternative accommodation. As a further act of grace the Chief Native Commissioner agreed to extend the notice of eviction by three months. No heed was however paid to this and some 25 persons whose permits had lapsed were summoned but none appeared before the court. Those of the offenders who could be found were later arrested and convicted and a court order was obtained for their eviction from the settlement. This was the signal for a general exodus of males from the area. An appeal was made to the Court of Appeal but was dismissed by a full bench.

It soon became apparent that this legal procedure to ensure eviction would be a slow and expensive process since there were over 300 persons to be dealt with. The settlement rules were accordingly amended, with the consent of the Native Lands Trust Board, in order to give the Settlement Officer power to evict summarily persons whose permits had been cancelled, or trespassers, and to demolish their house and impound their cattle.

New eviction orders, under the amended rules, were issued in September, 1949, and at the same time the evicted settlers were again offered free transport for their stock and families either to their native land unit or to the North Yatta native reserve, where a special reception camp had been set up to accommodate those who wished to go there.

These new orders were in their turn ignored and the demolition of huts and impounding of stocks was therefore authorized to begin on 29th October, 1949. Some 100 families then moved under their own arrangements to Kiambu, but a large number still continued to reside in the area in temporary shacks, holes in the ground, etc. These were evicted and removed with their dependants to the camp set up in the Yatta, part of which had been set aside as a detention camp. This action of the authorities was approved by Executive Council on 3rd March, 1950. On the other hand, the Kikuyu concerned resented firstly their removal from the Rongai/Njoro area and secondly the efforts made to enforce conformity with the agricultural conditions of the occupation of the land. They felt they had a grievance.

The long drawn out frustrations at Olenguruone, which had placed a great strain on the Administration, had become a test case and if the Government had not adhered to its policy of eviction it might have compromised the whole question of resettlement of Africans on new land and of the proper use of land. But controversy was kept alive entirely by the self-appointed leaders of the Kikuyu and this action which was of course typical of Jomo Kenyatta and his associates defeated one of the many well-intentioned efforts on the part of the Government to deal with the major problems of the landless Kikuyu.

The Olenguruone "affair" has particular significance so far as this historical survey is concerned. The settlers, most of whom returned to Kiambu, were used as a tool by the leading personalities in *Mau Mau*, particularly ex-Senior Chief Koinange, to keep alight the flame of hate. The reports from the District Commissioner, Kiambu, during this period contained many references to agitation sponsored by or through the medium of these settlers and the wildest tales were circulated of the brutality they had suffered at Olenguruone.

It also has a particular significance in that oath-taking started at an early date at Olenguruone—using sheep's meat—in order to fortify the unanimous stand against the Government. The taking of land oaths had been common features of most Kikuyu societies, but it was in the earlier days an oath directed against the selling of land to non-Kikuyu. The Olenguruone oath was on the other hand an oath directed primarily against Government authority. Many Kikuyu believed that it was at Olenguruone that the seed of the *Mau Mau* oath was sown, and there is a theory that the words "*Mau Mau*" were derived from the fact that Olenguruone was situated near the south-west section of the vast *Mau* Forest in the Masai Land Unit. *Mau* is the Masai word for "twins".

APPENDIX D

CHAPTER V

(Paragraph 12)

**EXTRACTS FROM REPORT OF A MEETING ORGANIZED BY THE
GIKUYU MARANGA AFRICAN UNION AND HELD IN
FORT HALL ON 7th SEPTEMBER, 1947**

Mwangi Macharia, who presided over the meeting, said:

"I and others have been sent by our Union from Nairobi to come and investigate about soil conservation and other matters in the Fort Hall district. . . .

We have selected 2,000 men of the Forty Group. Their job will be to go after people who are taking our information to the Government, and to be after our elders, headmen and chiefs who are spoiling our district. . . .

The people from today are not to dig trenches and you are to go and tell the District Commissioner that we have absolutely refused to dig trenches and we want the agricultural officers to move away from our locations. . . ."

Samuel Mwangi said:

"I was born in 1923. I am treasurer of the Forty Group. As you look at me now, imagine that you are looking at the force of 2,000 men of the Forty Group, for they are the *askaris*. We have so far done wonders, and we shall do much more in the future.

What Mwangi Macharia has told you is all true. The Group of Forty is manned by the 2,000 men who are ready to tear to pieces anyone who is spoiling their district and revealing their secrets. There are some tickets being sold at Sh. 2/50 each for people to buy and wear them, and who has none we shall know him to be our enemy."



CHAPTER V

(Paragraph 58)

THE MAU MAU ASSOCIATION

Memorandum circulated to Executive Council on 2nd August, 1950

There has been much publicity given recently in the Press to the case before the Naivasha Magistrate in which 19 Africans were charged with administering an unlawful oath contrary to section 62 (1) of the Penal Code. All the accused have now been found guilty and the sentences of imprisonment imposed range from six months to five years. The facts of the case briefly are that the two complainants, who were Kikuyu, were by violence compelled to take an oath which purported to bind them to become a member of the so-called *Mau Mau* Association. The object of this Association is said to be the expulsion of Europeans from the Colony of Kenya and the purpose of the oath was to maintain secrecy.

2. On 7th June, 1950, the Director of Intelligence and Security supplied the following report on this Society:—

“The above association first came to notice in the middle of 1948, and is undoubtedly the Kikuyu Central Association.

Reports were received in 1948 of members joining it by taking an oath, particularly in the Naivasha district, and details of the ritual observed and the objects of the Association were similar to those associated with the Kikuyu Central Association. Some of the leading lights of *Mau Mau* were known to be former Kikuyu Central Association members.

Little was heard of *Mau Mau* in 1949 and it was not until May, 1950, that persons were arrested at Naivasha for being present at an administering of an oath.

Thirty-eight Kikuyu, one Kisii and one Masai are at present before the Court at Naivasha charged under section 62 of the Penal Code.

The driving force behind this increase in illegal oath taking undoubtedly emanates from the Kiambu Reserve and follows closely on similar occurrences there arising out of rumours about excisions from the Kikuyu Land Unit.

