
We Lived To Tell
The Nyayo House Story

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We lived to tell

We lived to Tell is a book by the Citizens For Justice, which documents experiences of Kenyans who went through the infamous Nyayo House Torture Chambers. They tell harrowing stories of scary hounding by security agents, arrests, torture, jail and detention. Their experiences reveal an intolerant, oppressive and paranoid government that could not stand criticism.

Surprisingly, the government's flagrant disregard for the law and the blatant violation of the survivors' and victims' human rights happened in the glare and watchful eyes of the donor and international community.

Friedrich Ebert Stiftung (FES) supported the development and publication of We Lived to Tell. The Foundation supports initiatives that promote democracy and the rule of law. We support the promotion of a tolerant culture where dialogue is encouraged as one of the ways of resolving thorny issues. We share in the declaration of the survivors that what they went through "should never happen again in Kenya!" However, the contents and opinions expressed in this book are those of the Citizens For Justice and not of FES.

Foreword

It is not often that survivors of torture have the courage, the foresight and the wherewithal to record their painful experiences in writing in Kenya. In a context where there is no culture of reading more than daily newspapers (due to constraints including poverty, illiteracy and lack of state encouragement), writing something as painful and personal as what is contained in this book is more than welcome.

I have worked directly for many years in human rights. Yet, each time I listen to, or read, the testimonies of survivors, I never fail to get a surge of emotion. The same questions spring to my mind. For example, what internal mechanisms are needed to survive and tell such horrors? Can one ever prepare oneself adequately for these horrors? What entity spares some and not others even in terms of the degree of horrors? What do the perpetrators think as they commit these horrors? How do they insulate their minds from their horrible work? Answers to some of these questions—at least from the survivors' perspective—are alluded to in this book.

It is said that healing after mental or physical trauma—such as the torture described in this book—begins with telling the story in the survivors' own words. Kenya today is packed with literally thousands of people wounded and scarred directly by state terror. Arguably, virtually everyone in the country has been affected indirectly by the trauma associated with state terror from colonial rule, and through the Kenyatta and Moi regimes, due to the institutionalized nature of state terror, intimidation and corruption. The legacy of this institutionalized terror and corruption affects everyone: From the way we think and act on routine issues of daily life to the expectations of “immediate salvation” from the state which had styled itself—and succeeded in internalizing—the notion that it was *mama na baba* (father and mother) on every issue.

But nobody suffered as much as the people who committed their lives to social change and transformation in Kenya and paid the ultimate price with their lives and liberty. And to these people, Kenya owes a huge debt. They worked tirelessly—some before their encounter with the repressive state machinery and some after— in exposing and resisting the colonial heritage that is internalized in the post-independent state. Some may not agree with the methods that these agents of change adopted in their efforts for change, but one can not help but admire their persistence, resolve and determination, even against immeasurable odds.

Every struggle for social change has to undergo its own adaptation and transformations in keeping with the history, context and goals that it wishes to achieve, and one could argue that the process of coalition building—even without the lessons of coalition sustenance—that led to the historic elections of December 2002, had its roots in the work of the advocates of social change that paid such a high price.

Repaying part of this debt owed to the people who suffered is not as hard as it may appear. The first step is the formal acknowledgement of the roles played and the terrible suffering that

occurred in Kenya in the decades past, by the highest office in the land. This also has the advantage of signaling that the government of the day is determined not to commit similar atrocities in the future and that it respects those that made its rule possible by sustaining a culture of resistance, even in small ways.

Second, it is imperative that the President heed the recommendations of the Task Force looking into the establishment of a Truth, Justice and Reconciliation Commission and establish one as soon as possible. And it is not enough to simply establish a Truth, Justice and Reconciliation Commission: It must be established in a manner that leads to its effectiveness, credibility and legitimacy. This can be done through consultation by the government with critical stakeholders—who must include survivors of state terror—to ensure that the Commissioners appointed are credible, effective and acceptable, having been a part of the struggle for change in Kenya in some form. Only through a systematic way of testifying and highlighting the sufferings and courage of survivors and victims can Kenya take a solemn vow that these matters are behind us and behind us forever.

Moreover, no sterner or effective message can be sent to potential perpetrators that these atrocities will never again be tolerated, than through the process of a Truth, Justice and Reconciliation Commission. It is a truism that impunity begets a repeat of history and those who would rather bury their heads in the sand, or focus on reconciliation without truth, are no better than the perpetrators themselves.

Third, even without waiting for a Truth, Justice and Reconciliation Commission, it is important that the government begin working with survivors to begin the formal process of healing the mental trauma that comes with this suffering. The age of counseling for human rights violations survivors and workers has not yet taken hold fully in Kenya, and there are not many survivors who have gone through counseling to let out the pain, the discomfort and the difficulties that came with their experiences. Yet, without counseling, the journey to what is regarded as normalcy for survivors and their families is prolonged and made even more tenuous.

Once again, I salute the people whose testimonies should enrich every Kenyans' life as they read this book. I salute those who could not contribute to the book because they paid the ultimate price with their lives. Through you Kenya is a better place for the moment, and we will not forget your work. We owe you.

November 2003

Maina Kiai
Chairman, Kenya National Commission on Human Rights

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Dedication

“The people of this nation are simply demanding their rights - right to a decent living, right to education, right to proper medical care, right to housing. In short the right to be human beings. If that is sedition so be it. These are the goals for which I have fought and for which I am prepared to die.” Harris Okong’o Arara addressing a Nairobi Court before being sentenced to a five year jail term on charges of sedition - September 24, 1988.

The Citizens for Justice dedicate this account of the Kenyan endeavor for democracy and social justice to the heroic spirit of struggle and resistance so eloquently captured by what Okong’o Arara told that Nairobi court.

We also wish to honour the memory of all those brave fighters for democracy and human rights who have paid the ultimate price. To all those nameless soldiers, the young people of this nation who were often cut down by the bullets of the dictatorship, we honour you. To all the more than two hundred mainly young Kenyans who were mowed down by Moi’s police on that historic July 7, 1990 Kamukunji rally and to so many others whose lives have equally been cut short simply for wanting a better country for all of us. We assure you that although you may be lying in an unmarked grave somewhere in the bowels of our great land, you are always with us.

We lived to tell, yes. But we know and always remember that some of our most brilliant, most dedicated, most courageous and most adored heroes and heroines of the Kenyan struggle never lived to tell. These are the Karimis, the JMs, the Pio Gama Pintos, the Josephine Nyawiras and the Titus Adungosis of this world. These are among the heroes and heroines of our long struggle who exemplify the brutality of the anti-people forces ranged against Kenyans. To that endless list of courage under fire, all we can say is: You stand above us all but you are always with us even as we confront the realities of today.

As we examine ourselves as foot soldiers and look at our heroes and heroines with admiration, we should never lose sight of the fact that the greatest violence and abuse that our people face is the violence of poverty, the violence of hunger, the violence of disease. These are the scourges that destroy the largest number of our fellow citizens every day.

Until we as a nation and a people declare war on these true enemies instead of being mesmerized by the petty wars of the mercenary ruling elite, we tragically will always be on the losing end. We can stop it because we did not get this far by sitting down. We have to occupy the democratic space we have opened with courage and as a right and not a favour that we have been temporarily granted by the mercy of the Narc regime.

Citizens for Justice

Prologue

Shem Ogola stood in the middle of the small crowd that had gathered to witness the opening of the basement of perhaps the most well known building in Kenya. And in the glare of world television cameras, he broke down in a flood of tears. His body shook. Choked with emotion, he started talking to himself.

This sight elicited different emotions. Some cried, some sat down, some climbed on tables, others just walked out, each lost in their own thoughts.

Through Ogola, a torture survivor, Nyayo House torture chambers gained a human face. For his fellow survivors the scene transported them back to their days in the dungeons. Nyayo House became alive again. In different ways, each relived the horrors they survived. For some it was the beatings, others the starvation, days spent in water, humiliation, threats and mental torture.

For those lucky enough to have escaped Nyayo House, the event threw wide open the door to the closet that contained the most fearsome symbol of Daniel arap Moi's despotic rule spanning more than 24 years.

The occasion became a revelation into the past, a window through which Kenyans glimpsed into their country's dark history. For many, the Nyayo House dungeons and the horror stories emanating from there were mere fiction until that day.

The nation went into shock. Kenyans had heard about the torture and abuse of pro-democracy activists which had become a frightening trade mark of the Moi regime, but seeing the inside of the horror house itself brought home the gruesome reality in a way nothing else could.

Eager Kenyans burst into the basement compartments that they either did not know or did not believe existed. The media went into full action. The true character of the defeated regime of Moi had been laid bare.

When it smelt electoral defeat, the Moi regime seemed to have tried to obliterate the truth of the Nyayo House basement dungeons by attempting to demolish them. However, that was not possible because the cells had been factored into the integrity of the superstructure of the building. Those bent on erasing the truth were told that demolishing the cells would undermine the foundation and the building might collapse. That is how the truth survived.

The pitch-dark dungeons had been home to many Kenyans. They included students, teachers, university academics, peasants, workers, lawyers, journalists and civil servants, among others.



Shem Ogola

Shem Ogola in the glare of world television cameras, he broke down in a flood of tears. His body shook. Choked with emotion, he started talking to himself.

Nyayo torture chambers were meticulously planned and built, using public funds of course, specifically for purposes of torturing and killing Kenyans who were deemed to be enemies of the Kanu regime. The ultimate objective was to crush the culture and spirit of resistance to the Moi dictatorship that was behaving as if Kenya and its people, as well as resources, were private property of the ruling elite.

They had all been hounded by enthusiastic hirelings of Moi, blindfolded, driven to the dungeons, thrown into the black or red cells and tortured for days on end.

Water would be poured into the cell and cold and then hot dusty air would be pumped alternately into the cells through the ventilation ducts. The victims would be denied food and for days they would be brutally beaten. Others were shot dead as they underwent interrogation.

Those who survived this stage ended up in prison or detention after kangaroo trials of sedition or treason. Yet others, after giving names of their friends or relatives, would be allowed to go home.

Detention without trial is one of the most heinous forms of human rights abuses that one can think of. Veteran politician and legendary Kenyan nationalist Ramogi Achieng Oneko had this to say about detention without trial:

“It negates the very fundamental basis of democracy and short of execution, it is the ultimate form of repression. A nation that detains its own citizens without trial cannot be a democratic one. Rather, it is a sadistic one, which delights in the pain and suffering of its people. For detention without trial is grotesque, it is despicable.”

But for all who went through the experience and survived to tell it, an indelible mark of physical and mental trauma still lingers. For those who died, a hollow feeling of helplessness and anguish haunts families, relatives and friends.

Historically, the only parallels that can be drawn to the torture chambers are British colonial concentration camps during the Mau Mau war. The British developed and perfected the best-known torture machinery in the world. This machinery included concentration camps where many Kenyans perished from various forms of torture including mass starvation, neglect, disease and gruesome violence

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It is obvious that the building of this heinous facility and many others like it was planned, funded and implemented with approval from the highest offices in the land. As every Kenyan has noticed, the building was appropriately named Nyayo House. That name personifies the chief

architect and overseer of decades of the repression Kenyans have endured. Nyayo (footsteps) was the name president Moi fondly gave himself when he assumed power in 1978. It was meant to signify his intention to follow the bloody footsteps of his mentor and first president of Kenya, Mzee Jomo Kenyatta.



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Koigi Wamwere inside the dungeons

Introduction

Soon Moi resumed detentions without trial even though he had received undue credit for releasing those detained by his predecessor like Prof. Ngugi wa Thiong'o, Adam Mathenge and Martin Shikuku

We Lived to Tell documents experiences of some survivors and families of victims of Nyayo House torture dungeons. The book tells the harrowing stories of the suffering they underwent in the hands of various state agents and institutions beginning in 1982 through the 1990s.

The ruling KANU clique perceived those they took through the dungeons to be a threat to their political survival. In a vicious campaign orchestrated and oiled by operatives of the ruling party KANU, they were portrayed as dissidents, subversives, traitors, terrorists and unpatriotic people whose aim was to destabilise the country. The propaganda Machinery of Moi and Kanu went in top gear to demonise those who championed human rights and democracy as violent agents of foreign powers out to create chaos and mayhem in the country.

On assuming power in 1978, Moi declared that nothing had changed. He was to simply follow in the late Kenyatta's footsteps (*nyayo*), hence his *Fuata Nyayo* (follow the footsteps) clarion call. Through a populist approach, Moi disbanded and banned many organisations. These included the Kenya Civil Servants' Union, Students Organisation of Nairobi University (SONU), and Universities' Academic Union (UAU), among others.

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After banning the Universities' Academic Staff Union, Moi detained its leadership who included Dr. Willy Mutunga, Kamonji Wachira, Prof. Al Amin Mazrui, Prof. Edward Oyugi, Maina wa Kinyatti and Mukaru Ng'ang'a. This was meant to send a message to progressive Kenyans, particularly within the university community, that the new Nyayo era expected everybody to "*fuata nyayo*". Dissent and independent opinion and views would not be tolerated. By immediately resorting to the extreme method of detention without trial as his first action against perceived dissidents Moi was also telling Kenyans to expect the very worst should they ever cross the line.

The hope within the regime was that this would silence everybody and nip the budding voices of opposition before they grew louder. As history testifies democratic Kenyans refused to be silenced and soon Moi was busy sending more patriotic Kenyans into detention under the Preservation of Public Security Act, Cap. 57 of the Laws of Kenya, sections of which have since been repealed to remove detention without trial, and the public Order Act Cap 56 Section 83 of the Constitution. Those detained in the second wave of arrests of the Moi regime included George Mosei Anyona, Koigi wa Wamwere and John Khaminwa.

These detentions followed indications that a group of Kenyans were in the process of forming a political party to challenge the Kanu government.

Fearing that another group of Kenyans may come with an opposition party, Kanu soon introduced a bill in parliament to make Kenya a *de jure* one party state. The bill was rushed through parliament and in March 1982 all members of parliament voted unanimously to make Kenya a one party state by law. This was probably one of the darkest days in the history of Kenya as an independent nation.

On August 1, 1982 a section of the armed forces of Kenya made an attempt to overthrow the Moi government. The Air Force-led coup attempt gave Moi an excuse to deal with his perceived enemies with increased ruthlessness and more boldly.

Hundreds of civilians - including Otieno Mak'Onyango and Raila Odinga - were rounded up and charged with everything from celebrating the coup and looting to sedition, misprision of treason and treason itself. Among those arraigned in court for looting charges was the current director of prosecutions, Philip Murgor.

Kamiti maximum prison was turned into a giant concentration camp where university students, soldiers and other "treason suspects" were tortured while being "interrogated."

The first group of students arrested after the coup attempt were Titus Adungosi (who later died in prison), Paddy Onyango, Joseph Hongo, Maurice Adongo Ogony, Onyango C. A., Oginga Ogego, Francis Kinyua, Onyango Oloo, Thomas Mutuse, Johnstone Simiyu, Jeff Mwangi, Ongele Opala, Muga K'Olale and Wahinya Bore.

It might be important to note that prior to the coup attempt the student community under the SONU leadership of Adungosi and Ogony was the only group to publicly challenge the decision by parliament to impose a one party rule by law in Kenya. The students organised several rallies culminating in the presentation of a memorandum to president Moi that called for a national referendum to ask Kenyans to decide on the one party rule.

It would appear Moi was bent on using the coup attempt to crush the student movement that was fighting for greater democratic rights for Kenyans. As far as Moi and his cohorts were concerned the student movement had become a *de facto* opposition group at a time when most politicians had been subdued into silence. The coup attempt as such became a godsend for Moi to deal a decisive blow to this irritating group of people.

In total hundreds of students were rounded up. First they started with student leaders then later widened the net to include as many student activists as possible. They then went for any student they could smear some mud on. The Industrial Area remand prison became home to more than one hundred students facing all sorts of charges in relation to the coup attempt.

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In 1986, the government initiated another crackdown on a group of people referred to as *Mwakenya* activists. The public was told this was a group of very dangerous individuals who were planning to wage a guerrilla war against the Kanu government.

After more than seven months in custody 68 of the students were released by the then Chief Justice Alfred Simpson who told them they had been pardoned by president Moi, even though none of them had been convicted of any crime. They were ordered to report to their chiefs in their respective home areas.

Things, however, were different for the Kenya Air Force officers and soldiers alleged to have taken part in the coup attempt. The alleged coup masterminds were hanged in 1987. Those hanged included the alleged coup leader Hezekiah Ochuka, Okumu Oteyo and Odera Obuon.

A tragic twist to this sordid episode was that most of those hanged had actually escaped to Tanzania after the coup attempt and had been accepted by the UNHCR as political exiles, only to be kidnapped at gunpoint by a joint Kenya/Tanzania paramilitary team from their places of residence in Tanzania and brought back to Kenya to be hanged. This, of course, was a blatant breach of international law regarding the protection of asylum seekers.

International law as we know has never meant much to Moi and his government and even as protests swelled from human rights groups demanding that the alleged plotters should not face the death penalty, the Moi government simply shrugged them off and went ahead to hang the convicts at Kamiti maximum prison without regard for local and international public opinion. Curiously this was the last hanging president Moi authorised until he was kicked out of office in December 2002.

As the trials of alleged coup plotters and court martial of soldiers accused of involvement in the coup wound up in mid 1980's, a new wave of repression and arrests was just beginning. In 1986, the government initiated another crackdown on a group of people referred to as *Mwakenya* activists. The public was told this was a group of very dangerous individuals who were planning to wage a guerrilla war against the Kanu government.