One Paulo Njuguna s/o Chege, resident at Naivasha and a former member of the Kikuyu Central Association, who was arrested in 1940 and detained, may be the chief instigator.”

And the following report was received from the Superintendent of Police, Naivasha:—

“It is difficult to give a true estimate of the numbers of persons belonging to *Mau Mau* which is just another name for the Kikuyu Central Association. In the Naivasha police area alone some 22 farms are affected; these are situated in the North and South Kinangop, the East and West Lake side and Manunga Estate at the foot of the Mau bordering on the Narok area. In the Gilgil area three farms are known to be affected, but more are believed to be so.”

Of the 40 persons before Court under section 62 of the Penal Code, 38 are Kikuyu, one a Kisii and one a Masai.”

3. In view of the unlawful practices of which members of the *Mau Mau* Association have recently been convicted and also having regard to the probability that this Association is really the proscribed Kikuyu Central Association under another name, it is suggested that there are ample grounds for declaring it an unlawful society under section 69 of the Penal Code, and a decision of the Governor in Council is sought on this point.



APPENDIX F

CHAPTER V

(Paragraph 137)

KENYA AFRICAN UNION MEETING AT NYERI**Report on Mass Meeting Held Between 11 a.m. and 3 p.m. on
26th July, 1952 by Assistant Superintendent of Police, Nyeri**

At 11 a.m. there were in the vicinity of 20,000 Africans at the meeting. By 1 p.m. the attendance was estimated at 25,000. The meeting was held on an open flay, three miles out of Nyeri, bordering the Kikuyu Reserve, and was an authorized meeting. Terence Patrick O'Brien, the suspect European Communist, was present and took photographs of the assembly.

Prominent African politicians present included Jomo Kenyatta, Ochieng Oneko, Anderson Wamuthenya, Morris Mwai, Samuel Kagotho, Henry Muoria, Henry Wambugu, Willy George and many others prominent in African politics and Trade Unionists from Nairobi and various K.A.U. branches in the country. The Transport and Allied Workers' Union, various sections of the old Labour Trade Union of East Africa and most African trading societies and organizations were represented. Jesse Kariuki interpreted from Kikuyu into Swahili.

FIRST SPEAKER—JOMO KENYATTA

"I am very pleased to come to Nyeri and see so many of you here at this meeting of K.A.U., but before we open the meeting, I appeal to you to sit down and keep quiet so that you can hear what we are going to say. (Considerable shouting and ill-behaviour on the part of the crowd at this moment.) I want to explain to you that if you want self-Government you must first sit down and keep quiet. (Points to various groups who are standing and making a noise and admonishes them.) Our time at this meeting is limited and we office-bearers have travelled a long way to address you, and if you are going to waste the time of the meeting our purpose will be spoiled. Those who are continuing to make a noise must be removed from this meeting. I do not want any interruptions. Quiet, quiet. I am the leader of Mumbi and I ask you yet again to keep quiet. (Tremendous applause and the crowd becomes more orderly.) If one is born of Mumbi, sit down on this earth of ours and keep quiet, otherwise leave. Those of you who are near the main road will be covered in dust unless you sit down. (Applause, and the crowd is more or less quiet now.) What God has told me to say to you today I will now say, although our loudspeaker has not yet arrived from Nairobi. You are the earth and the earth is ours, so listen to me and do not interrupt any more. We will start this meeting with prayers. Our brother Wachira will say these prayers to you. I have asked him to make our prayers very short as our time is restricted by Government." (Jeers.)

SECOND SPEAKER—THE REV. WACHIRA

"Those who are despised are those who fight for freedom. God said that one man cannot knock down a wall and continue to freedom, but if people unite and push together they could break the wall and pass over the ground towards independence. May God be with us on this day. We are here to follow the principles of justice. May God lead us on to our goal. Jomo is a disciple of God who will lead you along the righteous path. In the name of Jesus Christ and the people of Mumbi, I give you my blessing." (Crowd hums three times the religious answer to such prayers, according to Kikuyu tradition.)

JOMO KENYATTA AGAIN

(He begins with his usual "eeeeee" which is characteristic of all his speeches, and this is given vociferous applause.)

"Time is limited and I am now starting. I want you to know the purpose of K.A.U. It is the biggest purpose the African has. It involves every African in Kenya and it is their mouthpiece which asks for freedom. (Applause.) K.A.U. is you and you are the K.A.U. If we unite now, each and every one of us, and each tribe to another, we will cause the implementation in this country of that which the European calls democracy. True democracy has no colour distinction. It does not choose between black and white. We are here in this tremendous gathering under the K.A.U. flag to find which road leads us from darkness into democracy. In order to find it we Africans must first achieve the right to elect our own representatives. That is surely the first principle of democracy. We are the only race in Kenya which does not elect its own representatives in the Legislature and we are going to set about to rectify this situation. (Applause.) We feel we are dominated by a handful of others who refuse to be just. (Applause. Jesse Kariuki is working the crowd up by translating Kenyatta's speech in such a way that he is conveying to the people an inference which Jomo Kenyatta does not convey.) God said this is our land. Land in which we are to flourish as a people. We are not worried that other races are here with us in our country, but we insist that we are the leaders here, and what we want we insist we get. We want our cattle to get fat on our land so that our children grow up in prosperity; we do not want that fat removed to feed others. (Applause.) He who has ears should now hear that K.A.U. claims this land as its own gift from God and I wish those who are black, white or brown at this meeting to know this. K.A.U. speaks in daylight. He who calls us the *Mau Mau* is not truthful. We do not know this thing *Mau Mau*. (Jeers and applause.) We want to prosper as a nation, and as a nation we demand equality, that is equal pay for equal work. Whether it is a chief, headman or labourer he needs in these days increased salary. He needs a salary that compares with a salary of a European who does equal work. We will never get our freedom unless we succeed in this issue. We do not want equal pay for equal work tomorrow—we want it right now. Those who profess to be just must realize that this is the foundation of justice. It has never been known in history that a country prospers without equality. We despise bribery and corruption, those two words that the European repeatedly refers to. Bribery and corruption is prevalent in this country, but I am not surprised. As long as a people are held down, corruption is sure to rise and the only answer to this is a policy of equality. If we work together as one, we must succeed.

Our country today is in a bad state for its land is full of fools—and fools in a country delay the independence of its people. K.A.U. seeks to remedy this situation and I tell you now it despises thieving, robbery and murder for these practices ruin our country. I say this because if one man steals, or two men steal, there are people sitting close by lapping up information, who say the whole tribe is bad because a theft has been committed. Those people are wrecking our chances of advancement. They will prevent us getting freedom. If I have my own way, let me tell you I would butcher the criminal, and there are more criminals than one in more senses than one. The policeman must arrest an offender, a man who is purely an offender, but he must not go about picking up people with a small horn of liquor in their hands and march them in procession with his fellow policemen to Government and say he has got a *Mau Mau* amongst the Kikuyu people. (Applause.) The plain clothes man who hides in the hedges must, I demand, get the truth of our words before he flies to

Government to present them with false information. I ask this of them who are in the meeting to take heed of my words and do their work properly and justly. (Applause.) We are black people and when we achieve our freedom, we will also have police and plain clothes men.

Amongst you people before me are those future policemen and plain clothes men and informers whom I mention. I want, therefore, to teach you now that our Government will demand nothing short of fact and we will never have *fitina*-merchants. (Tremendous applause. This is obviously a crack against informers and I know the few African policemen here are feeling a little bit disturbed and uncomfortable.) We K.A.U. do not have divisions amongst our ranks. Each one of you may join. The only division and condition is that we refuse completely to enlist those who are not truthful. (The loud speaker arrives at this stage and is erected with considerable difficulty amongst the teaming masses.) I do not want you to associate yourselves with the present campaign of *fitina*—it is a salty campaign and it is harming us. (Applause.) Europeans are said to be the cleverest—they must therefore sift the information they get. (At this stage the crowd begins to get restless and there is a distinct change of attitude in Jomo Kenyatta. He appeals repeatedly to the masses to quieten down and Mr. Henderson sends him a message and tells him that unless he first brings his meeting to order he will not be permitted to make any more racial remarks.) Jomo Kenyatta agrees and takes considerable pains to quieten the masses. He leaves his platform and personally wanders about shaking his hand at the worst sections of the crowd. (After 15 minutes the crowd is pacified and Jomo returns to his platform.) Our friend Ochieng is here. Peter Mbiu is still in the United Kingdom. They went away because of our land hunger. I ask you to note that our land discussions are held in daylight. We want a commission in this country, a Royal Commission to enquire into the land problem. Anyone here who wants more land is to raise their right hand. (The whole meetings raises their hands, each individual raises both.) Now, who does not want more land and who is not supporting us over this land problem? (Nobody moves.) I think the Europeans here realize in their heart of hearts that our grievance is true. (Shouts of “What are they going to do about it?”) Who of you are going to support K.A.U.? (All raise their hands and there is tremendous applause.) Is it your heart that supports the K.A.U., or is it merely your mouth? (Answer, “Our hearts” and the whole meeting rises and many start waving their arms about. Another seven minutes is taken to restore the crowd to order.) Then join us today in this union of ours. Do not be scared of the few policemen under those trees who are holding their rifles high in the air for you to see. Their job is to seize criminals, and we shall save them a duty today. I will never ask you to be subversive (uses the English word which the meeting does not understand), but I ask you to be united, for the day of Independence is the day of complete unity and if we unite completely tomorrow, our independence will come tomorrow. This is the day for you to work hard for your country (applause), it is not words but deeds that count and the deeds I ask for come from your pockets. The biggest subscribers to K.A.U. are in this order. First, Thomson’s Falls branch, second, Elburgon branch and third Gatundu branch. Do you, in Nyeri branch, want to beat them? (Answer, “Yes”.) Then let us see your deeds come forth. (Applause. Samuel Kagotho now goes on to the platform and appeals to people to join the Union. Jomo tells the meeting that the most important points are to follow—this is calculated to hold the crowd, many of whom do not like subscribing—Samuel Kagotho tells the meeting where the different tables and K.A.U. clerks are to be found for those who wish to subscribe.)

12.40 p.m.

The K.A.U. flag is now hoisted and underneath it a piece of sugar cane is tied. (Sugar cane is used more or less consistently in *Mau Mau* oath ceremonies either at the entrance of oath huts or as an arch through which initiates are led. I take the introduction of this piece of sugar cane as a sign that those who go on to the platform and make speeches have themselves joined hands with *Mau Mau*. The production of this sugar cane piece is cheered by the whole meeting.)

JOMO KENYATTA AGAIN

“Eeeeeee” (the usual Jomo Kenyatta characteristic). “We now start our meeting (three distinct applauses and Jomo takes up his position under the K.A.U. flag holding the sugar-cane). (The crowd again is extremely restless and there are a great many nasty cracks against Europeans from all over the arena, and thug elements, some identified from Nairobi, are trying to stir up the crowd on the perimeter. Jomo again goes to great pains to quieten the meeting and expressed to me his amazement at the truculence of some of the people. He makes a point of saying that they cannot be K.A.U. members). Jomo continues: “I want to touch on a number of points, and I ask you for the hundredth time to keep quiet whilst I do this. We want self-government, but this we will never get if we drink beer. It is harming our country and making people fools and encouraging crime. It is also taking all our money. Prosperity is a prerequisite of independence and, more important, the beer we are drinking is harmful to our birthrate. You sleep with a woman for nothing if you drink beer. It causes your bones to weaken and if you want to increase the population of the Kikuyu you must stop drinking.” (Some in the crowd shout that they want to hear about land and not beer.) “I now want to say this. If you are not in favour of the K.A.U., and if you do not keep quiet whilst I speak to you, leave this meeting. Sit down and keep quiet. (At this stage small groups begin to argue with one another; 10 to 15 minutes pass before Kenyatta can be heard speaking.) “I will now tell you about our flag.” (Tremendous applause and all Jomo can do is to say that he will tell them about the flag later. He directs all his office-bearers to try and keep the crowd under control. We are sitting in the middle and, whereas before there was a few feet space between us and the crowd, we are now swamped with wriggling masses, one of whom is even sitting on the back of the chair on which I am sitting.)