In a rather bizarre act of bravado during one of his national tree planting days, Moi had this to say in relation to the *Mwakenya* crackdown: "We are collecting them one by one and those at large do not sleep comfortably as they expect a knock on their doors any time."

As if to emphasize his own fear of the *Mwakenya* phenomenon his government had created, Moi admonished the crowd: "From today you should keep quiet. I don't want to hear anything again about *Mwakenya*."

"Keep quiet" Moi repeated. "The government will deal with them one by one. We will collect them so don't mention *Mwakenya* again. Let's keep quiet and go on collecting them. I am happy that we have uncovered them and they are naming their fellow collaborators. This is

very encouraging. If you were involved in this thing you should be worried. I think you can hardly sleep because you are scared. When you hear a knock on the door, you think those friends have come.”

And the knock that Moi was promising did come more and more frequently to Kenyans, a good number of who had never had anything to do with *Mwakenya*. These terrifying remarks by the then head of state under whose office the dreaded wing of the police dealing with political cases, the Special Branch, and other security operatives were run are in themselves very revealing in terms of the extent to which Moi was personally involved and briefed about the details of the crackdown. Moi seemed to know very well about how cooperative those who had been arrested were in giving names. It would be surprising if he did not know the methods being employed at the Nyayo House to achieve this so-called cooperation.

With terror in the air, social life became dreary. Uncertainty and mistrust reigned supreme. Freedom of expression was curtailed. Kenya became a police state. One could be called to account for virtually anything one said. Detectives and police informers were everywhere. Spies followed suspects round the clock.

The story of those who were tortured, imprisoned, detained and exiled is captured in this book. They were hunted down like rabid dogs, taken to dungeons at Nyayo House where they would emerge transformed as this book reveals. At the dungeons the despotic regime perfected torture skills and applied them ruthlessly and mercilessly. No one left unscathed in body and soul. Many were killed while undergoing interrogation and others were maimed for life.

At the political front, cheering crowds grew in droves. The KANU women, youth and parastatal groups were on hire to sing praises. The judiciary was recruited into the orgy and used as a tool for the defense of the regime. Hundreds of innocent Kenyans were jailed. Others died in the streets from police bullets.

The art of sycophancy was perfected with the *KANU ni baba na mama* (KANU is father and mother) tune reaching its crescendo. There was systematic social engineering by state elite to marginalise and alienate citizens from participating in government.

Kenyans who did not or were perceived not to sing the *nyayo* tune ended up either in Nyayo House dungeons, prison, detention or exile.

We Lived to Tell captures the historical experiences of suffering and resistance. Most of the information is obtained from talking to some of the survivors who have given invaluable insights into the struggle to democratise Kenya. Coming out clearly from the experiences is

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We hope this book will provoke Kenyans to be vigilant in their efforts to root out the culture of repression and in its place build strong democratic institutions and structures that will guarantee that Nyayo House dungeons will never happen again.

Chapter One: The Colonial Era

It is an established socio-historical and political reality that no country acts in the interests of any other. When Europe colonised Africa, it was solely in its own interest. Frantz Fanon captures this very well in his book, *The Wretched of The Earth*. The French were in Algeria, the Portuguese in Guinea Bissau, the British in Kenya and Uganda and the Germans in Tanganyika. All of them used the same tool, violence, to occupy the African continent.

It must be borne in mind that torture is a manifestation of the class struggle. Europeans colonised Africans not because they were black but as a process of acquiring political power to access, control and distribute resources. Through violence and intimidation they also exercised the power over the lower economic classes in their own countries.

Thus, colonialism was a phenomenon of the propertied class of Europe against the disinherited masses in Africa. The same class of the propertied was doing the same to its own brothers and sisters at home. As such, therefore, simply put, it is a class struggle, a war between the haves and the have-nots (i.e. *walala heri* and *walala ho*). Since the colonial period to date, repression is a known phenomenon. Noteworthy is the fact that it has always been met with resistance.

The Nyayo House and other torture chambers were not unique to Kenya. In Europe, the Americas, Asia and Africa, those who resisted the dominance of capitalist-imperialist exploitation and oppression were labelled 'dissidents' and 'communists' and were tortured, murdered and/or made to disappear. The international order was steeped in cold war between communist and capitalist ideologies. This explains why the west looked the other way while the Kenya government continued to violate human rights with impunity.

Today, there appears to be a continuum with the emergence of terrorist threats following the September 11 attacks in the United States. Throughout the world, anti-terrorism legislations have been imposed. These legislations largely trample on citizens' civil liberties and undermine constitutional rights by giving governments wide-ranging powers over the rights of citizens.

The advancement of torture in Kenya, and the silence of the western imperialist governments, was therefore just part of the international reaction to the growing challenge to the dehumanising effects of capitalism. But the trauma of this torture perpetrated during the colonial period is still embedded in people's minds and experiences and is well documented by historians such as Maina wa Kinyatti.

The brutal treatment of resistance heroes and heroines is well illustrated by the experiences of Senior Chief Waiyaki wa Hinga, Koitalel arap Samoei, Muthoni Nyanjiru and Me Katillili wa Menza who was captured and exiled in Gusii for leading her Giriama people at the Kenyan coast in resisting British occupation of their land. She escaped and walked back to the coast to continue

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During the Mau Mau war there were massive aerial bombardments of forests and villages where freedom fighters were operating. Deaths and diseases in concentration camps all over the country became commonplace. Villages in the central Kenya and European occupied areas of the Rift Valley were transformed into concentration camps and prisons.

Mzee Jomo Kenyatta on the Independence Day 1963 December 12th



leading the people. The British forces tricked Waiyaki wa Hinga, the leader of the southern Gikuyu, into attending a meeting to negotiate a peace pact at Kiawariua (now Dagoretti) in Central Province but was instead captured and buried alive head first at Kibwezi in Machakos.

Koitalel arap Samoei, a leader of the Nandi resistance, was similarly tricked to a meeting to negotiate a truce between his people and the British forces but was instead shot dead by a man called Meinertzhagen who commanded the imperialist army. In the infamous Hola massacre, 25 Mau Mau activists were bludgeoned to death and many more were maimed by the colonial state. In the incident, which is well documented, torture took a new dimension and attracted international attention.

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Dedan Kimaathi Waciuri, the Kenya Land and Freedom Army leader, was tried and hanged at Kamiti Maximum Security Prison where he was buried in an unmarked grave.

Chapter Two: Independent Kenya: The Kenyatta Era (1963-1978)

With independence in 1963, hopes and expectations were high. These, however, were mercilessly dashed. The song and the rhythm were the same as that of the colonial regime but the choirmaster was different.

This means that Kenyatta inherited the same colonial administrative structures and civil service. They were to form the backbone of his regime especially in the provincial administration, the police, the judiciary, the armed forces as well as in the political arena. This was not much of a change and so the same political philosophy continued.

It was a philosophy based on maximum benefits and profits to the colonial masters and their chosen African elites led by Kenyatta and his cohorts. It was a philosophy that guaranteed that the popular aspirations of the masses of the Kenyan people to regain the stolen land, and to get decent wages for their labour would be sacrificed at the altar of personal greed of the political leaders. Soon, repression began all over again as manifested in politically motivated murders, detentions without trial, imprisonments, disappearances, harassment, gagging of the media and political intimidation. For fifteen years, Kenyatta's rule was dominated by institutionalised repression.

The veterans of Mau Mau war for national independence, the ex-political prisoners under the colonial regime, militant nationalists and progressives like Oginga Odinga, Bildad Kaggia, Markhan Singh, Achieng Onoko, General Baimunge, General Enock Mwangi, Pio Gama Pinto and many other patriots were now the targets of attack. State agents killed Pinto and Baimunge. A sense of betrayal, disillusionment and hopelessness hang over the whole country like a cloud about to burst.

In his continued campaign to curb dissent to his emerging dictatorship, Kenyatta disbanded several organisations formed by Mau Mau veterans. The Kenya War Council, the Kenya Ex-Freedom Fighters Union (*Kiama kia muingi*) and the *Waliotea Uhuru* (those who fought for independence) Union were banned and condemned as 'dangerous to the good government' of the country.

In 1966, Odinga and Kaggia fell out with Kenyatta and were hounded out of political mainstream. In response, they formed the Kenya People's Union (KPU). The backlash was swift and brutal. Israel Otieno Agina, a young man of 19 years, was charged in a Nairobi court with possessing seditious publications in February 1969. The prosecutor, Mr. John Hobbs, alleged that Agina was a 'professional revolutionary'. He had been arrested at Odinga's Nairobi offices. Abdilatiff Abdalla was also arrested at around the same time.

All the prominent leaders of the new party, Odinga, his assistant Ntula, Ramogi Achieng' Onoko, Wasonga Sijeyo, Ochola Mak'Anyengo and J.D. Kali, were arrested and imprisoned with and without trial. Consequently, the reactionary parliament demanded that Odinga be tried for

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Soon after the initial trial Gideon Mutiso, the then MP for Yatta in Machakos District of Eastern Province, was brought to court and pleaded guilty after a one day hearing during which he was described by the then deputy public prosecutor James Karugu as “the pivot around which the whole conspiracy to overthrow the Kenya government revolved”. Mutiso was defended by the then MP for Parklands and the current Chair of the Electoral Commission of Kenya, Mr. Samwel Kivuitu.

treason, which carries the death penalty. On October 31, 1969, KPU was banned. This paved the way for a *de facto* one party state.

As the suppression of dissent mounted so did the resolve of progressive forces intensify. This culminated in a *coup* attempt in 1971. Thirteen men were tried and convicted on charges of conspiring to overthrow the government of Kenya by unlawful means. These included Prof Joseph Ouma Muga (a former professor at Makerere university), Apollo Abraham Wakiaga Odare (a former deputy general manager with the Kenya Cotton Lint and Seed Marketing Board), Juvenalis Benedict Aoko, Joshua Omoth Sylvano Ooko, Eliud Kipserem arap Lang’at, Daniel Kipkurui arap Lang’at, Joseph Daniel Owino (a former army officer), Sylvanus Christopher Oketch Oduor, Eric Kimutai Chepkwony, Elijah Mokaya Sebwe, Jefetha Oyangi and Ahmed Abdi Aden.

They were jailed for a total of ninety-one and a half years by the then acting senior resident magistrate S. K. Sachdeva. Soon after the initial trial Gideon Mutiso, the then MP for Yatta in Machakos District of Eastern Province, was brought to court and pleaded guilty after a one day hearing during which he was described by the then deputy public prosecutor James Karugu as “the pivot around which the whole conspiracy to overthrow the Kenya government revolved”. Mutiso was defended by the then MP for Parklands and the current chair of the Electoral Commission of Kenya, Mr. Samwel Kivuitu.

The then Chief Justice, Maluki Kitili Mwendwa, and the chief of defence staff, Major General J. M. Ndolo, who were mentioned in the conspiracy, were relieved of their jobs.

Sylvanus Oduor was arrested on May 5, 1971. He was taken to court and charged with attempting to overthrow the Kenyatta government. He served the eight years with hard labour at Naivasha maximum-security prison. “The prison conditions were horrible and food was very little and bad. Each one of us was made to crush fifty basins of ballast from large stones daily from six in the morning to six in the evening. We were using hammers weighing three pounds,” Oduor recounts.

The inmates were not allowed to have individual contact with each other. “We were each put in cages while we worked to ensure we did not communicate. That was our life for the eight years in Naivasha,” says Oduor who was later to be caught in the Mwakenya dragnet.

With the effective muzzling of dissent, the University of Nairobi became the center of political organisation for progressive forces. The political activity at the university was gravitating around militant academics like Ngugi wa Thiong’o, Micere Githae Mugo, Willy Mutunga, Shadrack Gutto, Anyang’ Nyong’o, Edward Oyugi, Maina wa Kinyatti, Kamonji Wachira, Mukaru Ng’ang’a, Katama Mwangi, Apollo Njonjo, Shiraz Durani, Sultan Somji, Kabiru Kinyanjui and Kimani Geau.

Indeed, the government soon labelled the university as the 'unofficial' opposition party. However, the politics of Kenya changed fundamentally in the wake of Josiah Mwangi Kariuki's murder on March 2, 1975 by the Kenyatta regime. His body was found abandoned to the hyenas in the wilderness in Ngong Hills. He had been abducted and tortured to death. This was the most gruesome, bestial act of state banditry.

Between 1969 and 1975 the National Assembly was held in thrall by the patriotic contributions of JM Kariuki, the Member of Parliament for Nyandarua North constituency in Central Province. A former Mau Mau detainee, JM, as he was popularly known was at one time Kenyatta's private secretary, but they fell out over the way the KANU regime was giving in to western interests.

Despite the fact that he was a relatively wealthy member of the aspiring national bourgeoisie, JM consistently championed the cause of the poor, the landless, the unemployed and the forgotten Mau Mau freedom fighters. His famous statement, "We do not want a Kenya of ten millionaires and ten million beggars", made him a national hero. JM's assassination only emphasised the limitation of populist politics. It further reminded progressives to redouble their efforts in forging new organised popular strategies of struggle against repression in Kenya.

Through consultations, a new batch of Kenyan patriots started meeting and comparing ideological notes. Oginga Odinga formed a front that advocated for immediate and public confrontation with the state that would culminate in the formation of a second legal political party to oppose KANU. University academics, however, preferred underground and secretive work within public platforms to articulate democratic demands of the people.

These activities coalesced into the formation of several clandestine groups most of which identified with Marxist-Leninist tradition. Such groups as the December Twelve Movement (DTM) and the March Second Movement (a DTM front in Nairobi) emerged at this time. All these organisations were rooted at the universities.

In December 1977, Ngugi wa Thiong'o was detained without trial for publishing *Petals of Blood* and staging a play, *Ngahika Ndenda* (I will marry when I want), which he co-authored with Ngugi wa Mirii. These works were deemed dangerous by the establishment, especially when a satirical critic of the political system in Kenya saw its expression in one of the Kenyan national languages, Gikuyu, and was performed not by University students or professional thespians but by and among the workers and peasants of Kamiriithu Village in Kiambu District of Central Province.

By then opposition to Kenyatta's dictatorship had grown so much that it had found expression in some members of the ruling party. In the then single-party parliament, a clique of vocal MPs was



Silvanus C. O. Ombur

"We were each put in cages while we worked to ensure we did not communicate. That was our life for the eight years in Naivasha," says Odour who was later to be caught in the Mwakenya dragnet.

But the most vocal dissent and one that took a class perspective was waged by the so-called six bearded sisters comprising George Anyona, Koigi wa Wamwere, Chelagat Mutai, James Orengo, Dr Chibule wa Tsuma and Lawrence Sifuna.

questioning the legitimacy of their own government. The then deputy speaker, Jean Marie Seroney, and the MP for Butere, Martin Shikuku, were arrested in the precincts of parliament and detained. Shikuku had declared while contributing to a motion that Kanu was dead. When another MP demanded that he substantiates, Seroney, who was then in the chair, ruled that there was no need to substantiate the obvious. Shikuku came out of detention in clutches. MPs Chelagat Mutai, George Anyona and Koigi wa Wamwere were also arrested and imprisoned.

At the same time, the most vocal dissent and one that took a class perspective was waged by the so-called six bearded sisters comprising George Anyona, Koigi wa Wamwere, Chelagat Mutai, James Orengo, Dr Chibule wa Tsuma and Lawrence Sifuna.

The Kisumu Massacre

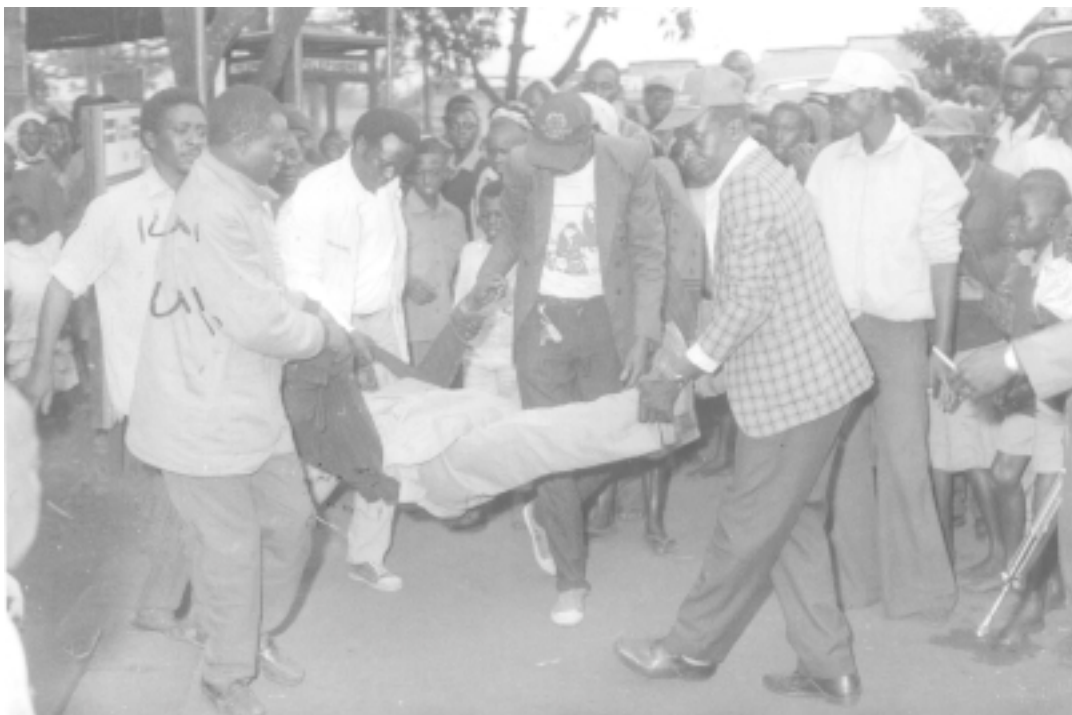
The first major political crisis that the Kenyatta regime faced was in April 1966. There had been a simmering war between the reactionary wing of Kanu championed by the then Minister for Justice and Constitutional Affairs Mr. Thomas Joseph Mboya and supported by Kenyatta's emerging kitchen cabinet, later to be nicknamed the Kiambu Mafia, on one hand and the nationalists in Kanu led by the late Jaramogi Oginga Odinga who was Kenyatta's vice president on the other hand. Central to this confrontation were issues like land distribution and the creeping corruption in Kenyatta's government. To stop the tide of criticisms the Kanu leadership came up with a plan to reduce Jaramogi's influence and prestige in government. The plan was to have eight vice presidents representing each province. According to the plan Odinga would just be one of the eight.

On April 14, 1966 Odinga resigned from the government and from Kanu. He dismissed the Kenyatta cabinet as consisting of land grabbers and opportunists who were not interested in the welfare of the ordinary Kenyan. A week later twenty seven other members of Parliament including the Minister for Information and Broadcasting, Ramogi Achieng Oneko and fellow Mau Mau detainee Bildad Kaggia followed suit.

The group joined a little known political party, Kenya Peoples Union (K.P.U), that had been formed in March by a farmer in Kisii by the name George Okuor Gari. The new team registered the K.P.U with Jaramogi as the president and Bildad Kaggia as his deputy. Sensing the danger that more members of parliament may join the new party, Kanu came up with the strategy of requiring all those who had left Kanu for the opposition to face new elections.

The "Little General Election" was held in June of 1966 and despite allegations of massive rigging particularly after the votes were held for a fortnight, Kanu decisively won the battle. Jaramogi retained his Bondo seat and two other candidates won seats for K.P.U in Machakos. However, the spirit of opposition politics had set root in Kenya and there were high hopes that given time to organize itself and sell its agenda to the Kenyan people, K.P.U was headed for a bright future.

Everything changed three years later after the powerful Kanu Secretary General and Minister for Economic planning Tom Mboya was assassinated on July 5, 1969. Mboya's assassination brought turmoil in the whole country, but more so in Nyanza province which was already firmly in the opposition. On October 25, 1969 President Jomo Kenyatta visited Kisumu to open New Nyanza General Hospital. An estimated crowd of 5,000 people



met Kenyatta at the hospital. The details of what happened at the hospital are still murky but when dust settled eleven people were dead and many more injured. Local estimates indicate that the number of people dead was much higher than the reported number. There are reports that while Kenyatta was inspecting a guard of honour a section of the crowd were shouting “Dume, Dume” (the K.P.U slogan). A little later the president was heckled while making a speech. When the president’ was leaving there are allegations that part of the crowd threw stones at the motorcade. What is known for sure is that the president’s bodyguards opened fire on the crowd killing and injuring many people in what has generally been referred to as Kisumu Massacre. Witnesses have consistently argued that the presidential bodyguards continued to shoot people who had lined up the streets far from the hospital and who had no idea that some confrontation had taken place at the hospital.

The truth about what happened in that fateful day will one day be known, but the aftermath had very far-reaching implications for the country. Using the Kisumu incident as a justification, Kenyatta banned K.P.U on October 30, 1966. Soon after key leaders of the party including Odinga, Oneko, Kaggia, Wasonga Sijeyo among others were detained. This was the first wave of detentions without trial in the history of independent Kenya. Later that year Kanu went to the elections as the only party to field candidates and that was to be the case until 1992 when Kenya held the first multi-party elections in twenty six years.

In December 1977, Ngugi wa Thiong'o was detained without trial for publishing *Petals of Blood* and staging a play, *Ngahika Ndenda* (I will marry when I want), which he co-authored with Ngugi wa Mirii. These works were deemed dangerous by the establishment, especially when a satirical critic of the political system in Kenya saw its expression in one of the Kenyan national languages, Gikuyu, and was performed not by University students or professional thespians but by and among the workers and peasants of Kamiriithu Village in Kiambu District of Central Province.

More than ten people were reported dead and many others injured during the Kisumu Massacre

Chapter Three: The Moi Neo-colonial regime (1978 - 2002) Following in the Footsteps

But all these efforts came a cropper because the system was essentially unchanged. The new head of state did not address the fundamental problems that plagued the Kenyatta regime. By the end of his first year in office Kenyans could see the hollowness of his populist veneer.

By the 1970s it was obvious that Kenyatta had lost the grip of the country's leadership. When he died on August 22, 1978 Kenya was being led by the so-called Kiambu Mafia. This group tried everything to exclude the vice-president, Daniel arap Moi who was the constitutional heir-apparent, from assuming the presidency. It was with the help of the then powerful but reactionary, pro-British attorney general, Charles Mugane Njonjo, that Moi was able to succeed Kenyatta.

Thus, when Moi took over the presidency he was politically weak and insecure. He did not have a political base needed for the presidency and he was not readily accepted by the power elite. He also lacked the charisma and vision required to galvanize popular appeal. That is why he declared that he would continue with Kenyatta's policies and hence the slogan *Nyayo*.

In an attempt to make up for his weaknesses Moi adopted a populist approach to politics. In one of his many attempts to attract mass support he decreed a ten percent employment increase for all organisations, both public and private. He also started a primary schools' feeding programme

Sixty nine students from Nairobi and Kenyatta universities were arrested after the Air Force abortive coup on August 1, 1982. Left to right: Wahinya wa Boore, Maina Kinyatti, Jeff Mwangi, the two students in the middle were from the University of Nairobi. The fifth student is Opara Wahinya, Jeff and Opara were from Kenyatta University.



and crisscrossed the entire country to show his purported magnanimity in order to drum up popularity under the slogan of peace, love and unity.

But all these efforts came a cropper because the system was essentially unchanged. The new head of state did not address the fundamental problems that plagued the Kenyatta regime. By the end of his first year in office Kenyans could see the hollowness of his populist veneer.

In October 1979 Nairobi University students demonstrated against Moi's one year-old government which they accused of having barred opposition politicians from taking part in that year's general election. They demanded the reinstatement of Ngugi wa Thiong'o as their professor of literature. Six university student leaders were expelled and the student representative body, the Nairobi University Students' Organization (NUSO), proscribed as the university was closed for a purported "early Christmas vacation"

The banning of NUSO gave rise to the Students Interim Committee, which stepped up the challenge to the Moi dictatorship. The state had to order the premature closure of the University before March 2, 1981 to pre-empt a proposed J. M. Kariuki Commemoration Symposium.

In May, government doctors went on strike protesting poor working conditions. Through the Interim Committee, the students supported the striking doctors by boycotting classes and organising protest marches. At the same time, the government barred Odinga again from contesting a parliamentary by-election. This provoked further protests from the students.

For three days the students and the police engaged in running battles. As a result the government closed the university and expelled the leaders of the Interim Committee. These were Odindo Opiata, Mathenge Ririani, Rubik Misore, Saulo Busolo, Anyona Kanundu, Mwaringa, John Munuve and Makau wa Mutua. All of them went to exile.

This period also saw the proliferation of progressive underground publications. There was a wide distribution of leaflets and pamphlets bearing the banner of the December Twelve Movement (DTM). One such publication, *Cheche Kenya*, had a Marxist analysis of the dictatorial regime in Kenya and called for the masses to revolt against the political system of the Moi-KANU regime.

Kenyan workers, in spite of their reactionary trade union leadership, were also expressing their disillusionment with the Moi government through a spate of strikes and sit-ins at their work places. It was around this time that employees of the Kenya Cannery Plant in Thika, Union Carbide in Nakuru, the Unilever (East Africa Industries) and Firestone (EA) in Nairobi and several other factories in Mombasa went on strike.



Mwandawiro Mghanga

As the arrests escalated, many progressive academics went to exile to escape the dragnet. These included Micere Mugo, Shadrak Gutto, Kimani Gecao and Ngugi wa Mirii. Ngugi wa Thiong'o, who was already out of the country, decided to stay in exile when he learnt he was also being sought by the police.



Edward Oyugi

Far from being intimidated and cowed, the student leadership exploded with anger. Progressive student leaders like Onyango C. A., Mwakuduwa Mwachofi, Oduor Ong'wen, Justice Maurice Adongo Ogony, Paddy Onyango and Mwandawiro Mghanga galvanised the university community to demand the release of all detainees and a national referendum to determine whether the majority of Kenyans wanted the single-party system legalized.

On June 1, 1982, the police picked up George Anyona just before he and Oginga Odinga announced the formation of the Kenya Socialist Party (KSP). Anyona was detained while Odinga was placed under house arrest.

The putsch widened to other progressive elements pushing for democratisation. Koigi wa Wamwere, Mukaru Ng'ang'a, Maina wa Kinyatti, Edward Oyugi, Willy Mutunga, Kamonji Wachira and Al-amin Mazrui were arrested soon after. Kinyatti was arrested for being in possession of an anti-government newsletter, *Moi's Divisive Tactics Exposed*, distributed by the DTM underground press. He was convicted of sedition and jailed for six years. The late Wang'onduru Kariuki was also arrested at this time and jailed for possessing an allegedly seditious publication, *Pambana*.

As the arrests escalated, many progressive academics went to exile to escape the dragnet. These included Micere Mugo, Shadrak Gutto, Kimani Gecao and Ngugi wa Mirii. Ngugi wa Thiong'o, who was already out of the country, decided to stay in exile when he learnt he was also being sought by the police.

The government justified this wave of arrests on the grounds that it was trying to stop a conspiracy by "Marxist dissidents" bent on "destabilising" the country. The regime stepped up the volume of its anti-Marxist tirade. Hillary Ng'weno, a prominent Moi apologist, in his "independent" *Weekly Review* attacked progressive intellectuals whom he described as a determined small, well-knit group of lecturers who were "using" the University Academic Union (UAU) and SONU to "destabilise the country".

He heaped all the blame on a "few radical lecturers" saying that the "readiness with which these radical lecturers confront authority has become a fashionable thing for students to observe and emulate". He went on to cite the then minister for justice and constitutional affairs Charles Mugane Njonjo's allegation that "Marxist lecturers are using students to spread anarchy" and called for the government to "get tough on them."

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Kilio Cha Haki, Al-Amin Mazrui's play about exploitation of workers at the Del Monte factory in Thika, was staged in defiance of threats from the special branch police. In a public rally, Paddy Onyango saluted the crowd in the name of "Pambana" while Onyango C. A. declared that Kenyan Marxists, like everyone else, had "a right to live and rule in Kenya".

This period has significant lessons for Kenyans. The Kenyatta era ended rather abruptly when the man Kenyans had come to derogatively refer to as *Kamaliza* (exterminator) passed away in his sleep in Mombasa. Moi was propelled into power and, to be honest, he was fairly popular among ordinary Kenyans who were simply fed up with the arrogant and crass clique known as the Kiambu Mafia that ran the government with Kenyatta as their mascot.

Three years into his rule, Moi was jailing and detaining everybody he perceived as his enemy and the rest of the country except the University community were standing by and watching a dictatorship take root. The question we must ask ourselves is how this came to happen. How did a relatively popular Moi in 1978 become such a despot in just three short years?

The simple answer is that nothing changed from Kenyatta to Moi. It is not just that Moi had vowed to follow the bloody footsteps of Kenyatta. The forces that sustained the Kenyatta government, namely the rich and the powerful families with the socio-economic structures that sustained them, the neo-colonial industrial complex, the military and security apparatus whose main task was to protect the leaders and not the people, remained intact. All these anti-people and anti-democratic forces were all aligned behind the president and it was inevitable that their watchman Moi was sooner than later going to get into conflict with the masses of the Kenyan people who thought that Kenyatta's demise would lead to greater freedoms and democracy for the ordinary folks.

The second lesson is that the greatest crime people can commit against themselves is to stand by and watch leaders terrorise a section of the population and imagine that it is just a few bad people being "disciplined" and that others who do not cross the line would not be touched. Once a dictatorship takes root, nobody is safe.

The forces that sustained the Kenyatta government, namely the rich and the powerful families with the socio-economic structures that sustained them, the neo-colonial industrial complex, the military and security apparatus whose main task was to protect the leaders and not the people, remained intact.

Chapter Four: The Air Force Coup Attempt



Apiny Adhiambo - Jailed for life

...thousands of Kenya Air Force soldiers and civilians were rounded up and arraigned in court on a wide range of crimes.

Both Kamiti and Naivasha Maximum Security Prisons were transformed into giant concentration camps where university students, academics, soldiers, politicians and other treason suspects were tortured while being interrogated.

The chemistry of the politics of the time burst on the morning of August 1, 1982 when junior Kenya Air Force servicemen staged a coup to topple the Moi regime. To many the coup was a predictable convergence of the discontent and resentment against the excesses of dictatorship.

The coup leaders such as Hezekia Ochuka, Pancras Oteyo, Ireri Njereman, Patrick Lumumba and Odira Ojode were young Kenyans who were disgusted with the corruption and repression of the Moi dictatorship. Their announcement on the Voice of Kenya radio was greeted with celebrations around the country. However, the putsch lasted only a short while because of its spontaneity, poor organisation and distrust among the plotters. In addition it was based on ethnicity.

Moi used the post-coup tension to launch one of the most brutal crackdowns in Kenya's history. For the six months following August 1, Kenya was effectively under the rule of the army. The Kenya Air Force commander, Major General Peter Kariuki, was in custody awaiting trial on coup-related charges while thousands of Kenya Air Force soldiers and civilians were rounded up and arraigned in court on a wide range of crimes.

Both Kamiti and Naivasha Maximum Security Prisons were transformed into giant concentration camps where university students, academics, soldiers, politicians and other treason suspects were tortured while being interrogated.

More academics and professionals were picked up as Moi tried to link his left wing critics to the military coup plot. Show trials in which mutiny and possession of seditious publications were the preferred crimes became the order of the day. Lawyer John Khaminwa was detained for representing former intelligence chief, Stephen Mureithi, when he contested in court the president's power to hire and fire at will.

Among the group of 68 students to be arrested seven, Onyango Oloo, Jeff Mwangi, Odindo Opiata, Wahinya Bore, Titus Adungosi, Muga K'Olale, Ongele Opala and Rateng' Oginga Ogego, were tried and convicted of sedition and handed sentences ranging from five to ten years. The rest were released after the court entered a *nolle prosequi*.

In September 1982, the courts martial of the Air Force servicemen began. Some were convicted and sentenced to death and hanged in 1987. Others were committed to life imprisonment without parole and the rest given prison terms of between ten and twenty years. The Kenya Air Force was disbanded and 82 Air Force formed and commissioned under a new command.

The Nairobi and Kenyatta Universities were closed for one year and on reopening were divided into several faculty administrative units. SONU was banned and student welfare units formed under geographic/ethnic groupings. Loyalist academics were promoted leading to the

emergence of “Nyayo” professors in the university community under what Dr. Casper Odegi Awuondo described as “the rise of the cheering crowd”.

Special branch police invaded the university libraries and removed all books by or on Vladimir Illyich Lenin, Karl Marx, Che Guevara, Malcom X, Franz Fanon, Ngugi wa Thiong’o, Maina wa Kinyatti and Fidel Castro from the shelves “where they lurked in wait to ambush young innocent Kenyan minds with their subversive foreign ideology”.

In its bid to tighten social-political control, the Moi regime often went to ridiculous extremes. For instance after he expressed displeasure with the keeping of beards, calling it a communist fashion, it suddenly became almost criminal to be seen with one. Civil Servants who wanted to be seen as “Nyayo followers” and “patriotic citizens” had to shave clean and not be seen to wear a semblance of the “seven bearded sisters” or “Marxists.” This extreme was illustrated when a former district commissioner for Kiambu in Central province, Fred Mwangi, ordered the public shaving by policemen and without water of a primary school headmaster who was seen sporting a goatee at a public rally.

Lawyer Ng’ang’a Thiong’o recalls the ridiculous levels the government went to suppress dissent and student political activism during his days at the university: “In January 1985, I was coming from a lecture theatre at the Gandhi Wing when I saw a huge crowd at the Great Court. Two young students were atop a table addressing a meeting. They were condemning the student leadership, Students’ Organization of Nairobi University (SONU), for having compromised the students’ welfare to the dictates of the government.

“I cheered loudly. However, unknown to me, agents of the then SONU chairman, P.L.O Lumumba, were watching and taking down our names. I was to pay dearly for the cheers. “A few days later, I received a letter at midnight to the effect that I had engaged myself in activities dangerous to the good of the university and that consequently my scholarship had been withdrawn and that I should vacate the campus.

“I rushed to the students’ centre and found others who had received a similar letter including the two speakers at the meeting. These were Tirop Kitur and the late Karimi Nduthu. Mwandawiro Mghanga had also been expelled. What followed was a sad story. A series of fiery Kamukunjis (student rallies) which condemned the government’s intrusion into the university were held. It was either academic freedom or nothing, the students declared.

“The chairman and part of the SONU leadership were now residing at the home of the then powerful head of internal security, the late Hezekiah Oyugi who was a permanent secretary in the office of the president. A mass was held the following Sunday, February 10, 1985, at the

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sports field (now Graduation Square). The vice-chancellor, the late Prof Joseph Maina Mungai, and his deputy, Prof Philip Mbithi, joined the students. As we sang the hymn ‘Oh God is good’ riot policemen in their hundreds stormed the field and squeezed us into a corner. All hell broke loose.