NEXT SPEAKER, EBRAHIM, THE AFRICAN DISTRICT OFFICER AT NYERI

“Ladies and gentlemen. I cannot say much, except that this is the biggest meeting I have seen in this District. I want to ask Mr. Kenyatta what he is going to do to stop *Mau Mau*.” (This causes such a state of affairs that I cannot hear anything else Ebrahim says. He leaves the platform a minute or two later and Jomo Kenyatta replaces him.)

JOMO KENYATTA AGAIN

“Eeeeeee” (applause). “Quiet, because if you do not take my last warning we will never be permitted to hold another K.A.U. meeting in this District. Regarding Mr. Ebrahmi’s speech, I do not want you to think he is wrong, for if there are two different types amongst a single people, we separate unity. K.A.U. is a good union and we do not want divided people. I think *Mau Mau* is a new word. Elders do not know it. K.A.U. is not a fighting union that uses fists and weapons. If any of you here think that force is good, I do not agree with you: remember the old saying that he who is hit with a *rungu* returns, but he who is hit with justice never comes back. I do not want people to accuse us falsely—that we steal and that we

are *Mau Mau*." (Tremendous applause.) "I pray to you that we join hands for freedom and freedom means abolishing criminality. Beer harms us and those who drink it do us harm and they may be the so-called *Mau Mau*." (Tremendous applause. It is obvious that Jomo is side-stepping denouncing *Mau Mau*.) "Whatever grievances we have, let us air them here in the open. The criminal does not want freedom and land—he wants to line his own pocket. Let us therefore demand our rights justly. The British Government has discussed the land problem in Kenya and we hope to have a Royal Commission to this country to look into the land problem very shortly. When this Royal Commission comes, let us show it that we are a good peaceful people and not thieves and robbers. I am now going to ask Senior Chief Nderi to say a few words to you. I expect you to hear him and clap him when he finishes.

SENIOR CHIEF NDERI

"Greetings to you all. *Wanyua* was the old greeting of the Kikuyu and I now say *Wanyua* to you. I am going to thank the organizers of this meeting for saying that bad things must stop. Do you like K.A.U. (Answer 'Yes'.) Therefore you must do what Jomo says and stop doing bad things. I will tell you how the police have helped us during troubles in this District. Without the police you would have killed your leaders and possibly yourselves by causing the trouble. Our Government knows that you are hungry and it will feed you. (Terrific jeers.) Stop trouble in the district and let us come to an agreement. Land alone will not help us. (Jeers.) We also need education. That is what we are getting and this will bring us harmony. Let us dig hard in our *shambas* and help ourselves. Night-time activity is damning the Kikuyu people and this I have told Kenyatta. Nobody but Government can help us." (Nderi's speech has overcome the whole crowd and he is forced to sit down by barracking. The mood of the meeting is bad. I personally feel that all that remains is for the cooking pot to be brought on.)

JOMO KENYATTA

(He again takes considerable pains to quieten the crowd, but he is not listened to. At this moment a few of the Emergency Company turret cars pass by on their way up to Nyeri for an exercise and this has a sobering-up effect although there were shouts of "Let them come." Jomo then continues.)

"Chief Nderi was only trying to show how the Kikuyu people can advance. Do not be cross with him. There are more than 100,000 Europeans in the United Kingdom who have supported our Land Petition. Our land case is being well presented and I am now going to ask Ochieng to tell you what he and Peter Mbiu did in U.N.O. But first I will ask the *E.A. Standard* reporter who is here to come forward and see what the audience is so that he can tell everyone how the African feels." (The *E.A. Standard* reporter declines to get up and is jeered at mercilessly by the crowd, some of whom are shouting that he is yellow.) "Give Ochieng such applause that the ground beneath you splits in two."

OCHIENG ONEKO

"I am very pleased to be here to talk to you. I would be more pleased if everyone kept quiet. It is always said that there is noise and disturbance at African meetings, and I want to demonstrate that this theory is false. I have only a few minutes and can therefore only say a few words. Some laws of Kenya are bad and we want Government to know that we do not like them." (Crowd surges and speaker and Jesse Kariuki try to stop them. Jomo himself again goes into the crowd to try and pacify them.) "We do not want this meeting to turn into a riot. Sit down and keep quiet, I ask you,

or we will not be permitted to hold another meeting.” (“That does not matter” from the crowd. Mr. Henderson calls over Ochieng and tells him that the police are not very impressed with the conduct of the crowd and that unless order is restored he will not be permitted to speak. Eventually order is restored. Ochieng returns to the platform with a grin.) “You selected us to go as your representatives to the United Kingdom and U.N.O. When the Europeans came to this country we were a peaceful people—tribal wars were merely minor disputes. The Europeans came here as our guests.” (Terrific applause.) “This invitation has turned out to be false. They went for land and have established themselves in Kenya in such numbers that we suffered and this is why we went to the U.K. We do not want to be led. We want our own African Government and we will get it soon. We want the country to begin with peace between us, the Government and the European, but that peace can only come if we get justice. Before the European came, every African had sufficient land—that is not the case today. If we were to get education and advancement by losing land, then I wish we never get advancement. I wish to thank many of the British people in the United Kingdom who support us. Some ridicule Fenner Brockway, but I know he is our friend. We discussed in the U.K. the land problem with the Colonial Secretary and he promised he would send a Commission to this Country. We demand that the Commission not only looks into African land but compares African land to the White Highlands. We know a report on land is to come out from the Colonial Office and we must remain peaceful until we see how things go. We have had a measure of success. We are also completely against the system of appointment to Legislative Council. We must elect our own representatives for some of our members in Legislative Council are good, but due to the fact that they were nominated by Government, the time may come when others turn half-Government to major issues. We are also against some controls, particularly regarding the difference in price between European and African grown maize. When in the United Kingdom, we asked that such controls and laws be revoked. We have seen for too long that the European gets first place.” (This speaker is stirring up the meeting and is obviously most dangerous.) “Regarding Trade Unionism—this is vital, for when the cost of living rises we must ensure that we are assisted in the same way as Europeans and that means equal pay for equal work. Then look at D.C.s’ Offices. You see that an African is an “aaaaaaO”. We only want an “O” and we refuse to listen to excuses from Government that the reason for these “a’s” is that the African is not sufficiently responsible or suitable. Those Africans holding the titles “aaaaa” are doing the same work as D.C.s and P.C.s and should therefore be given this office. We told the Secretary of State this quite clearly. We want mass-education. A man without education is only half a man but we want the chance to learn properly. The Indians have most schools because they breed like locusts. We want co-operation and friendship between races but we do not want that friendship that resembles the friendship of the crocodile and the fish. We are a peaceful people and we will not chase the European away, but I assure you we will watch him most closely. Europeans are visitors and they know it, and those who are here know it—here at this meeting, but they will not admit it. They have to give us permission before we can go to the lavatory. If we want freedom we must hit back. I know we will get it. We will get it in the same way as the people in the Gold Coast and Nigeria. There is no doubt that we will get it. You and I will achieve it—the K.A.U.—a body for all Africans in Kenya. We must not discard our traditions for they are us. I do not want to hear a person calling himself Peter Johnston William Tableson for those are European names and every time we ask something or do something people overseas will say we are Europeans. If your name is Njeroge, we know you are a Kikuyu and you should be proud