“In five minutes students could be seen limping with broken limbs and blood dripping down their tattered clothes. Jack Wandera lay on the ground. He was pronounced dead on arrival at the university clinic. Why all the police violence on innocent prayers? The government lied that the students wanted to mount a guard of honour to be inspected by Mwandawiro and other student leaders. What a terrible lie from a government!”

“Soon thereafter, the Voice of Kenya radio announced that the university had been closed. Everyone was to vacate campus immediately. Scores of students, however, were in police custody. In the subsequent trial of 16 students for driving a motor vehicle without the owner’s consent, the late Philip Kilonzo, the police commander in charge of Nairobi who was later appointed police



Many business premises were destroyed and many shops looted during the Coup attempt

commissioner, was to say that he saw students throwing shoes and stones at the police. He was, he said, viewing all this from his office at the Central police Station. Unfortunately, the venue of the prayers was shielded from the police station by high university buildings. The vice-chancellor and his deputy, however, were honest. They did not see what Kilonzo claimed to have seen yet they were at the sports field.

“The students were nevertheless convicted and jailed for six months without the option of a fine. During the appeal, the then attorney general, Mathew Guy Muli, described the students as donkeys.

“Having survived the arrest, I went to my rural home in OI Kalou. Unknown to me the police were hot on my heels. One day at midnight, a Land Rover vehicle full of policemen from OI Kalou police station was roaming outside our house. I sneaked out of bed and sliding along the black wooden wall disappeared into the night. The police could not believe it when they touched my bed. ‘It is warm,’ they screamed. ‘He was here.’” Their instructions were to deliver me to Nairobi to face trial with the rest of the students.

“The late Johnson Gikeny Waititu housed me for the next four months while the state machinery was looking for me. I shall forever remain grateful to him and his family. Similarly to Gilbert Karuu Jack and my cousin Bernard Mathu who ensured my safe exit and to all comrades who sacrificed their ‘Boom’ (students’ monthly stipend). I was finally allowed to return to campus on condition that I paid for my education and upkeep. However, the police were to hit back and the opportunity came during the Mwakenya debacle in 1986.”

The attempt by the government to use the sedition and mutiny cases to prove that Moi was firmly in control did not succeed as was expected. Cases involving university students exposed Moi's brutality to the international community. Amnesty International and the London-based Committee for the Release of Political Prisoners in Kenya, which was a DTM project, were at the forefront in organising solidarity campaigns in support of the popular struggles for democracy in Kenya.

Now that the organised progressive groups inside the country had been destabilised by the arrest and exile of their leaders, the DTM London group took up the mantle of the struggle by forming such groups as the Committee for the Release of Political Prisoners in Kenya. Patriots such as Wanjiru Kihoro, Shiraz Durrani, Abdilatif Abdalla, Yusuf Hassan, Wangui wa Goro, among others, played a major role in the international solidarity movement. Through their efforts the credibility of the Moi regime was seriously undermined.

However, the attempt to destroy the internal base of the social protest did not entirely succeed. The headless cells, orphaned by the scuttling of the DTM leadership, regrouped in 1982 to form the nucleus of the *Muungano wa Wazalendo wa Kukomboa* Kenya, better known as Mwakenya Movement.

The attempt by the government to use the sedition and mutiny cases to prove that Moi was firmly in control did not succeed as was expected. Cases involving university students exposed Moi's brutality to the international community. Amnesty International and the London-based Committee for the Release of Political Prisoners in Kenya, which was a DTM project, were at the forefront in organising solidarity campaigns in support of the popular struggles for democracy in Kenya.

Chapter Five: Mwakenya



Peter "young" Kihara

In March 1986, Kenyans woke up to newspaper headlines announcing the arrests of a veteran nationalist, Peter 'Young' Kihara, a lecturer at the Kenya Teachers Training College (KTTC), Kamonye Manje, and a chief accountant with the Kenya Posts and Telecommunications Corporation (KPTC), Maina Kiongo. The trio was not heard of again until they were dragged before then Nairobi chief magistrate H. H. Buch and pleaded guilty to the charge of being members of an illegal organisation.

This was the first time many Kenyans heard of the existence of a militant underground communist movement that was allegedly advocating the violent overthrow of the Moi government.

Indeed, 1986 saw the unprecedented arrest and incarceration of a very large number of Kenyans who were alleged to have been members of the clandestine movement planning to overthrow the government in a violent way.

The ugly pattern of these arrests was that a newspaper article would appear just about every other day announcing that such and such a Mwakenya member had been arrested.



Mwandawiro Mghanga a Mwakenya suspect being led away from court

with whom he was working closely in the formation of the Kenya People's Union (KPU) in which he was the organising secretary, was arrested and jailed for 30 months. In early March, Kariuki Gathitu, a lecturer in computer science, was detained together with Ngotho wa Kariuki, a lecturer in commerce at the University of Nairobi.

The arrests intensified from early April. Former University student leaders Odindo Opiata, Mwandawiro Mghanga, Paddy Onyango, Adongo Ogony, Oduor Ong'wen and Onyango C.A. were picked up and hauled into prison. In May Ng'ang'a Thiong'o and Wanderi Muthigani, then students at the Kenya School of Law, were arrested.

The ugly pattern of these arrests was that a newspaper article would appear just about every other day announcing that such and such a Mwakenya member had been arrested. Some were picked up from their homes, others from places of work. Weeks down the line newspapers would report of the same people having been imprisoned for so many years after pleading guilty of sedition against the "lawfully elected government" of President Daniel Arap Moi.

In the aftermath of the imprisonment of the first batch of the Mwakenya suspects, politicians and media apologists of the Moi regime fell over themselves to condemn the movement and to give all manner of descriptions of the movement. While some theories about Mwakenya, especially those given by politicians, were out-rightly ridiculous, a number of those arrested gave some revealing information about the movement. However, most of the information that came out around this time just compounded the little that was known about the movement.

According to the pro-Moi *Weekly Review* of April 11, 1986 little was so far known of Mwakenya and its clandestine publication, *Mpatanishi*. "Copies of the publication, as well as a document detailing the structure, objective and programme of the organisation were produced in court; contents were not read out but were handed over to the magistrate to read."

And while sentencing one of the accused, then Nairobi Chief Magistrate H.H. Buch, who gained notoriety for trying the majority of the Mwakenya cases without questioning the legality of the long periods the suspects were being held in custody, said he had no doubt that the documents were "intended to bring into contempt or excite disaffection against the Kenyan government".

"From the little that has come from the courts, it appears that Mwakenya was hatched as far back as 1981 but the group did not begin recruitment until 1984. Among the central characters so far mentioned are 33-year old lecturer at the institute of computer science at the University of Nairobi, Kariuki Gathitu, a chief accountant with Kenya Posts and Telecommuni-

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Sources within the movement, although not agreeing on exact dates, also trace the origins of Mwakenya to the same evolution within the democratic movement. One source says that Mwakenya was the name of a “united front” which came into existence some time after June 1985 after a series of talks between members of the December Twelve Movement (DTM) and other groups operating in London.

cations Corporation, Geoffrey Maina, a 51-year old farmer in Githunguri, Peter Kihara, and a man identified only as Njoroge Wanguthi,” reported the *Weekly Review*.

The first identification of some of those behind the Mwakenya movement came during the trial of George Shiteshi Osundwa. He is reported to have told his interrogators that in 1981, he went to live in Wangige in Kikuyu division of Kiambu District. It is there that he met Gathitu, his former classmate and together with two others decided to form Mwakenya and launch *Mpatanishi*. Apparently, Osundwa left Nairobi before the launch of the organisation but never reported the matter to the police. Osundwa was jailed for eighteen months on his own plea of guilty.

Peter Nding’o, a technician at the engineering department of the University of Nairobi, confessed and informed the court that an oath of secrecy was administered at the group’s meetings while funds were collected at such meetings to finance Mwakenya’s activities.

According to the late Kariuki Chotara, a hawkish former KANU Nakuru district chairman, Mwakenya was the brainchild of Ngugi wa Thiong’o. Chotara claimed to have come across copies of *Mpatanishi* during a tour of the United States and several other foreign countries.

According to the *Mwakenya* Draft Minimum Programme entitled *Towards a National democratic Revolution* issued in September of 1987, the organisation was started in June 1982. Its activities were centred on a few progressive elements coordinated by an underground newspaper, *Mpatanishi* (the arbiter).

The draft said: “But it was only after operating for days and nights under the very difficult circumstances of 1982 that our central organ was finally established. *Mpatanishi* continued to play its role as an organiser, ideological leader and central organ. Popular and progressive literature like *Pambana* and *Cheche Kenya* also continued to circulate in the country in the same period. By December 1982, the organisation had consolidated quite a good number of progressive forces. *Mpatanishi* No. 7 appeared with a first proposed draft programme.

“The year 1983 was devoted to mass agitation and political exposures of the repressive character of the regime. We issued several leaflets which detailed the excesses of the regime and among other issues we also demanded the release of political prisoners and removal of U.S. military bases and all other foreign military presence in Kenya.

“Meanwhile, the Committee for the Release of Political Prisoners in Kenya, as well as other solidarity committees in various countries, continued to be active. We consolidated our forces further and during the year 1984 expanded our network and established links with various

other internal organisations. The debate over the same and formalisation of our movement into a party continued.

“On February 1, 1985 the name Mwakenya was coined and the preparation for a unity conference started. On June 8 and 9 and July 25, 1985 two unity conferences were secretly held in Nairobi. Various patriotic Kenyan political organisations united and formed Mwakenya. A special issue of our mass newspaper *Mzalendo MwaKenya* was released on February 6, 1985 supporting the then protesting students of the university of Nairobi and their lecturers.

“Even as the regime was busy arresting and torturing many innocent Kenyans our cadres were equally busy preparing for a congress. Representative delegates from various parts of the country held a three-day congress between March 1 and 3, 1986. This was the first Mwakenya congress. The congress elected and installed Mwakenya leadership, decided the party line and the political orientation and endorsed the programme of Mwakenya from which the draft minimum programme was based.”

Sources within the movement, although not agreeing on exact dates, also trace the origins of Mwakenya to the same evolution within the democratic movement. One source says that Mwakenya was the name of a “united front” which came into existence some time after June 1985 after a series of talks between members of the December Twelve Movement (DTM) and other groups operating in London. Consequently, DTM under the leadership of Prof. Ngugi was Thiong’o organised and funded a congress. The congress mandated DTM with the responsibility of preparing a proper congress and its editorial board was given the task of producing the mass organ of this united front which changed the name of the organ from *Pambana* (struggle) to *Mzalendo* (patriot).

It is apparent that between 1982 and 1986 Mwakenya activities centred on the publication and distribution of its underground literature calling for the unity of all patriots to change the oppressive Moi government. However, many Kenyans do not distinguish between the underground organisations and the publications that the organisations used in their agitation for change. Many, for instance, think that *Pambana* was an organisation.

Pambana was started in June 1981 as a mass organ for the education and conscientisation of the general public. Its main theme was to expose the regime and mobilise people for action. On the other hand, *Mpatanishi* was the ideological internal organ of the DTM. It was aimed at explaining and exchanging tactics, strategies and policies of the movement and was restricted to the disciplined membership only. Other Mwakenya publications included the *Kenya Democratic Plank* (1991) and *The Mwakenya Stand* (1992).

Books from Progress Publishers of Moscow were then very popular among progressive-minded Kenyans and Wanyee Bookshop, along Nairobi’s Aga Khan Walk, was a popular haunt for readers of books by Vladimir Lenin, Karl Marx and other writers from the Marxist school of thought.

The tragedy of the Mwakenya crackdown is that it provided the Moi lackeys with a perfect opportunity to destroy its greatest enemy, the organised leftist movement in Kenya. Beyond that we know that Mwakenya became an excuse for Moi and his cohorts to throw anybody they hated and anybody who had as much as uttered the words democracy or human rights into the dungeons.

Cheche Kenya, a DTM publication whose first issue was distributed around 1982, detailed the economic, political and social crimes committed by those in the corridors of power. It was distributed widely among patriotic and democratic-minded Kenyans. Zed Publications of London later published the well-researched publication, which was also a medium for exposing the regime, as a book.

In addition, leaders of the movements used books with revolutionary orientation as tools for creating awareness among the lower cadres and sympathisers. Such books as Ngugi wa Thiong'o's *Detained: A Writer's Prison Diary*, Maina wa Kinyatti's *Thunder from the Mountain* and Kenya's *Freedom Struggle*, Maxim Gorky's *Mother*, Franz Fanon's *Wretched of the Earth* and Paul Freire's *Pedagogy of the Oppressed* were widely used to enrich the ideological base of the struggle.

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In April 1986, Mwakenya came out in an open challenge to the KANU regime by releasing a pamphlet proclaiming a guerrilla insurgency to the general Kenyan and international public. In its issue numbers 14 and 15, *Mpatanishi* decreed that all Mwakenya cells should be transformed into guerrilla units which should immediately embark on revolutionary sabotage activities such as derailing trains and sabotaging other communications infrastructures. This was in a bid to undermine the regime's economic base and to attract the attention of the rest of the world on the internal contradictions existing in Kenya.

In the meantime, the internal leadership group, borrowing from Mau Mau experience, and without consulting or discussing with the Mwakenya external leadership, started using the oath as a weapon of mass mobilisation. The organisation also embarked on an expansive recruitment drive to attract all known leftists and individuals opposed to the Moi regime.

However, by adopting some strategies that were not easily acceptable to many Kenyans such as forced oathing, the movement's underbelly was exposed as it attracted internal dissent. In addition, indiscriminate recruitment ushered in undisciplined members and breached its security by opening the door to infiltration by the special branch police and informers.

With the heightened activities it was just a matter of time before the Moi regime got wind of the goings on. When it did, the regime panicked into a brutal crackdown of the real and imagined enemies. Many people - engineers, doctors, teachers, musicians, soldiers, writers, ex-convicts, workers, peasant farmers, politicians, business people, unemployed youths, civil

servants and hawkers - were rounded up, hauled before hastily convened kangaroo courts and dispatched to Kamiti, Naivasha, Shimo la Tewa, Kodiaga, King'ong'o, Manyani and Kibos prisons.

The accused were brought to court in dishevelled condition and were arraigned before the same magistrate and by the same prosecutor in the late evening. In addition, the majority of them pleaded guilty to the charges. The heavy security presence in the court premises and the length of time the suspects had been kept in custody held secrets that many Kenyans could only speculate about.

The whole story of Mwakenya is yet to be written. What is undoubted is that the movement symbolised the aspirations of millions of Kenyans who longed to get rid of the Moi-Kanu dictatorship. It is also obvious that Mwakenya emerged from the rich tradition of progressive organised leftist movement in Kenya. The tragedy of the Mwakenya crackdown is that it provided the Moi lackeys with a perfect opportunity to destroy its greatest enemy, the organised leftist movement in Kenya. Beyond that we know that Mwakenya became an excuse for Moi and his cohorts to throw anybody they hated and anybody who had as much as uttered the words democracy or human rights into the dungeons. The big success of Mwakenya is that it finally exposed the excesses of a paranoid despotic regime in a manner that nothing else could possibly have done.

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Chapter Six: The Arrests



Waweru Kariuki

“After eight days at the station, I was blindfolded, handcuffed and taken to an airstrip where I was put into an aircraft. The plane flew round and round and after about 45 minutes the blindfold was removed. They asked me to look down and tell them what I could see. Though I could see the waves in the sea below, I lied to them that I could see nothing as this was my first time to be in an aircraft.

Almost invariably, torture begins at the point of arrest. Torture has extensively been used as a method of repressing democratic opposition to fascist rule dating back to colonial days. The immediate aim of torture is to force out information on democratic activities, destroy the spirit of resistance among political activists and force suspects to plead guilty to fabricated charges after signing false confessions.

Torture is particularly inhuman because it is based on presumption of guilt where no facts exist to prove it. Those ignorant of the activities in question sometimes even receive more intensive torture unless they make up convincing and compromising falsehoods to please their torturers.

The onset of torture in the case of the Mwakenya crackdown was the trauma and intimidation of aggressive and unlawful arrests from one's home or place of work.

Waweru Kariuki, then aged 28, was a waiter at a tourist hotel in Diani Beach, Kwale district. He recalls: “ I was arrested in July 1988 by the District Criminal Investigations Officer (DCIO) of Kwale accompanied by around 12 special branch officers in six vehicles. They came early in the morning and stated that they were my guests. I identified one as a Mr. Wambugu from Nyeri whom I had known before. They searched my house and took away books such as *Devil On the Cross*, *I Will Marry When I Want* (both by Ngugi wa Thiong'o), *When the Bullets Begin to Flower* (by Ruth First), *Kilio cha Haki* (edited by Al- Amin Mazrui) and *Beyond* magazine. From my house, they took me to Kwale police station.

“After eight days at the station, I was blindfolded, handcuffed and taken to an airstrip where I was put into an aircraft. The plane flew round and round and after about 45 minutes the blindfold was removed. They asked me to look down and tell them what I could see. Though I could see the waves in the sea below, I lied to them that I could see nothing as this was my first time to be in an aircraft. They told me that we were in the centre of the sea and therefore I should disclose all about Mwakenya and myself. They also wanted me to tell them where the organisation printed its publications and who the authors were.

“When I maintained that I did not know anything about the movement they threatened to throw me overboard. A struggle then ensued when they strangled me and I lost consciousness. I came to at the Port Police Station. I was next taken to an office to sign for my documents after which six special branch officers took me to a Peugeot 504 saloon and we started the journey to Nairobi. We made a stopover at Mtito Andei where they removed the blindfold and allowed me to take tea. I was not blindfolded again until we reached around Emali.”

Njuguna Mutahi also narrates the pomp and drama of his arrest after weeks of an abortive attempt to evade the dragnet by fleeing the country. His narrative, as well as the next one of Mugo Theuri, also shows how those arrested as Mwakenya adherents were related either as brothers, friends or colleagues at work or college.

“In October of 1986, I was working as an information officer with the government. This was at the height of the Mwakenya crackdown. I had noticed with a lot of unease that some of my colleagues at the university, especially those who were politically active, had been arrested on Mwakenya-related allegations. They included Njuguna Mutonya who was then with the same ministry of information, Maurice Adongo Ogony, a former secretary general of SONU and Mwandawiro Mghanga. Others like Muhoro Githirwa and Kaara Macharia had crossed the border to Tanzania for their safety in mid-October. The final straw came with the arrest of my friend and housemate of two years, Mugo Theuri, who by then was the bureau chief of the *East African Standard* newspaper in Nakuru. I decided that time had come for me to take cover and observe the developments from what I thought was a safe distance.

“I took my annual leave and left for Marsabit to visit my younger brother Kinyua and explore possibilities of crossing the border to Ethiopia. I spent two weeks in Marsabit and kind of got used to the idea that all was well. However, on October 15, I attended a farewell party for a civil servant who was going on transfer. I was in a very happy mood and I was planning to return to Nairobi the following day. In the middle of the party and while we were dancing to the tune of Lwambo Lwanzo Makiadi’s hit, *Mario*, six men armed with G-3 rifles burst into the party. Their leader, a Mr. Kirimania who was then the DCIO of Marsabit, was the first in and he had my brother in tow.

“The music stopped and after looking around sheepishly my brother pointed me out from the crowd. Kirimania came forward and introduced himself to me and asked me to follow him out. On reaching the veranda, I saw a police Land Rover and six armed men. My mind was first gear as I tried to imagine what was going to happen to me. What I didn’t have in doubt was the reason of my arrest.

“Nevertheless, I asked the officer why they wanted to talk to me. He calmly explained that he had nothing to do with my arrest but he was acting on instructions from Nairobi. He was cool, almost friendly and sympathetic. He led me into the back of the Land Rover and drove me to the local police station. He directed the officer in charge to put me in a cell on my own. The night was total agony as I conjured images of where I would be taken and recalled stories I had already heard of police brutality.

“When morning came, I was led out of the cells, but this time Kirimania made sure that I was handcuffed. My brother and another friend had come to visit me and by a stroke of common

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Njuguna Mutahi

“One of them, who I later learnt was Mr Machiri, immediately ordered me to get into the boot of a saloon car that was packed outside. His words are unforgettable. ‘Get in there or I break your kneecaps’. Having read about the mafia tactics of breaking kneecaps I quickly obeyed his instructions.

sense, they had brought me a heavy jacket. Armed officers escorted me to the barrier where people board lorries bound for Isiolo, a distance of about 250 kilometres. This was about 7.30 in the morning of October 16.

“Pretty soon, a lorry ferrying cows to Nairobi came along and I was helped to board it. It was hell. Here I was, handcuffed, in the middle of livestock and under police guard. The journey on the bumpy corrugated road was a nightmare. The officers were mute and so was everybody else. The silence in itself was torturous because it left the mind open to all sorts of possibilities. At one time I really prayed for Shifta (bandits who had plagued the area in the early years of independence) to attack the lorry as is common along that route. However, my prayers were not answered. For those who have travelled that route on the back of a lorry, it is possible to imagine what the dust was doing to me. I was handcuffed so I could not wipe off the dust. One cop saw my suffering and kindly converted his handkerchief into a bandana and tied it around my face.

“Arriving at Isiolo seven hours later was such a relief! Just like in Marsabit, I was isolated in a cell all alone at the local police station. I had not eaten for the whole day and they did not give me food during the night either. The following morning a police Land Rover with a different contingent of four police officers picked me up and, still handcuffed, bundled me in the back. The journey through Meru to Embu was smoother but did not sooth my troubled mind. Matters became clearer for me when I sneaked into a *Daily Nation* newspaper that was being read by one of the policemen. The newspaper’s headline dismissed any doubts in my mind about the seriousness of the situation I was in. *Brothers held by police*, screamed the headline. Even without reading the rest of the story I knew that the story could only be talking about my eldest brother Wahome and myself.

“Upon arrival at Embu in the mid afternoon, I was not put into a cell. Instead five people in civilian clothes met us. From the reverence bestowed on them by my captors, I adduced that they must be senior officers. I was soon to know.

“One of them, who I later learnt was Mr Machiri, immediately ordered me to get into the boot of a saloon car that was parked outside. His words are unforgettable. ‘Get in there or I break your kneecaps’. Having read about the mafia tactics of breaking kneecaps I quickly obeyed his instructions.

“I was in the boot of the car for approximately the first five kilometres, then I was removed and sandwiched between two burly cops in the middle seat of the saloon car for the rest of the journey to Parklands police station in Nairobi. Once again, the people in the vehicle were acting like zombies. No speech unless it was absolutely unavoidable.

"At the police station, I was once again put all alone in a cell. I was not entered in the occurrence book (OB) and the only visitor I had was one inspector of police who passed by and told me, 'Do not loose heart although you and your brother have both been arrested'. This confirmed what I already knew."

Mugo Theuri picks the story: "I had gone to the Nakuru law courts that morning of September 22, 1986 to cover a case involving the then MP for Nakuru North, John Njenga Mungai," recalls Theuri. "Although I had covered quite a number of cases involving the Mwakenya movement I did not have the slightest fear that the police might come for me because none of those who had so far been arrested was a close friend who might have implicated me."

"Inside the courtroom of then magistrate William Tuiyot, I noticed that the atmosphere was not right. Although the public gallery was sparsely populated I could see that the majority of those in court were well dressed men, yet the case that was then in progress was not so important as to attract that kind of attendance. After sitting for a few minutes I asked the court clerk when the case of Mungai was coming up for hearing and he informed me that the case had been put off."

"I left the courtroom with the intention of going to the ministry of information at the provincial headquarters to find out whether any function had been booked that was worth covering. I walked towards a door at the back of the court that was normally used to bring in prisoners but found that it was locked. As I walked back towards the main entrance I passed by a policeman who was talking to a man in civilian clothes. I overheard the civilian ask the policeman whether he knew a journalist called Mugo Theuri. Thinking that the man wanted to tip me on a story and knowing that the policeman did not know me, I innocently introduced myself to the stranger who told me that he had been sent to me by one of my colleagues in Nairobi, Dan Waiyaki."

"We started walking together towards the provincial headquarters but I sensed danger when I looked back and saw the group of the same well-dressed men who had populated the courtroom start walking behind us. I asked the man what he wanted but he informed me that it was something we could only discuss in my office. I told him that I could not go to the office immediately because I first wanted to go to the information office which was just close by. We were still talking in a friendly way when we reached the junction that led to the Nakuru Police Station and met another group of about six men coming from the opposite direction. They stopped us and greeted us by hand. The group that was walking behind us caught up with us as we were exchanging greetings and also stopped."



Mugo Theuri

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Ng'ang'a Thiong'o

My insistence that I wanted to make a phone call to my employer or my lawyer was denied as I was bundled into the cells.

"On the material day I was having lunch at the Law School when the security officer, a Mr. Kithimba, whispered to me that the principal, Tudor Jackson, wished to see me. I left the chicken, Hungarian goulash, chapattis and all the other niceties on the table.

"It was then that one of the men from the second group told me that the officer in charge of the police station wanted to speak to me. I informed him that I would fetch the other reporters so that the officer could talk to us together if he had a press statement, but the man told me that the officer wanted to see me alone. Since I had not met the police boss, I suddenly knew that I was being cleverly lured to the police station. When I became stubborn, the man changed tactics and said that I was actually wanted by the commissioner of police in Nairobi but we had to pick the vehicle to take us there from the police station. Meanwhile, the other men, numbering about 12, had completely surrounded me leaving no doubt that my choices were diminishing by the second.

"It was as we walked towards the station that I asked the man who seemed to be in charge whether I was under arrest and he said no. However, when we entered the police station he told me that I was to be locked in the cells until they were ready to take me to Nairobi. My insistence that I wanted to make a phone call to my employer or my lawyer was denied as I was bundled into the cells. At around 2 o'clock I took them to my office next to Midlands Hotel where they conducted a search. I later took them to my house at Shaabab Estate where they took my passport and some books. After the search we left Nakuru for Nairobi in a white Land Rover where I sat in the back with three of them while two others sat in front with the driver. We talked amiably on the journey with the man who was in charge who stopped the vehicle at a petrol station along the way to let me buy some cigarettes. And when we reached Nairobi they took me to a fast food restaurant where I had chicken and chips before being locked at the Central police station."

Ng'ang'a Thiong'o, then a law student at the Kenya School of Law, was arrested on May 8, 1986. He tells his story: "On the material day I was having lunch at the Law School when the security officer, a Mr. Kithimba, whispered to me that the principal, Tudor Jackson, wished to see me. I left the chicken, Hungarian goulash, chapattis and all the other niceties on the table.

"On reaching Jackson's office, he was nowhere to be seen. Instead, I found six or so smartly dressed men. 'Are you Thiong'o?' one of them asked me. When I answered in the affirmative, they told me that they would just take me across Ralph Bunche Road. When I retorted that none of them was Jackson whom I had been informed wanted to see me they told me that he was the one who had sent them.

"Across the road I was pushed into a Volkswagen kombi, KQG 186. As I entered, a brown lady, draped a black cloth over my eyes. I was told to lie down flat on the floor of the car and they pinned me down with their feet.

“We finally arrived at a police station where the hood was removed from my eyes. The police officer who booked me in was instructed not to allow anybody to see me, not even a lawyer. When I asked since when I had become a prisoner I was told not to worry and promised that I would not be harassed. It was only years later that I learnt that I had been taken to Kileleshwa police station in Nairobi.

“My friend Wanderi Muthigani had been dropped at Kilimani police station. I had not known that he was the one who had been put in the vehicle beside me until we met at Industrial Area Prison after we were jailed. Come midnight and the guys were back. This time I was put in the back of an unmarked Land Rover, which went round for hours on end before it drove into the basement of a building.

The police officer who booked me in was instructed not to allow anybody to see me, not even a lawyer. When I asked since when I had become a prisoner I was told not to worry and promised that I would not be harassed. It was only years later that I learnt that I had been taken to Kileleshwa police station in Nairobi.

Chapter Seven: Nyayo House



Cornelis Akello Onyango

Onyango's experience illustrates a fraction of the suffering, denigration, humiliation, physical and mental abuse of the victims and survivors of the Nyayo House torture chambers and other places of detention during the Moi regime.

Cornelis Akello Onyango was dazed when a beautiful young brown woman menacingly approached him brandishing a razor blade. "Get ready to be circumcised," she barked as she walked towards him.

For him, the fact that the threat was coming from a woman was a shock in itself. The look on her face left no doubt that she was capable of carrying out the threat.

Onyango, stark naked, frightened and his mind in a turmoil, was in front of a group of about 10 stone-faced men. The looks on their faces left no doubt in his mind that at some stage the encounter would develop into a violent and vicious confrontation.

Onyango's experience illustrates a fraction of the suffering, denigration, humiliation, physical and mental abuse of the victims and survivors of the Nyayo House torture chambers and other places of detention during the Moi regime.

Author and historian Maina wa Kinyatti describes the scenario thus: "I was ordered to strip naked and sit down on a chair. My hands were chained to the chair and I could not move at all. From the moment the brutal interrogation started, everything in the room changed and the language of coercion and violence was introduced."

Ng'ang'a Thiong'o's incarceration at Nyayo House has yet to be erased from his mind. "The hood was removed and there I was in a dark cell. The next morning I was put in a lift while blind folded and upon landing several floors above I was taken into a room, put on a seat and there I found myself in front of nine mean-looking guys. 'Tell us about yourself, your friends and your involvement in the struggle,' the interrogation began. Questions and more questions for hours without end were followed by beatings with slaps, kicks, whips, wooden pieces of wood and burning with cigarette ends.

"My screams did not help and as they continued brutalising me, they were insisting that I confess all that I knew or they would kill me. After collapsing due to exhaustion, I was returned to the basement cells. The guards were instructed to continue with the beatings. The beatings continued relentlessly and only the methods varied. One day, they would remove pistols and threaten to shoot me. There were screams from the neighbouring rooms with men screaming at the tops of their voices. I lost count of the days and time, whether it was day or night. It was a total nightmare.

"I ended up being taken before Chief Magistrate H.H. Buch who declined to take my plea as I was his student at the school of Law. A court was hurriedly convened under Mr. Joseph Mango and it was packed with the very people who had been torturing me.

"I was charged with neglecting to prevent the commission of a felony contrary to Section 392 of the penal code. I told the magistrate that I had undergone a harrowing experience in police custody where upon he said he would first enter a plea of guilty and then hear the details. The then deputy public prosecutor Bernard Chunga rose and read a six-page statement on my alleged activities to overthrow the government. Without asking any question, the magistrate wrote that the facts were true and correct. He then wrote mitigation on my behalf and sentenced me to fifteen months imprisonment."

Former Runyenjes Member of Parliament Njeru Kathangu was arrested on July 11, 1990 at Mutugi's Bar and Restaurant in Dagoretti Corner, Nairobi. Kathangu, who was a former senior officer with the Kenya Army, recalls his arrest and interrogation: "Between the time of entering the cell there was nothing – no food, nobody talked to me. There was no need of a short call. I guess it was July 13 that someone came and opened the cell door. I was blindfolded and led to the lift. Nobody was talking to me all the time. I was taken upstairs.

"It was bright and sunny. There were about twelve men and a woman sitting in a horseshoe formation. I was seated in the middle of the room in front of them. They started throwing words wildly and at random. This was an uncoordinated way of interrogating people. One of the questions from Opiyo was 'Tell us General, were you the person to become chief of general staff in your government? George Anyona says that you were recruited specifically for that.'

"After those wild statements I got an opportunity to speak. I told them I was surprised that the Kenya police did not appreciate how difficult it was to overthrow dictators. This was the first time I was slapped by someone from behind me. He asked, 'Who is a dictator here?' I didn't answer that. James Opiyo rose and walked to where I was sitting and pretended to slap me. I raised my hand to protect my face. The man behind me slapped me again. At that time Opiyo challenged me to stand and fight saying that if I could not fight I would be taken back to the cells. I stayed in the cells and I was not given any food.

"The following day I was taken back to the interrogation room and given some pieces of paper stating that we were going to overthrow the government. They asked me to comment on them. I denied them and complained that I had not eaten since July 10 and demanded to be given food. I was given some bread and cigarettes to smoke. After that I was taken down to a cell which was flooded with water. The water reached the ankle. After about two hours they introduced hot air in the cell. I started feeling dizzy and I fell in the water. While in that state I heard the noise of a woman who was in high heels walking back and forth and shuffling some papers. My body was very cold.



Njeru Kathangu

"Between the time of entering the cell there was nothing – no food, nobody talked to me. There was no need of a short call. I guess it was July 13 that someone came and opened the cell door. I was blindfolded and led to the lift.

“Immediately after, a brown woman with a Kikuyu accent came to me and said ‘Kathangu, you have not eaten. Why should you torture yourself? You have a wife and children and here you are protecting people who cannot assist you.’ I asked her, ‘Who are you? A police woman?’ ‘It does not matter,’ she replied, ‘I want to assist you.’ She started fondling me everywhere and telling me that she could assist me get out of the place if only I confessed to having been misled to overthrow the government.

“In the morning I was taken up again to a smaller, slightly darker room where I met Opiyo and another torturer known as Mr. Machiri. They challenged me saying that I was involved in covert activities intended to overthrow the government. I denied being the architect of Saba Saba (events of July 7, 1990 that led to the killing of tens of Kenyans by the police when they attended a pro-democracy rally at Kamukunji grounds in Nairobi) or having any potential to overthrow the government. At this stage Machiri walked out of the room and Opiyo told me, ‘Kathangu, you are an official of KANU and an army man. Why should you be involved with ex-detainees? Please assist us. Tell us about the other three people.’ I declined to respond and Opiyo left the room.

“Immediately after, a brown woman with a Kikuyu accent came to me and said ‘Kathangu, you have not eaten. Why should you torture yourself? You have a wife and children and here you are protecting people who cannot assist you.’ I asked her, ‘Who are you? A police woman?’ ‘It does not matter,’ she replied, ‘I want to assist you.’ She started fondling me everywhere and telling me that she could assist me get out of the place if only I confessed to having been misled to overthrow the government. She continued fondling me until I pushed her away.



She raised the alarm and Opiyo came back. He gave me a blow on my head and I fell down. He beat me with a wooden chair leg and rubber whip until I could no longer stand. He then summoned some people who came and dragged me downstairs.”

Kamau Munene, a journalist with the Kenya News Agency in Kirinyaga District, was arrested in October 1987 on allegations that he was a member of the underground Kenya Patriotic Front. He graphically narrates his ordeal at Nyayo house.

“It was the beginning of an endless journey of torture. I was continually tortured psychologically, physically and mentally with all the crude methods one can think of. It was a very cold cement floor in the dungeons, very lonely, in fact lonelier than a grave, horrifying and scaring. Whenever they wanted to torture me, I would be blindfolded, guided to a VIP lift and whisked up to the 25th floor then walked to the 26th. This is where the torture took place.