of it. If your name is Omolo you are a Luo, or Patel an Indian, or George a European." (Laughter at "George".) "Then stick to your names and languages. We learnt 'Yes, yes' and 'What there' which is English, only because we wanted to get trade, for in the trade world English is spoken. We do not copy our visitors. Regarding religion. We do not know God. What we know is *Ngai*. We believe in *Ngai* whether the missionaries say we are pagans or not. Are we not led by the God of Africa? We will wait in peace now for the developments regarding the Commission and I will then come back to tell you the news. I want you to love all Africans and I want tribes to get together. I said in Kiambu that I would marry a Kikuyu girl to show good relationship amongst tribes." (Three years ago this would have been taken by the Kikuyu as an insult for an uncircumcised Luo was the most despised thing imaginable to the Kikuyu. Today it is applauded.) "Freedom cannot come without suffering and unity. If you do not unite, you will be the person who is kicked in the backside and called 'Boy'. Laws were made for all Africans and if you bring tribal difficulties into the picture you will delay advancement. Europeans have complete unity and when I was in the United Kingdom I saw that. The European once ruled the European but then they got together. They will leave this country in time. Legislation will eventually cause that. Those who came to this country to eke out a living when they were kicked out of India will repeat the performance of evacuation in time. For the present I want no trouble, let us only trouble ourselves to get together. That is all I have to say." (This man, Ochieng, is obviously fanatically anti-British and speeches of this nature made to primitive masses are extremely harmful. The meeting is more or less an uproar now.)

JOMO KENYATTA

(He returns to the platform to restore the masses to order.)

"You have, until now, done me a great favour in remaining quiet. Do not let people say we left this meeting like hungry hyenas. (After another 15 minutes the crowd was quiet.) Now, I will tell you about our flag. It has three colours as you see—black at the top, red in the middle and green at the bottom. Black is to show that this is for black people. Red is to show that the blood of an African is the same colour as the blood of a European and green is to show that when we were given this country by God it was green, fertile and good, but now you see the green is below the red and is suppressed. (Tremendous applause.) You also see on the flag a shield, a spear and an arrow. This means that we should remember our forefathers who used these weapons to guard this land for us. K.A.U. is marked on the flag. The 'U' is placed over the shield and indicates that the shield will guard the Union against all evils. The weapons do not mean that we should fight like our fathers. What could a spear do against an atom bomb. The weapon with which we will fight is justice and brains. The silver on the spear is the same colour as the silver on the shilling. That means our land was prosperous in the bygone days. Now do you approve of our flag? (Answer "Yes" amidst tremendous applause.) Does anyone not approve of it? If he does he is to stand up. (One poor unfortunate individual who misunderstood the question stands and is carried by the crowd over their heads to the perimeter and told to become a European.) God who gave us this land will see that this flag leads us throughout this land. (Applause.) We are to stop soon for these days everything depends on a permit. Nevertheless if we are given a permit whilst we are to be governed let us comply with it. Remember though that when we get our own Government there will not be permits. (Applause.) Those police armed in the trees came here to control Kenyatta's flock. Let us relieve them of a job today and disperse peacefully from this meeting. If you do not disperse peacefully and go back to your

homes and shops in an orderly manner, you will do us a great disservice, for you will prevent the K.A.U. holding another meeting. Remember that he who hates another takes the snuff out of the other's nose. (This is a proverb which means that if one is permitted to do something and does not do it properly he will suffer by his actions.) I will end off the meeting by introducing Brother Kagia to you who will say a few final words."

KAGIA

"I have never seen such a big meeting. We sent Ochieng and Peter Mbiu overseas because of land and because we are not allowed to elect our own representatives in Legislative Council. We were not robbed of our lands by guns but we were robbed by a very small group of Europeans. It was because they had complete control in Legislative Council that they got the land. They introduced laws like the Crown Lands Ordinance when we had no say in the Legislature. It was through Legislative Council that they took our lands away. That being so, Legislative Council could return lands to us today, and that is the reason why we want more representation in that Council. We do not trust some that are in Legislative Council, for as long as the African is nominated we will not be given more land. Our first essential is to get the elective system in operation and we then shall elect people who speak properly for us. We want the majority in Legislative Council for we are over 5,000,000 and this is our land. If we have suitable representation in Legislative Council there will be no need to go to the U.K. for our lands are not in the U.K. White people say that Legislative Council is reserved for people of learning, but that is not true and as Kwame Nkrumah in the Gold Coast said: 'The person who gets to Legislative Council is suitable providing he voices the feelings of his people whether he is literate or not.' I can tell you that the Gold Coast Government under Kwame has been praised, even by the Europeans themselves. If Asians are allowed to elect their own representatives, why not Africans? Are there not thousands of Asians uneducated? We want to dominate Legislative Council, and we will never stop until we do this. Let us bite this task with all our teeth and never let go." (Jomo Kenyatta has spent all the time taken by the speech of Kagia in trying to pacify the crowd and selected a number of *askaris* to penetrate the crowd and quieten them down.)