“My torturers would remove the blindfold, strip me naked and handcuff me before starting their game. ‘You dog, who are you compared to 23 million Kenyans? Even if you die, you are just a bitch!’ Machiri and Opiyo, who I came to know later, would shout at me while whipping me repeatedly.

“In total, there were seven torturers who were armed with machine guns, batons and whips. Two would work on me until they got tired. A woman torturer would mainly be interested in working on my sex organ which she would pierce with a sharp needle, burn the tip and testicles with a smouldering cigarette while a man held my legs apart. This would continue for several hours every day until I passed out.”

Munene recalls one session when Machiri asked him to confess that he was a member of *Mwakenya* who was also recruiting Nairobi street children to go and train in Libya as mercenaries. He was also asked to admit that he was frequenting Libya and Moscow to meet Muammar Gaddafi, the Libyan leader, and Mikhail Gorbachev, the Russian leader, allegations that he says were untrue.

“At the time, my father was ailing at the Mater Misericordiae hospital and on learning of my arrest and fully aware of the consequences, the old man died. At that time I did not know about it. I did not attend his burial though I was his favourite child. While still in isolation, I felt very sick due to the torture and the hardships that I was subjected to. My right leg had been broken with a rungu and was swollen. At this juncture I believe the special branch had no option but to release me on sensing that I was just about to die. However, I was released with a strict warning that I would be shot on sight should I disclose what I underwent especially so to the media.”

Waweru Kariuki says:
“While in the cells, I heard a woman and children crying. I did not know where the sounds were coming from. Later, the interrogator came to my cell and told me that my wife was there with my children and had confessed. The interrogator had a gun that he used to intimidate me. He told me either to confess or be shot.”



Wachira Waheire

"I was asked whether I knew other colleagues like Mwandawiro Mghanga, Njuguna Mutonya, Njuguna Mutahi and David Murathe, among others. When I answered in the affirmative, I was told to accept that these colleagues had recruited me and had also given me copies of *Pambana* and *Mpatanishi*. When I maintained that that was not true, I was subjected to further beatings and burning with smouldering cigarettes. I was again submerged in the waterlogged cell for a further three days without food or drinking water.

All the Nyayo House torture survivors narrate how they heard mysterious noises of a lady wearing high-heeled shoes walking back and forth on the floor above the torture chambers. There were also noises of pulling and pushing of furniture, shuffling of papers and cries of small children.

Waweru Kariuki says: "While in the cells, I heard a woman and children crying. I did not know where the sounds were coming from. Later, the interrogator came to my cell and told me that my wife was there with my children and had confessed. The interrogator had a gun that he used to intimidate me. He told me either to confess or be shot."

It was later learnt that all the noises were simulated and piped into the cells as a form of psychological torture.

Waweru also went through a harrowing experience with the intriguing light skinned woman. "A brown, pretty woman speaking English and Kiswahili with a Kikuyu accent, was brought to the cell in the basement. I was brought to the open space between the toilet and the control room. She started interrogating me in a persuasive manner urging me to confess. She fondled me, taunting me. She told me that my wife and children had been brought there but I would not be allowed to see them.

"The interrogators then came and found us talking with the brown woman. They reprimanded me and tied my testicles using rubber bands. It was very painful. In the meantime, the brown woman was burning me on my thighs, penis and scrotum with a cigarette."

Professor Edward Oyugi remembers that he was locked up without being entered in the occurrence book at Muthangari police station. He was removed from the cells at night, blindfolded and driven around the city. "I was later taken to Nyayo house basement cells where for about two and a half weeks I was subjected to inhuman and degrading torture. During that time I was put in a waterlogged cell. Early one morning Opiyo paid me a visit to confirm whether I was still in the water. Opiyo was still in his pyjamas and slippers. I got so annoyed and asked him, 'Have you come all the way from Langata to enjoy my suffering instead of being in bed enjoying the warmth of your wife?'" Opiyo was so stung and infuriated by my apparent insolence that he picked one of his slippers and threw it at me." Oyugi also recalls two women torturers threatening to circumcise him.

In an attempt to break down the victims' resistance to physical methods of torture, the torturers would sometimes use the victims to incriminate each other.

Wachira Waheire, a sales executive with a private firm, was arrested at his place of work on December 2, 1986. After being tortured for days without accepting that he was a member of

Mwakenya, he was informed that the special branch already knew who had given him an oath. He says, "I was asked whether I knew other colleagues like Mwandawiro Mghanga, Njuguna Mutonya, Njuguna Mutahi and David Murathe, among others. When I answered in the affirmative, I was told to accept that these colleagues had recruited me and had also given me copies of *Pambana* and *Mpatanishi*. When I maintained that that was not true, I was subjected to further beatings and burning with smouldering cigarettes. I was again submerged in the waterlogged cell for a further three days without food or drinking water. When I was removed from the cell I was taken upstairs to a room where Murathe was being held and asked to identify him as one of those who were administering the oath. I again refused to incriminate him and was taken back to a brightly lit cell in the basement.

"One of the officers was appearing in the cell every morning and telling me that I had little option but certain death if I did not cooperate by accepting that I was a member of Mwakenya. I survived on bread and tea for six days when I broke down and accepted that I had taken an oath."

Waheire was taken to court at 5.30 pm and convicted on his own plea of guilty. He was jailed for four years on December 17, 1986. His plea of guilt obviously meant that Mghanga, Mutonya, Mutahi and Murathe recruited him.

For Maurice Adongo Ogony, then a lecturer at the Mombasa Polytechnic, Nyayo House was a place of discoveries. "I made a few interesting and sometimes painful discoveries in that joint," Adongo who was arrested in April 1986 narrates.

"The one thing that frightened me the most when I first got the blindfolds removed from my face and got to see outside my cell were the bundles of clothes in front of the opposite doors. I kept asking myself and imagining endlessly where the heck the folks who once put on those clothes could be.

"It didn't take long for me to find that out, -thanks to one James Opiyo, -who on my third day of interrogation ordered that I be taken to the swimming pool. When I arrived at the door, I was told to remove all my clothes including the underwear and enter. I could feel a smile creeping into my face when I realised that the once proud wearers of those now miserable looking pieces of clothes must have been in the pool all this time I had been worrying about them. That smile was abruptly wiped off my face when I stepped into the pool. The water was chilly and there were some creepy stuff floating there.

"I quickly turned back to Opiyo who was standing beside me. You can't put people in here, I said half begging half angry. He slammed the door in my face as if to announce. 'Yes I can.'

In my dazed state again there was that mischievous smile creeping on my face. I said to myself, 'So that explains the terrible landing noises I had been hearing from neighbouring cells?' Folks were falling down like leaves from exhaustion. That is what I know about Nyayo House. It was a place of discoveries"

They also wanted to know if I had any idea of the allegedly seditious documents which they had taken from our house, and if Koigi Wamwere and Raila Odinga had ever visited us. They later took the typewriter from my office at the ministry of education to compare with the characters of the machine that had typed the documents found in our house.

Adongo was yet to make another discovery not any bit more pleasant than the first one. "My second discovery happened on my third day at the pool. I was exhausted, restless and feeling terribly sick. I couldn't sit, couldn't stand and my head was heavy like lead. Somewhere in the middle of all these I fell asleep while standing and fell down on the concrete floor with a thunderous splash. In my dazed state again there was that mischievous smile creeping on my face. I said to myself, 'So that explains the terrible landing noises I had been hearing from neighbouring cells?' Folks were falling down like leaves from exhaustion. That is what I know about Nyayo House. It was a place of discoveries"

Spouses of Mwakenya suspects were also not spared by the torturers. Emma Ainea Weyula, a copy typist in the ministry of education, was arrested together with her husband on November 29, 1990 in Milimani estate, Bungoma Township. She was recovering from a caesarean operation that she had undergone only two months earlier.

She tells her story: "I was arrested by a team of 14 special branch and CID men led by Superintendent Kasera, Inspector Clement Masinza and deputy DCIO Wang'ombe. There was no woman in the team. They thoroughly searched our house, slapped me and told me that my husband's case was serious and he might not come back. I was bundled into the back of a car and driven to the Bungoma police station a few minutes after they had driven off with my husband in a Land Rover. At the police station, we stood outside and they started interrogating me.

"During the interrogation, they wanted to know more about my husband, Cornelius Mulumia, especially his activities in Mwakenya and other underground movements that I did not know about. They also wanted to know if I had any idea of the allegedly seditious documents which they had taken from our house, and if Koigi Wamwere and Raila Odinga had ever visited us. They later took the typewriter from my office at the ministry of education to compare with the characters of the machine that had typed the documents found in our house. For the 14 days I stayed in custody I felt as if it was 10 years. All this time my young children, a daughter aged 5 and a son aged 3, were under the care of my neighbours."

The husband takes up the story: "After the search that lasted for over an hour, they drove me in a Land Rover to Bungoma police station where I found my wife being interrogated by a group of over six policemen. I was put in a cell and through a small hole on the door I could observe my wife being taken to another cell. One hour later, they came for me and took me to the special branch office where I found her being interrogated. As we entered, they welcomed me with slaps and kicks before they returned me to the cell where I stayed for another three days.

"From December 10, 1990, to February 18, 1991 they shunted me from Bungoma, Eldoret forest, Kakamega, Webuye Falls and back to Bungoma. In between, they beat me using a whip, pierced my fingers with a needle and forced me to do all sorts of exercises including press-ups while demanding information on guns and underground movements like Mwakenya. In June 1991 I was finally released but I have yet to recover my health and social status."

Torture in the Nyayo house basement resulted in death. The most well known case was that of Peter Njenga Karanja, a businessman who was arrested from his Chelsea Coffee House in Nakuru on allegations of being a member of Mwakenya.

In February 1987, Karanja died from internal bleeding and open wounds inflicted upon him during two weeks of brutal torture at Nyayo House. The public outcry and international condemnation of Karanja's death forced the Moi government to concede to a government-controlled inquest into the death.

During the inquest horrifying facts of criminal abuse of human rights going on at Nyayo House were revealed. Dr. Peter Antony Carberry, who examined Karanja, told the inquest that when four Special Branch officers brought the deceased to him, he appeared "malnourished, restless and uneasy"

"He was weary looking, extremely sick, full of anxiety and not a forthcoming person.he was crumpled in a wheelchair," the doctor said. Commenting on the wounds and sores on Karanja's body during cross-examination by the late Dr. Oki Ooko Ombaka, representing the Karanja family, Dr. Carberry said: "The ulcers on his body were bad, open and quite visible to the naked eye. The skin was badly shattered. The whole thing looked like a crater, a deep tissue with pus emanating from it."

Dr. Jason Kaviti, the then chief government pathologist who performed an autopsy on Karanja's body, told the inquest that the wounds were caused by a blunt object. Kaviti told the inquest that the small and large intestines had ruptured. He concurred with Dr. Carberry that the wounds were about two weeks old at the time Karanja died.

In his ruling, the Chief Magistrate, Mr. Joseph Mango, declared: "Karanja died like a caged animal as police stood guard over him throughout his dying moments". The magistrate concluded that he had no doubt that some offence had been committed but could not say by who because the policeman in charge of the Mwakenya interrogation, Superintendent James Opiyo, refused to give identity of the officers who interrogated Karanja claiming such information would compromise state security.



*Mrs Veronica Karanja
narrating her ordeal*

The investigation carried out by the police was not up to the standard. It was done with some kind of fear.

"My opinion and therefore finding is that the matter needs further investigations as I have no doubts that some offence was committed leading to the death of the deceased.

I cannot say by who and so in terms of section 387 (4) of the criminal procedure code direct that this ruling for whatever it is worth be typed and be forwarded to the Attorney General to take any other or further steps that he may deem necessary."

"On the evidence of the suspects (the police officers who had handled the deceased) I cannot rule that no offence has been committed in so far as the treatment of the deceased was concerned. The investigation carried out by the police was not up to the standard. It was done with some kind of fear.

"My opinion and therefore finding is that the matter needs further investigations as I have no doubts that some offence was committed leading to the death of the deceased. I cannot say by who and so in terms of section 387 (4) of the criminal procedure code direct that this ruling for whatever it is worth be typed and be forwarded to the Attorney General to take any other or further steps that he may deem necessary."

The Chief Magistrate ordered that the Attorney General needed to carry out further investigation to identify and charge those responsible. However, no further investigations were carried out and although there has not been evidence to show otherwise police have never come out to deny the findings of the inquest or to explain how Karanja died while in their custody.

Cabinet Minister Raila Odinga walks through Nyayo House Torture Chambers as he recounts the agony he went through in 1989 and 1990 accompanied his son Fidelis Odinga(left). This was during the minister's tour to the chambers of torture.



Chapter Eight: In Prison

"Life in Prison is very brutal. It is an endless torture like a flowing river. It is gradual destruction of humanity. It is a slow death. ... Since we were thrown here many prisoners have died. In addition we don't sleep at night because of the lice, fleas, ticks, bedbugs and vicious mosquitoes. They eat us a live." Letter smuggled from prison, 1988 One prominent judge described Kenyan prisons as death chambers. Justice Emmanuel O'Kubasu, while describing the harshness of the prison conditions, said those who entered prisons left alive only by the grace of God.

Even for ordinary criminals, Kenya's prison conditions are brutal. From the food, sleeping arrangements, medical services, overcrowding to sanitation, the prisons are not designed to rehabilitate but to dehumanise the prisoners. And although the law prescribes relatively humane ways of treatment of prisoners these are largely ignored through lean budgetary allocations, the level of training of prison warders and a cumbersome process for prisoners to demand these legal rights.

Because they were regarded by prisons' authorities as enemies of the state, conditions for the Nyayo House torture survivors who went to prison were made extra harsh.

Ironically, a lot of those who went to prison did so after pleading guilty to avoid the inhuman torture they were being subjected at Nyayo House. But it did not take long for them to realise that the difference between the torture in Nyayo House and in prison was more of time rather than intensity. Because they wanted to achieve their goals in a short period the torturers at Nyayo House, James Opiyo and his group, did their job fast. But the prison conditions inflicted more pain and claimed more lives in the long run than Opiyo and his group in Nyayo House.

Political prisoners, including those jailed for the 1982 Air Force coup, were ridiculed and beaten by prison warders whenever an opportunity was found. Indeed, the degrading treatment started immediately one entered the prison gates. Maina wa Kinyatti tells his experience at Industrial Area Remand Prison:

"Finally, I was escorted to the next check point. 'Take off your clothes including your underwear and shoes and give them to that askari over there, then come back here,' the guard ordered. I hesitated ... I thought the guard was pulling my leg. 'Professor, did you hear what I just said?' The guard screamed.

"Reluctantly, I obeyed the order. He examined my ears, armpits, nostrils, genitals and then he commanded, 'Turn around and bend over with your legs apart ... Damn-it, bend over more ... and if you fart, I will skin you alive.' He parted the lips of my buttocks and examined my anus.

Political prisoners, including those jailed for the 1982 Air Force coup, were ridiculed and beaten by prison warders whenever an opportunity was found. Indeed, the degrading treatment started immediately one entered the prison gates. Maina wa Kinyatti tells his experience at Industrial Area Remand Prison:

“The prison officers threatened that they would place 24 hour surveillance on us, put us on hard labour and deny us all the rights of a prisoner. They mocked us that we were criminals and political prisoners and they would therefore have no mercy on us. They locked seven of us in a cell meant for three people but realising that we would suffocate we threatened to break out. They stormed the cell and beat us mercilessly and later transferred us to Kamiti.

“I was to stand there naked for more than 30 minutes while my clothes were being examined. The whole drama was the most degrading and humiliating experience of my life. The guard, however, seemed to enjoy it.”

All prisons in Kenya have no running water. Toilets overflow especially in the mornings when the prisoners queue to relieve themselves and to empty the chamber pots which they use as toilets at night. Continues Kinyatti:

“We don’t bathe or wash our clothes. Toilets look like open sewers. To reach one, an inmate must wade through maggots, urine and shit. Lack of water and basic hygienic facilities causes serious diseases like cholera. One prison officer told me the other day: ‘Really, we don’t care if all of you can die... you are pains in the ass the government is struggling with.’ I looked at the man for a minute, and then walked away, boiling with rage.”

According to Ng’ang’a Thiong’o, prison officials at Industrial Area Prison would lecture the political prisoners on how foolish it was to try to overthrow the government instead of making money. They would then taunt the prisoners that all their education was in vain.

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“At Kamiti, we were lucky to find the likes of Onyango Oloo, Maina wa Kinyatti, Gitobu Imanyara, Karuga Wandai and former Kenya Air Force soldiers. They all encouraged us to face the atrocities with strength. Other political prisoners like David Murathe, Kimani Wanyoike and Tirop Kitur came with news from outside. Kiraitu Murungi (now minister for Justice and Constitutional Affairs) came to see us and informed us that he had taken up our appeals *pro bono*. However, we were later saddened to learn that our appeals had been struck out on technicalities.”

James Apiny Adhiambo was jailed for life in the aftermath of the abortive 1982 coup. He recounts his experiences at Kamiti:

“The worst thing was the constant shortage of water. We could not keep ourselves, our clothing or our cells clean, and the whole block was filthy and stinking. Because of the shortage of water, the containers in each cell that were used for urination were collected and used to wash

the floors. The whole block was crawling with lice, and the prisoners were dirty, shaggy and sickly. Because of the shortage we could only eat once a day, sometimes as late as 11 p.m. Some days we could not eat at all."