Next was Samuel Kagotho who sang a lengthy hymn praising Jomo Kenyatta as the leader under the flag and God's disciple to the African, and finally Jomo announces that he would close the meeting with a final resolution that the African be given freedom of assembly. This resolution was passed unanimously and the meeting ended. The subscriptions were considerable, but there was not time to count these.

The meeting dispersed without incident.



APPENDIX G

CHAPTER V

(Paragraph 151)

Report by "Henry", dated 9th August, 1952

ANOTHER MAU MAU STORY

As I hinted in one of my last year's despatches from Nakuru, this sect was originally organized on a "regional" basis. And it has now been clearly established that this geographical set-up has had one resounding result, namely, "swift enslavement" of the Kikuyu tribe. *Mau Mau* terrorism has almost completely shattered the average African's spiritual equilibrium to such an unbelievable extent that a new extremism, a new barbarism—and, as such, a new type of an African fanatic—are automatically being created.

Three friends testify: Between 10th July and last night I have had the opportunity of interviewing three well-informed persons, two of whom claim a very close association with the society.

Although their information is no more enlightening than what you and I (and others) already know, it nevertheless claims its own importance.

Benson wa Muhindu—a *Mau Mau* convict—now undergoing medical treatment at King George VI Hospital, Nairobi, knows for certain that Morris M. ai Koigi is the society's managing director in Nyeri district, and that he carries on his job under the umbrella of the K.A.U. Ben also knows that an elderly witch-doctor called Giiywa, often seen at Kiburi House, Nairobi, is the man in charge of what he calls "our adequately motorized" team of oath-administrators which goes to any given place in the districts from Nairobi's "somewhere" administering the oath.

Ben testifies that the society has established various "divisional committees" which are day and night competing to bring as many people as possible "within the fold".

Kahora s/o Wahome, an ex-employee of the Garden Hotel on Thika Road, and a native of Nyeri district in the location of Chief Muhindi, is the second person whose long association with K.A.U.-K.E.A. gangsters makes him so well informed. He came in the other day, and is on a three-month term.

My informant claims that on the eve of the recent record K.A.U. meeting at Nyeri, which he attended, he heard the Almighty President hint at the possibility of opening a "regional committee" at Kisumu. It was against this background opines Kahora that a series of K.A.U. meetings had been scheduled to take place in Nyanza Province in order to facilitate Ochieng Oneko's easy initiative.

To my informant and his colleagues, Ochieng Oneko is more than what he really is: the Almighty President's most devoted non-Kikuyu "deputy"; the new prophet to the Luo people; the co-creator of Jomo's dream of a whiteless Kenya; and the second non-Kikuyu "leader" to accept "purification". I think the first non-Kikuyu leader to accept *Mau Mau* "purity" was Semakula Mulumba (the Bagand who was later to run 1949 Buganda riots from Hampstead Gardens, London.)

When I put it to him (Kahora) that Oneko, the Jaluo, was not circumcized, my informant exclaimed: "I say he is now one of us." But whatever that phrase inferred I did not press him to elaborate.

My informant also introduces the names of Henderson Wamuthenya (Karatina), Frances Gichuhi Muraya (Nanyuki), Richard Gethae (Embu District) and of Wahome wa Gaichuhie, of his village, as belonging to K.C.A.'s High Command.

My third informant is of less importance because he has been in prison since 1950 and was caught just in time—before he had made up his mind. Nevertheless, his beliefs and aspirations are typical of the feelings so sadly entertained by many others.

Mwangi s/o Mururia, the third man, claims that he is the son of a former K.C.A. Elder, Murarie s/o Kagure of Kenyona in the location of Chief Njiri. His father is still an active “freedom worker” and a respectable “adviser”.

Mwangi knows that the people of his village owe their immunity to the fact that their country’s “geographical” position is exceedingly secretive; in that oath-takers go into that part of the Kinangop Forest bordering Njiri’s chiefdom. And there, so goes the story, any secret activity could only be interrupted by the roar of elephants.

Like many other convicts, Mwangi is going to take the oath immediately on his release. All his old friends have done so. If he does not take it at the earliest opportunity he would find it dangerously intolerable to live amongst them. And Mwangi would go a step further. The society offers to ex-convicts an epic opportunity, namely, a daring assignment as “voluntary hangmen”, whose task is to execute “assassination warrants”. “That”, sighed Mwangi last night, “is the proper job that calls for my services”.

Ex-convict's New World

While Mwangi intends to become a *Mau Mau* hangman, Kahora says that both Giiwa and Wahome, leading members of that fabulous faculty of physicians (oath administrators) based on Kiburi House, are ex-convicts. The former, a native of Uthaya, Nyeri, is a retired tribal policeman, and the latter a man with a long prison record.

That *Mau Mau* provides ex-convicts with a new world is no new thing to the authorities. But that this generation of men whose lives have been dedicated to crime are today manning the armour of this society with such zest and fanatical courage raises a question of grave importance. I do not wish to dwell on the question of the prisoner’s psychology, but I am tempted into taking it seriously when I see so many “reformable” men submit their would-be happy future life to a new phase of criminal murders.

An Opinion

Although it is a foregone conclusion that the K.A.U. President is the man who decreed re-emergence of the K.C.A., it may take the Kenya Police a lifetime if we were to expect his sudden arrest at, say, an oath ceremony. And that equally applies to his fellow-educated men.

According to my informant Kahora, the Almighty President Jomo has decreed it “un-African” for African men and women to wear any type of head-dress. Out of that “decree” there has been created the worst type of public nuisance that the law can permit. And yet, by his own words, the President has incited so indecent an attack on the liberty of the common African.

Little do my informants seem to realize that when and if a State of Emergency is proclaimed in order to enable the authorities to screen *Mau Mau* suspects, and in order to display the power of Government to govern, that their society and themselves will reach their journey’s end much sooner than they shall have ever been permitted to expect.

(Signed) HENRY.

APPENDIX H

CALENDAR OF OUTSTANDING EVENTS

- 1920 .. Young Kikuyu Association founded by Harry Thuku.
- 1922 .. Riots in Nairobi: Thuku deported: Jomo, then known as Johnston Kenyatta, joined the Association.
- 1926 .. Kikuyu Central Association, successor to the Young Kikuyu Association, founded by Joseph Kangethe.
- 1927 .. Peter Mbiu Koinange went to U.S.A. for education.
- 1928 .. Jomo Kenyatta founded *Mwigwithania*, the K.C.A. paper.
- 1929 ... Jomo Kenyatta went to England and visited Moscow.
Dissension in Church of Scotland and African Inland Missions regarding female circumcision.
- 1930 .. Jomo Kenyatta reported to have joined the Communist Party and returned to Kenya in September.
Secession of Karinga and Kikuyu Independent Schools Associations from Missions.
- 1931 .. Harry Thuku released.
Jomo Kenyatta and Parmenas Mukeri proceeded to United Kingdom to represent K.C.A. before Joint Parliamentary Committee.
- 1932 .. Jomo Kenyatta sent copy of memorandum on Kikuyu grievances to George Padmore, at that time associated with the Red International of Labour Unions, Moscow.
- 1933 .. Jomo Kenyatta visited Moscow from May to August, and also Padmore in Paris.
Publication of Kenya Land Commission Report (The Carter Commission).
Cleavage in K.C.A. between Thuku's moderates and Kariuki's extremists.
- 1934 .. Peter Mbiu Koinange published tendentious pamphlet in U.S.A. on the agrarian problem in Kenya.
Abortive discussions on rapprochement between Church of Scotland Mission and Kikuyu Independent Schools Association.
- 1935 .. Arrival of "Archbishop" Alexander to establish the African Orthodox Church.
Foundation of Kikuyu Provincial Association by Harry Thuku.
- 1936 .. Collection of funds by K.C.A. to defray cost of Kenyatta's debts.
- 1937 .. Inspector of Independent Schools appointed.
Departure in July of "Archbishop" Alexander.
- 1938 .. Jomo Kenyatta published *Facing Mount Kenya*.
Secession of African Independent Pentecostal Church from African Orthodox Church.
Reconstitution of K.C.A.
- 1939 .. Peter Mbiu Koinange returned from America and England, and founded Githunguri Teachers' Training College.
- 1940 ... K.C.A. declared an illegal society.
Affiliation of African Orthodox Church with Uganda African Orthodox Church.
- 1941 .. Leaders of K.C.A., Ukamba Members Association and Teita Hills Association detained.
Attempts to revive K.C.A. under Solomon Memia.

- 1943 .. Peter Mbiu Koinange soliciting nomination to Legislative Council.
Twelve K.C.A. leaders released from detention.
- 1944 .. Nomination of Mr. Eliud Mathu, first African Member to the Legislative Council.
Kenya African Study Union inaugurated in October.
Remaining K.C.A. leaders released in November.
- 1945 .. Reports of secret K.C.A. meetings.
Collection of funds for Jomo Kenyatta's return.
Jomo Kenyatta applied to U.K. Government for permission to return.
Kikuyu Karinga Education Association committee reorganized.
- 1946 .. *February:*
Kenya African Study Union renamed Kenya African Union.
September:
Jomo Kenyatta return with Semakula Mulumba and commenced political agitation.
Jomo Kenyatta published *Kenya—the Land of Conflict*.
Initial attempts to amalgamate K.K.E.A. and K.I.S.A.
- 1947 .. *February:*
Jomo Kenyatta imposed oaths of secrecy on K.C.A.
Jomo Kenyatta and Peter Mbiu Koinange visited Olengurone in secret.
Opening of attack on soil conservation methods.
Rift Valley ex-squatters marched on Government House.
May:
Peter Mbiu Koinange left for England to protest on behalf of K.A.L. against Colonial Paper 210 and other grievances.
Noticeable decline in K.C.A. activity.
Jomo Kenyatta assumed charge of Githunguri Teachers' Training College.
Dini ap Mbojet and Kipsigis Central Association founded.
June:
Jomo Kenyatta elected president of K.A.U.
July:
Jomo Kenyatta denounced soil conservation at Fort Hall.
August:
K.A.U. meeting at Kahuro dispersed by Chief Ignatio.
September:
Riots at Uplands and in Chief Ignatio's location.
October:
Henry Muoria, editor of *Mumenyereri*, fined for publication of seditious article on Uplands Riot.
- 1948 .. *March:*
Penetration of K.I.S.A. schools by K.C.A. commenced.
Parmenas M. Githendu appointed supervisor of all Independent schools.
Dissension between Luo and Kikuyu blocs in K.A.U.
Prosecution of Olengurone tenants.
Prosecution of oath administrators, Ngata Farm, Njoro, where *Mau Mau* first mentioned.

1948—(Contd.)

May:

Dini ap Mbojet and Kipsigis Central Association declared illegal.

June:

Squatter unrest and oathing in Rift Valley Province.

July:

Jomo Kenyatta convened meeting of K.C.A. leaders at Githunguri.

August:

G. K. Ndegwa convicted for membership of K.C.A.

Mr. Apa Pant took up appointment as Commissioner for India.

September:

Documents in possession of Ndegwa revealed close affinity between K.A.U. and K.C.A.

First report on K.C.A./*Mau Mau* by Director of Intelligence and Security.

Peter Mbiu Koinange, still in the United Kingdom, sent petition to U.N.O. on behalf of K.A.U.

Application for recognition of K.A.U. by U.N.O.

Kariuki appointed travelling inspector of K.A.U.

December:

Peter Mbiu Koinange returned to Kenya.

First reported oathing ceremony in Nyeri district at Mungaria Independent School.

1949 .. *March:*

Jomo Kenyatta and Peter Mbiu Koinange toured Independent Schools in Kiambu.

June:

Illegal oathing commenced in Masai.

July:

Peter Mbiu Koinange left for India.

October:

Peter Mbiu Koinange returned to Kenya.

Strike of Transport and Allied Workers Union.