Like other prisoners, Nyayo house torture survivors were subjected to a degrading prison life where they were mere statistics in the prison books. They went with very scanty clothing that was in shreds. Bedding in the shape of a tattered blanket was both the mattress and the cover. Often, it would be infested with crawling lice that prison warders proclaimed as fellow 'askaris.' Irrespective of the climatic factors, it was that same prison garb of a cotton pair of short trousers and short-sleeved collarless shirt. The uniform has over the years come to be referred to by the prisoners as "*Kunguru*" which is the Swahili name for the crow.

Wafula Buke was arrested on November 14, 1987. He was then a student leader at the university of Nairobi. He was accused of being a spy of the Libyan government and jailed for five years. This is how he describes the prison conditions: "The prison uniform, popularly known as '*kunguru*', was very demeaning and dehumanising. One had to wear it without underpants. In most cases it was filthy, tattered and infested with lice. If one was lucky, you were given one blanket to shield you from the cold and cushion you from the cold cement floor. The food was badly cooked, dirty and monotonous. We had to contend with *ugali* (thick porridge), *sukuma wiki* (collard greens) and beans for the entire length of the prison term. I developed a skin condition due to lack of vitamins.

"Cells were particularly crowded, sometimes six or seven prisoners would be crammed in a five by eight feet room. We would all be forced to face one direction when sleeping and only turn in rhythm. Everyday we lived with the threat of contracting serious diseases. Occasionally we did. The skin disease was the most common."

In Kitale Farm prison, there were four Mwakenya prisoners, Maina Kiongo, Munyui Kahuha, Njuguna Mutahi and George Mburu. The four were confined with capital remand prisoners.

Njuguna recounts: "The capital remand cell was a prison within a prison. Placed within the walls of the greater prison, it comprised of an eight by six structure accommodating between 30 and 40 people at any given time. The inmates were always packed like sardines and during the nights, it meant one had to involve all the cellmates to be able to turn. Indeed, the inmates had to draw a timetable to regulate turning intervals. In most nights a possibility of death by suffocation was a recurring nightmare."

One of the things that really aggravated the already appalling conditions of the political prisoners was the denial of medical attention. According to Dr. Lucas Munyua, there is little



Wafula Buke

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“As a doctor, I felt very frustrated when I saw the prison medical officer, a Dr. Owino, prescribe painkillers to patients suffering from serious diseases such as malaria, typhoid and pneumonia. It was against professional medical practice but I was helpless. When I told him that it was wrong to prescribe painkillers for such diseases, Owino looked at me dismissively as a prisoner and not as a qualified doctor. I still do not know whether Owino himself was a fully qualified doctor.”

doubt that denial of medical attention while in prison is a deliberate attempt by the state to mete out additional punishment than that to which the sentencing court has subjected a political prisoner.

“Convicts and remandees suffer alike from this medical neglect. The experience is especially excruciating for the political prisoners who happen to be people the government of the day has an open grudge against,” he explains.

Doctor Munyua, a medical practitioner and human rights’ activist who has attended to many prisoners, adds that, as a doctor, the government made it very difficult for him to access his patients.

“There is a problem there because although I’m not completely prevented from seeing them, I am subjected to unnecessary hardship and delays. Sometimes I am delayed for over two hours before seeing my prison patients and when I finally see them I cannot finish my examination. Again before I can see them the prison doctor is required to be there, yet he is not available all the time. For example, the doctor in Kamiti told me that he was available there only on Tuesdays, Thursdays and Fridays and, mark you, he cannot be there all day during those days because he says he has other things to attend to. My intention is to see them as regularly as possible but I cannot.”

Dr. Odhiambo Olel was the personal physician to the doyen of opposition politics in Kenya, the late Jaramogi Oginga Odinga. In 1986 he was convicted and jailed for five years for being a member of the Mwakenya underground movement. He observes: “As a doctor, I felt very frustrated when I saw the prison medical officer, a Dr. Owino, prescribe painkillers to patients suffering from serious diseases such as malaria, typhoid and pneumonia. It was against professional medical practice but I was helpless. When I told him that it was wrong to prescribe painkillers for such diseases, Owino looked at me dismissively as a prisoner and not as a qualified doctor. I still do not know whether Owino himself was a fully qualified doctor.”

Maina wa Kinyatti best summarises the provision of medical services in prison. “Medical care? There is only one doctor for 2500 prisoners and he only comes here twice a week,” he says about Kamiti prison.

“Pellagra, scabies, diarrhoea, malaria, malnutrition and tuberculosis are common diseases in this prison. These ailments are treated with panadol tablets. When the doctor comes, we squat outside the prison clinic, and are called in one at a time. Before the patient explains his problem, the doctor calls a nurse and tells him: ‘Give this prisoner two aspirins and three panadol tablets.’

If one complains of chest pains, he gets panadol... if one has ringworms, tuberculosis or venereal disease; the medicine is aspirin or panadol.... Beside their arrogance and brutality, they (doctors) appropriate drugs for themselves, leaving prisoners with no medicines at all."

With such kind of medical neglect, it is not surprising that many prisoners have succumbed to simple treatable ailments. Among the political prisoners who died include Titus Adungosi and John Mungai Waruiru.

John Mungai was jailed on June 23, 1986 for seven years for distributing seditious publications. He developed tuberculosis while at Kamiti prison and died in July 1988.

Recalls his mother: "He was well at the beginning, but when we visited him one time at Manyani, we found him so sickly that his brother Muiruri was shocked. Mungai told Muiruri that he might not find him alive next time. When we visited him again we were refused to see him. The prison authorities told us that he died of tuberculosis but we did not believe them because TB could have been cured. My daughter once had TB and it was cured. We suspect that there was foul play because he died within two months, which is too short a period for one to die of TB."

Mungai's mother is not sure when and where her son died. She says a letter was sent to the family from Kamiti Prison informing them of Mungai's death and telling them to collect the body at Nairobi's City Mortuary.

The poor diet also contributed to the weakness of the prisoners' bodies and added to their susceptibility to diseases. Prison food consisted of a monotonous diet of ugali (thick porridge) with beans for supper and with a few pieces of collard greens floating in water for lunch. The morning meal was light porridge without sugar or milk.

"Food is a serious problem here (prison)," continues Kinyatti in his bok, prison diary. "We eat three times a day. They feed us boiled, tasteless food without fat and it is not enough. We are always hungry. Breakfast is cold sugarless porridge full of sand, cockroaches and flies. Lunch is half-cooked ugali (maize meal) with yellow, dirty *sukuma wiki* (collard greens). Supper was composed of half-cooked cold ugali and rotten beans full of worms and stones. Even a pig would refuse to eat this crap."

Even with the adversities that faced them some of the prisoners still had the courage to protest about the harsh prison conditions and especially the food. The most common form of protest was hunger strike. Although the protesters won small concessions the eventual winner was always the prison system.

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“Unlike an industrial strike in a company there is no notice for a hunger strike. Mostly, information about the strike reaches the prison warders through other prisoners, then the warders would ask the protesters the purpose of the strike after which they relay the information to the officer in charge of the prison. There is hardly ever dialogue between the strikers and the officer in charge during the strike. The officer only gives orders to his juniors on measures to break the strike.

Mugo Theuri recalls when he and his fellow political prisoners at the Eldoret prison who included Mwandawiro Mghanga and Joseph Gichuki Karanja protested about the food by going on hunger strike. They also wanted a general improvement of the prison conditions.

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“Sometimes they would attempt to divide the strikers by isolating the person perceived to be the leader of the strike. If this fails then they would take steps to make life even more difficult for the strikers. These may include refusing to open the cells for the strikers to go and empty their chamber pots which makes it extremely difficult for the prisoner to stay in the small room with a chamber pot overflowing with his own stinking waste.

“Even before the strike was resolved at Eldoret prison we were woken up early one morning without prior notice, bundled into the prison van and driven to Kibos prison in Kisumu. Immediately we arrived there we were put in solitary confinement by the then officer in charge, Julius Sang. Sang was a sadistic officer who felt personally offended by the Mwakenya movement. When we arrived in his prison he told us that he would crush us by putting us in sacks if we thought we were too big for the prison system. We would not be transferred to any other place if we brought problems to ‘his’ prison, he warned.

“However, the food at Kibos was quite good compared to the other prisons (Kodiaga, Eldoret, Kamiti and Nairobi’s Industrial Area) I had passed through.

“After a few months Sang released us from solitary confinement and allowed us to sit in the corridor of our prison block and socialise among ourselves but strictly not with the other prisoners. Things changed again when there was a drought and they started feeding us on yellowish vegetables. Meals also started getting irregular. We refused to eat arguing that the weather conditions outside was not our concern and that it was the responsibility of the government to find proper food for prisoners irrespective of the weather.

“This time the strike lasted three days and it was a very tense period. Sang started by successfully persuading some of our colleagues to abandon the strike. Only Karanja Wandui who had joined us from Kodiaga prison, Mwandawiro, Gichuki Karanja and myself were left to continue with the strike after the three other succumbed. Sang unsuccessfully used them to try to show

us the futility of the strike after which he ordered that our cells should not be opened and that we should not be given water. We called off the strike when Sang' ordered that our cells be opened on the third day and we be allowed to bathe. For us this was a victory because it showed he was the first to stretch an olive branch."

"Even in prison," continues Theuri, "there is a judicial system. Only that one can hardly expect justice in a prison situation. After we broke the strike we were taken before the officer in charge and charged with the offence of refusing to take our food. In my mitigation, I said that I had not refused to eat but that I had considered the food I was given unfit for human consumption. Needless to say, I was found guilty of the offence and sentenced to seven days solitary confinement on half ration and three extra days added to my imprisonment. But the food improved."

The one aspect of prison life for political activists hardly known to the outside world is of course the fact that due to the ingenuity and sheer determination of activists, these institutions themselves were transformed into battlegrounds where the activists sharpened their ideological and organisational skills and continued to engage in active struggle against the repressive Moi regime.

In almost all the prisons where there were a significant number of political prisoners. They quickly developed their own clandestine communication lines and facilitated discussions to identify tasks to be undertaken to continue their involvement in the Kenyan struggle.

One has to remember that in all these institutions having a newspaper, leave alone books to read, was itself an offence that could lead to serious beating and even condemnation to solitary confinement. Despite all that, political prisoners organised themselves and were able to access newspapers and books as well as arrange meetings, organise discussion groups, present papers, debate issues of the day and of course produce political materials distributed inside and outside prison to further the struggle for democracy and social justice. These battles were waged under the very noses of the notoriously vicious prison guards and at great risk to the activists. With the transfers of prisoners from one institution to the other there was fairly good and complex communication lines between comrades in different institutions.

It might be observed that the prison crop of activists became some of the most determined and better organised cadres in the struggle for democracy and human rights in Kenya over the last decade or so. Today one can hardly walk in any human rights office without meeting that crop of activists. Of course the struggle did not end with Mwakenya and today just about every frontline, human rights activists are very well schooled in the battlefield of the police cells and the treacherous prison system.

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Chapter Nine: Exile



Gitau Wanguthi

“To survive, we teamed up and put our money together and spent it collectively. In this way we would afford a semblance of decent housing, food and clothing. During some hard times we lacked food and literary fed on wild leaves and berries.”

Those who escaped the Mwakenya dragnet to exile thought they were lucky. In the real sense it was like the proverbial “leaping from the flying pan into the fire.” Exile was like a prison outside a prison.

The first destination of those who escaped was Tanzania. The choice was not accidental. The country had a history of progressive politics and was thought to be sympathetic to democratic struggles in Africa because of its consistent record of support for the liberation movements in southern Africa.

However, in the mid-1980's, the political situation had changed drastically. Tanzania was in the throes of transformation from the leadership of Mwalimu Julius Kabarage Nyerere's *Ujamaa* ideology to Ali Hassan Mwinyi's capitalist approach. The Kenyan exiles landed there to find a government that was hostile to their presence and which was desperate to mend fences with the Moi regime.

The Tanzanian government's policy was therefore to ensure that Kenyans did not get refugee status in the country and could only stay on a temporary basis as the United Nations High Commission for Refugees (UNHCR) looked for resettlement elsewhere.

For most Kenyan activists, fleeing the country into relative safety outside the Kenyan borders was a means of continuing the struggle to achieve democracy and liberty in their motherland.

Exile by its very nature presented difficult challenges to these activists. Most of the refugees had literally abandoned their families and simply vanished without informing them fearing they may put their families in danger of arrest and torture by the Kenyan police in case the family members knew what was happening. The first anguish of exile was not knowing what was happening to family members left behind. Then came the problem of survival in a foreign country with no money, no relatives and nobody to turn to for help.

“The exiles generally could not be employed and the only source of support was the meagre allowances from the UNHCR. This translated into Tanzania Shs 15,000 per month or Kenya Shs 150 (about 2 US dollars),” says Gitau Wanguthi, one of the former exiles.

“To survive, we teamed up and put our money together and spent it collectively. In this way we would afford a semblance of decent housing, food and clothing. During some hard times we lacked food and literary fed on wild leaves and berries.”

The biggest problem was boredom and drudgery of life in exile. “Since we were not allowed to get employment, everyday life was monotonous and there was always the danger of engaging

in self-destructive social tendencies. To survive this, we formed study groups in which we held discussions on the struggle for liberating Kenya from dictatorship.

“The worst part of exile life in Tanzania was the feeling of being so near home yet so far. This reality gravely sunk in when I lost both my parents, my mother in 1987 and my father in 1989. Yet I could not attend their funerals. One of my daughters was born while I was in exile and it was four years later that I had a chance to set my eyes on her.

“At another level, I remember with a sense of impotence my inability to directly influence political developments that were happening in Kenya around that time. The sense of frustration was utterly depressing,” Says Gitau.

Many Kenyan activists first escaped by foot through the so-called *panya* (rat) route into the neighbouring countries of Uganda and Tanzania. In mid 1980's Tanzania had become home to a significant number of Kenyan political exiles.

Many of those who left prison could not reconcile living under the same Moi regime as if nothing had happened. They were very bitter. To satisfy their burning desire to continue with the struggle, they found it logical to join their colleagues who had already gone into exile in Tanzania to keep the fire burning.

Tanzania became the melting pot of Kenyan underground politics. It brought together those who had worked together in Mwakenya, others who had worked together at the University and others who had met in prison. They included Kaara Macharia, Kishushe Mzirai, Onyango Oloo, Adongo Ogony, Gicheha Mungai, Njuguna Mutahi, Gitau Wanguthi, Kibachia Gatu, Kinyua Rungurwa, Nduati Macharia, Omondi Kabir, Jeff Mwangi Kwirikia, Githirwa Muhoro, Rateng' Oginga Ogego, Mwandawiro Mghanga and Stephen Karanja, among others.

Contrary to the general opinion, those in exile were not working under the same political front. Apparently, political differences over the conduct of Mwakenya affairs had led to emergence of factions. The Mwakenya faction remained under the patronage of Professor Ngugi wa Thiong'o who was based in London while the Dar es Salaam branch operated under the leadership of Kinyua Rungurwa. The breakaway faction formed the Me Katilili Revolutionary Movement (MEKAREMO) under the leadership of Kaara Macharia.

However, despite the differences, both groups retained a common commitment to struggle for liberation of Kenya, albeit from different fronts. The commonality of intention was well illustrated in the principle which both adopted that all compatriots would remain in Tanzania for as long as possible, the logic of it being to be as close as possible with the on-going struggle at home.

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In early 1988, President Moi, fearing that the exiled students were becoming a thorn on his behind and worried that the students were joining hands with international human rights groups, offered an amnesty to all exiled students in Tanzania to come back to Kenya and resume their studies.

In December 1990, MEKAREMO merged with the Zimbabwe-based Kenyan Anti-imperialist Front (KAIF) led by Professor Micere Githae Mugo and Shadrack Gutto to form the latter day UWAKE, an acronym for *Umoja wa Wazalendo Kukomboa Kenya*.

The compatriots based abroad were also active in organising movements to spearhead the liberation struggle. Notably, in the United Kingdom, UKENYA was active in political mobilisation under the leadership of Yusuf Hassan. In Sweden, there was the Organisation for Democracy in Kenya (ODK) led by Patrick Onyango Sumba, in Norway, Koigi Wa Wamwere formed Kenya patriotic Front (KPF) and lastly, *Muungano wa Demokrasia Kenya* (MDK) was operational in the US under Mwakuduwa Mwachofi.

All these efforts made significant progress in exposing the Moi regime internationally. The contributions of individuals such as the late Mukaru Ng'ang'a, the late Mwakuduwa Mwachofi and the late Githirwa Muhoro are illustrative of the sacrifices that have gone into bringing Kenya where it is today.

In 1987 Amnesty International released its first extensive expose of the gross violations of human rights that were going on under the Moi regime. The 57-page booklet, complete with hundreds of names of those who had been tortured at Nyayo House and jailed after Kangaroo trials, as well as pictures of some of the victims and vivid personal accounts from prisoners, shocked the nation and for once put to rest the myth that Kenya was an oasis of peace and tranquillity in Africa.

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The response from the students was swift and defiant. They demanded the immediate release of all political prisoners, the repeal of Section 2A of the Kenyan constitution which made Kenya a one party state, an end to detention without trial and a complete end to political persecution of human rights activists, among other demands, before they could even consider Moi's offer. They never got a response from the president but it is significant to note that those demands made by the students in 1988 became the rallying point of the multi-party struggle that took another whole decade to achieve its objective.

By 1989 Kenyan exiles had become one of the major opposition forces the Moi dictatorship had to contend with. Some of the activists from Tanzania had moved to different countries including

Norway, Sweden, Canada and the United States joining forces with both Kenyan and international human rights activists to confront the Moi dictatorship in virtually every front of struggle.