December:

Petition opposing "Kenya Plan" sent to H.M. the King by K.A.U.

1950 .. *February:*

Leading Kikuyu politicians took *Mau Mau* oath at Banana Hill.

March:

Visit of T.R.H. the Duke and Duchess of Gloucester in connexion with Nairobi Civic Celebrations.

1950—(Contd.)

April:

Attempted murder of Councillor Gikonyo and Tom Mbotela.
 Secret meetings and oathing reported from Kiambu.
 First prosecution for administering K.C.A. oath.
 First prosecution for administering *Mau Mau* oath in Naivasha.

May:

General strike in Nairobi: arrest of Makhan Singh.
 K.A.U. agitation on constitutional changes in Tanganyika.

June:

Collections for Githunguri Teachers' Training College banned.
 Penetration of K.I.S.A. schools extended to Fort Hall.
 Editor and printers of *Hindi ya Gikuyu* fined or imprisoned for seditious publications.

August/September:

Visits to Kenya by Mr. Dugdale, Minister of State for Colonial Affairs, and by Mr. Fenner Brockway, M.P.
 Anti-*Mau Mau* barazas started in Rift Valley Province.
Mau Mau declared an illegal society.

October:

Non-racial Kenya Citizens Association formed.

November:

Jomo Kenyatta and Peter Mbiu Koinange visited Moshi.
 "Constitution of the Republic of East Africa" framed by Peter Mbiu Koinange.
 Amendments to Penal Code regarding illegal oathing.

December:

Peter Mbiu Koinange cabled Secretary of State regarding African demands for constitutional changes.
 K.A.U. affiliated to Congress of Peoples against Imperialism.
 Attempt on life of Chief Waruhiu.

1951 .. *February:*

Jomo Kenyatta evaded denunciation of *Mau Mau* after challenge by Kenya Citizens Association.
 Harry Thuku expressed opposition to Kenyatta, K.C.A. and *Mau Mau*.
 Jomo Kenyatta accorded interview by the Governor to discuss constitutional changes.

May:

Secretary of State for the Colonies visited Kenya.
 Memorandum on Kikuyu grievances presented by K.A.U.

June:

Fred Kubai became president of Nairobi branch of K.A.U.

August:

At Thika Jomo Kenyatta stated that Kikuyu must not fear to shed blood to regain their stolen lands.

September:

K.A.U. flag invented.
 Editor of *Muthamaki* charged with seditious publication and contempt of court.

1951—(Contd.)

October:

Strike of coffee-pickers at Ruiru incited by Jomo Kenyatta and Peter Mbiu Koinange.

November:

Peter Mbiu Koinange left for United Kingdom to represent K.A.U. at U.N.O.

K.A.U. memorandum forwarded through Mr. Fenner Brockway.

Luo/Kikuyu dissention on K.A.U. committee, Tom Mbotela dismissed, leaving Jomo Kenyatta and Kikuyu in control.

K.A.U. tour of Nyanza.

Anti-inoculation riots in Fort Hall.

Report of Internal Security Working Committee.

1952 .. *January:*

First oathing ceremony reported from Nairobi.
Arson campaign in Nyeri.

February:

James Beuttah and three others charged with conspiracy.
Widespread arson on Nanyuki farms.

April:

Memorandum on *Mau Mau* compiled by Director of Intelligence and Security.

May:

Opening of *Mau Mau* murder campaign.

June:

H.E. Sir Philip Mitchell relinquished office on 21st June.

Killing oath reported from Kiambu and Nyeri.

Anti-*Mau Mau* oath ceremonies in Central Province.

Jomo Kenyatta toured Rift Valley Province.

July:

Debate in Legislative Council on law and order.

K.A.U. monster meeting at Nyeri.

Boycott on European beer.

August:

J. S. Otiende forced to resign as general secretary of K.A.U.

Replaced by Fred Kubai and later Achieng Oneko.

Interviews between the Acting Governor and the European Elected Members Organization on general African political situation.

September:

Editor of *Muramati* fined for seditious publications.

H.E. the Hon. Sir Evelyn Baring sworn in as Governor on 30th September.

October:

Fifty-nine loyal Africans, including Chief Waruhiu, murdered since May.

21st October:

Proclamation of a State of Emergency.

Arrest and detention of Jomo Kenyatta, Fred Kubai and 81 others.

Military reinforcements flown into Kenya.

1952—(Contd.)

22nd October:

Murder of Chief Nderi at Nyeri.

24th October:

Fifty newsheets and subversive publications proscribed.

28th October:

Messrs. Fenner Brockway and Lionel Hale, M.P.'s, arrived in Kenya at invitations of K.A.U.

29th October:

The Secretary of State for the Colonies arrived to tour affected areas.

11th November:

K.I.S.A. and K.K.E.A. declared illegal.

Thirty-four schools closed.

18th November:Jomo Kenyatta and five others charged with *Mau Mau* offences at Kapenguria.**25th November:**

Sir Percy Sillitoe arrived to advise on intelligence organization.

Intelligence Adviser to Government appointed.

Exodus of Kikuyu from Rift Valley to Central Province began.

26th November:

Tom Mbotela, former vice-president of K.A.U. murdered.

Emergency Statistics up to End of 1956

	Killed	Captured wounded	Captured in action	Arrested	Surrendered
Terrorist Casualties ..	11,503	1,035	1,550	26,625	2,714

				Killed	Wounded
SECURITY FORCES CASUALTIES—					
European .. .. .	..	..	..	63	101
Asian .. .. .	..	..	..	3	12
African .. .. .	..	..	..	101	1,469
LOYAL CIVILIANS—					
European .. .. .	..	..	..	32	26
Asian .. .. .	..	..	..	26	36
African .. .. .	..	..	..	1,819	916

Cost of the Emergency up to 30th June, 1959

	£
Grants from Her Majesty's Government	24,250,000
Interest free loans from Her Majesty's Government	5,250,000
Borne by the Kenya Government	26,085,424
Total cost	<u>£55,585,424</u>

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As a complete index of every name, place and incident would be too lengthy only the more important of these have been included. No reference is made to Jomo Kenyatta whose name appears on almost every page of the History.

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