Kenyan exiles by this time were working in two main fronts, which of course were not necessarily exclusive. There was the clandestine front operating under the very noses of the agents of the dictatorship and pushing the regime to the edge of desperation. On the other hand were overt human rights groups agitating for an end to international loans and donor money to the corrupt regime and urging the international community to isolate Moi and his government. This campaign was massively successful and one can say that it marked the beginning of the end of the Moi regime.

By 1990 Moi was having difficulties visiting any foreign country without the embarrassment of facing angry placard-waving demonstrators condemning his dictatorial rule.

In 1991 Moi recalled his High Commissioner to Canada, Mr. Peter Maragia Nyamweya, in protest because exiles in Canada had been organised demonstrations at the Kenyan Embassy to protest violations of human rights and demand an end to one party rule at home. This was the first and last time Kenya recalled its diplomatic representative in a foreign country due to political activities of exiles. It indicated the desperation of the Moi regime in dealing with activists whom the government could not arrest. In Nairobi the government organised Kanu youth wingers to stone the Canadian Embassy, something that only succeeded in making the government look petty and ridiculous.

In 1990s the exile community, working hand in hand with the human rights activists in the country, carried out an intensive campaign all across the globe to isolate the Moi dictatorship from the international community of nations and to demand that all foreign aid and assistance to Kenya be tied to the improvement of human rights and the elimination of corruption. This campaign bore fruit when gradually almost every western country and even the International Monetary Fund and World Bank cut off aid as well as loans to Kenya, thus pushing the Moi regime into the brink of collapse. Indeed, it is safe to say that one of the cornerstones of the war against the Moi dictatorship was the success of the campaign to isolate the regime and to dry out the funding that the rulers were using to enrich themselves and to finance repression in the country.

Exile also provided the activists with an opportunity to document the atrocities of the Moi regime and to produce magazines, newsletters, posters and other materials to inform the world about what was going on in Kenya and to agitate for change. Publications like *Haki, Kumekucha*,

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In 1991 Moi recalled his High Commissioner to Canada, Mr. Peter Maragia Nyamweya, in protest because exiles in Canada had been allowed to organise demonstrations at the Kenyan Embassy to protest violations of human rights and demand an end to one party rule at home. This was the first and last time Kenya recalled its diplomatic representative in a foreign country due to political activities of exiles. It indicated the desperation of the Moi regime in dealing with activists whom the government could not arrest.

among others, were trailblazers in the effort of Kenyan activists to provide alternative progressive media at a time when mainstream media was caught up in the frenzy of sycophancy and parochialism.

Chapter Ten: Role of Women

Women have played varied roles in the struggle for democracy in Kenya. Some, such as Njeri Kabeberi, Wahu Kaara, Mumbi wa Maina, Wanjiru Kihoro, among others, were political activists in their own right. One woman, Florence Nyaguthie Murage, was picked up and harassed as she says:

"I was arrested on August 7, 1990 on allegations that I had in my possession a seditious document entitled *Security Home Boys* which I had never seen. I was arrested at around 2.00 a.m. by eight police officers from Lang'ata Police Station led by one inspector Christine. They carried out a search in my house and claimed to have found what they were looking for. They did not show me what they had uncovered.

"I was taken by Land Rover to Langata Police Station from where I was taken to the 25th floor of Nyayo House for a six hour interrogation session and returned to Lang'ata Police station where I was locked up for four days.

"My torture experience was mainly psychological especially the anxiety surrounding my arrest. The long interrogations were a source of great discomfort, especially when I was threatened with being put in a cell with a snake. At another moment I was removed from Lang'ata Police station and taken to my office where a three-hour search was conducted. At another time I was taken at night to my house for a shower with a police officer standing guard by the door.

"I remember the names of a Mr. Chelimo or Cheruiyot and a Mr. Wachira as some of the interrogating officers.

"Two weeks after my arrest I was taken to court and pleaded not guilty after which I was remanded in Langata Women Prison. My lawyer, Musyoka Annan, applied for bail and I was released on a Shs 50,000 bond after two weeks in prison. I continued attending monthly court mentions for six months until the state entered a *nolle prosequi* on account of my pregnancy.

"I was held in isolation for the days that I was in prison. I recall suffering in prison as I was forced to wear a lice-infested uniform and walk barefoot. I had only one blanket which could not keep me warm. The prison food was also bad and my visitors were closely watched. I also faced a lot of hostility from the warders.

"The major effect of my experience is that my boyfriend abandoned me despite my being pregnant. I have had to bring up our child alone. The six months I had to attend the mentions of my case were the most trying due to uncertainty of the outcome. I also lost my friends who did not want to be associated with me. Some of my family members regarded me with a lot of suspicion and also shunned me for engaging in politics.



Florence Nyaguthie Murage

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*Nduta wa Koigi and
Mumbi wa Maina*

Apart from those like Nyaguthie who were actually tortured, other women suffered because of the incarceration of their husbands, sons or brothers. The women who were politically conscious at least understood why their men were imprisoned or went into exile.

"After my acquittal I was recalled to employment but was transferred to another department. This could have been motivated by mistrust."

Apart from those like Nyaguthie who were actually tortured, other women suffered because of the incarceration of their husbands, sons or brothers. The women who were politically conscious at least understood why their men were imprisoned or went into exile.

Wahu Kaara has this to say: "Coping with life during my husband Kaara Macharia's exile was not easy. But when confronted by a challenging situation most human beings are normally capable of adapting, so I had to adapt quickly. I was the headmistress of a school in a rural setting and I could therefore not do anything unnoticed. I therefore had to quickly think of how to manage the crisis.

"First, I had to control my emotions. I remained calm and poised as if nothing had happened. This is because every eye was focused on my children and myself. I had to behave as if nothing had gone wrong. This was appropriate since it reduced chances of any state-sponsored person bent on following him to exile.

"I therefore made sure that I was in control of my work and tried to lead a normal life. I had to be punctual at work, talk to people calmly so as not to lead them into thinking that I was really suffering and therefore open up room for them to push me to the defensive. Tolerance, patience and clarity in decision-making were required of me. There are times those working under me thought they would take advantage of the situation. It is a combination of all the tactics I have mentioned, seasoned with a measured engagement of my emotions, that helped me cope with the initial crisis occasioned by my husband's flight to exile.

"Even when the police and the intelligence detail came to interrogate me and search my house, which they did several times and often in odd hours, I took it calmly and treated them as government officers doing their work. I never appeared guilty or suspicious of any wrong and this helped me a lot because they always came expecting me to resist them but found the contrary. They normally found me composed and ready to listen to what they were saying. However, I was alert and keen on any leading questions that they asked so as to avoid giving readily conceived answers. This often disarmed them and they did not know what to do with me.

"I think I am one of the few who were not taken to Nyayo house because they could not get reason to do so. I had already established within my locality that there was nothing to charge me with or induce any suspicion on the part of the state security agents over me. This made them very cautious every time they came to my house for their routine searches.

"All these happenings did not frighten me. I think the greatest advantage I had is that I was conscious of what was happening politically and so most of what was needed of me was creativity and a mind alert to the fact that I was a hunted person. It was important for me to know who was hunting me so that I could keep ahead of them. I was able to monitor my surveillance team everywhere I went and with time, we came to know each other face to face. So they knew I was aware of them following me."

The mothers of political prisoners, who staged one of the most dramatic protests in Kenya at Freedom Corner, knew that their role as mothers included fighting for human rights and justice in Kenya. Mama Elizabeth sums up this:

"What I would like to say is that Kenyans have tried. This struggle for a free Kenya must go on. We must, however, know that we are struggling against people whose vision of oppression is long-term. This is what we must beat. To do this, we must also plan with vision of a protracted struggle against oppression.

"The Kenyan women have played a crucial role in the struggle. It is the wails and the pains of us mothers that spur our children into action in their bid to secure comfort for us. Mothers must therefore continue giving their support and acting in concert to sustain the consciousness we have awakened in our children. We must shun fear and continue the fight for a liberated Kenya so that our grandchildren (not our children because they too have suffered the bruises of oppression) may inherit freedom. Freedom that will unchain their hands, souls and minds."

During the years of the Mwakenya crackdown whole families were harassed and arrested. Mrs. Ann Chepkoech Kitur, wife of Tirop Kitur, narrates the harassment she and her family members were subjected to:

"Prior to Tirop's arrest, the police had not given me peace. They used to come here almost every day and would lay ambush outside the house thinking that Tirop may be somewhere in the house. I remember one day, a big number of them descended at night and forced their way into the house. They turned everything in the house upside down. They demanded that I tell them where Tirop was. I told them I did not know. Then they told me to accompany them to some person's house several kilometres away from where we lived. They said that this person had claimed that he knew where Tirop was and they therefore wanted me to go with them to get the truth. I had no choice but to give in to their demands.

"I left my young children behind with nobody to look after them and in a house where everything had been turned upside down. We went to the person's house but found he was not at home. The

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Tirop Kitur

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policemen then suggested that I could sleep at the house since we had come a long way and I was probably tired. I tactfully agreed. But immediately after they had left and gone out of sight, I started walking back home. I could not leave my young children alone. When I eventually arrived, I brought order to the house by putting everything back to its right place.”

The family members of Karimi Nduthu and Tirop Kitur also underwent incarceration. Rael Kitur, Tirop Kitur’s mother says:

“They had arrested Tirop’s wife, his father, Karimi’s mother and father and were coming for me. One of them confronted me and hit me with a baton on my forehead. The scar occasioned by the blow is still visible to date. They took all of us to the police station in Nakuru. After staying for one week in the police cells, I was taken by the police to Ronda Estate in Nakuru where my sister was living. The police had told me that my son was there. When we arrived there, we did not find him so we went back to the station.

“Immediately after we had left my sister’s house, the police closed in on Tirop and his friends at Gilgil where they were staying. He managed to escape and went to Ronda, the place we had visited with the police the previous day without getting him. It is here where Tirop was finally arrested. Then the police came to us in the cells to inform us that our children had been arrested.”

The situation was even worse for the late Titus “Tito” Adungosi’s family. His mother, Marianne Nyabola says:

“Finally, he was arrested in Nairobi. I did not know about his arrest. It was a teacher who heard Radio Tanzania, Dar-es-salaam reporting that the chairman of the Students Organisation of Nairobi University (SONU), Mr. Titus Adungosi, had been arrested who informed me about it. Even after the arrest, the police continued visiting my home. One day I remember telling them that if they were not satisfied with Titus’ arrest, then they should as well arrest me. I had become tired of constant police visits and harassment.

“The police, the government machinery and the prison authorities still have questions to answer regarding Adungosi’s death in prison. For the family it was a terrible nightmare.

“During a visit in 1987, Titus told his brother that he was due for release in a month’s time. He talked with him in Iteso though the prison warders told them not to converse in Iteso. He was in good health and did not show signs of ill health. This was the last time a family member saw Titus alive. He had told his brother to make arrangements and have a house built for him in preparation for his release. This did not however happen.”

Continues the mother: "My son Titus died suddenly and mysteriously. After my son's death, nobody in the family knew that he had died until one month later when a certain KANU official gave us the news of his death. After the news of Titus' death, the village came to my home to get the true story of what had happened. They boycotted going to the market. They wanted to know the truth. After confirming that Titus had died, we made arrangements to go to Nairobi to collect the body. We raised six thousand shillings and started looking for the means of transporting the body of Titus home.

"The local vehicle owners however totally refused to release their vehicles. They said Titus had died a political prisoner and they did not want to be associated with politics. Later, we managed to get a vehicle from an Asian businessman who was Titus' friend. So we set off to Nairobi for the body of Titus. We first went to Naivasha where we were told that the body was at the City Mortuary. We proceeded to Nairobi and got Titus' body. It had decomposed. We took it and started the journey back home.

"On arriving home, we had another hurdle to overcome. No pastor was prepared to conduct a requiem service for a political rebel. We approached a few who turned down our request. Finally, we managed to get a pastor called Benjamin. He told us he would conduct the service regardless of any political consequences. During the burial, only people from around here attended the burial. Many other people feared coming to the burial. Not even the students came."

Veronica Wambui Nduthu, the late Karimi Nduthu's mother, tells of the harassment by the police before Karimi's arrest:

"Karimi and his friends went underground. The police however thought that he had come home. The regular police and the C.I.D kept on coming to our home. They came on several occasions hoping to find Karimi. Sometimes they would come at night and find us settled for supper. We would invite them to our meal, which they at times ate.

"There are also times when they would come here in great fury and turn everything upside down in their search for Karimi. They would crawl under the beds and search behind water pots in our home compound looking for possible hideouts where they thought Karimi might be hiding. We would not stop them from searching for Karimi, but we told them we were worried about whether Karimi was alive or not. They too told us that they were worried and that Karimi's safety was not only our concern but also theirs."

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Chapter Eleven: Picking up the pieces

Listening to Prof. Edward Oyugi, it becomes clear that nobody was spared. "My seven years in jail and three years in detention made my life horrible. I suffered high blood pressure and terrible backache. I lost my job at the university and when out of prison, I had to resort to self-employment."

Some of the activists were sentenced to long years in prison. The longest term was slapped on Tirop Kitur, a former student at the University of Nairobi, who was jailed for fifteen years. Karimi Nduthu, a patriot who was later murdered by suspected government agents in 1996, was given fourteen years while Kangethe Mungai escaped with twelve and a half years. The trio was accused of sabotage. The shortest sentences were fifteen months given for failure to report a felony.

These sentences were served under very extreme conditions. Careers had been broken, businesses collapsed, families disintegrated and students lost their places in universities. That was as the Moi regime wanted. It was part of the punishment.

Prison life did nothing to prepare the prisoners for the future. Most people walked out of prison only with scars in the souls and bodies from the torture and bitterness. These injuries, however, were compounded by the shock that awaited them when they left prison.

Dr. Odhiambo Olel says: "I lost all my employment benefits after having served both the central government and Kisumu Municipality for nineteen years continuous service. In addition, I am still a sick person with left lung infection contracted in prison. My heart ailment was not made any better. My left knee is arthritic, while my lumbar disease and high blood pressure have remained worrying and life threatening."

The story of Dr. Olel echoes loudly those of many others who went to prison for their supposedly political activities.

Cornels Akelo Onyango has difficulties putting the pieces together. "I suffered trauma and loss of sight and attribute this ill-health to torture."

The story of Oyangi Mbaja, now deceased, is more illuminating of the plight of some of these patriots. He was sick and on release he could not afford to buy drugs for his diabetic condition. Due to stigmatisation, he could not get employment, thus poverty became the backdrop of his death.

Listening to Prof. Edward Oyugi, it becomes clear that nobody was spared. "My seven years in jail and three years in detention made my life horrible. I suffered high blood pressure and terrible backache. I lost my job at the university and when out of prison, I had to resort to self-employment." One of the ex-political prisoners had an interesting anecdote on his job searching. He landed at an employment bureau and made the "mistake" of revealing to the interviewer that he had been in jail. 'No wonder! I had noticed that you have very red eyes!' and that was the end of the interview.

Some torture survivors have reported conditions of high blood pressure and backache. Prof. Ngotho Kariuki had to go for treatment in London for his back problem. He has never recovered

and has to cope with the overwhelming medical bills. Njoroge Wanguthi, imprisoned for six years in Manyani, can hardly walk after a disc in his spine slipped during torture.

"In prison I developed a dislocation of the spinal disc which keeps recurring after the incarceration." Njoroge is yet to regain his employment and suffers from depression and paranoia.

Sylvanus Oduor's torture and imprisonment not only affected him as an individual but also his wife, children and friends. "The children dropped out of school in my absence. To day they are without education and therefore unemployed."

As a person, he suffers poor eyesight, backache and a chronic headache. He depends permanently on painkillers. He remains excluded from social life by the political imprisonment. He constantly has to contend with emptiness of life and unemployment.

Few after prison stories are more depressing than that of Karimi Nduthu. After release from prison in 1991 as a result of the pressure by the mothers at Freedom Corner, Karimi continued with the struggle against oppression. His family became a target of the ethnic clashes in Molo and as he was carrying out research into this problem, he was brutally murdered by KANU-sponsored government agents. Explaining his death, his brother Dominic Muchemi concedes that Karimi "was killed for continuing with his pro-people political and human rights activities."

Family disintegration also affected some of the victims. Kiongo Maina says he had to start all over again when his wife betrayed and deserted him.

The Nyayo House Torture survivors also suffered psychologically. Kamonye Manje says that after his release he tended to stay indoors most of the time. "When I went out I hurried back to the house where I spent the whole day."

Kariuki Gathitu had an opposite reaction. "I became averse to staying indoors and was therefore mostly outdoors including at night."

One side of the torture victims is gloomy to look at, but they too have a brighter side. Although they have to live with the permanent scars on their souls, many have managed to piece together the broken parts and are involved in helping others to heal. A close scrutiny shows that many are behind the success stories of the civil society movement. They are a major driving force in the engine of social change agenda, which Kenyans have identified with. Their role in the multiparty crusade was significant. Their presence in the build-up to the post-Moi regime is noteworthy. They make their contribution against heavy odds though. Quite a few in the post-Moi govern-

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Their role in the multiparty crusade was significant. Their presence in the build-up to the post-Moi regime is noteworthy. They make their contribution against heavy odds though. Quite a few in the post-Moi government still regard them as being too radical, as already blemished and probably not to be trusted with national leadership. Some have broken this myth and made it to significant leadership positions.

ment still regard them as being too radical, as already blemished and probably not to be trusted with national leadership. Some have broken this myth and made it to significant leadership positions.

Do Kenyans owe these people anything? Perhaps not exactly. They suffered for Kenya, and some even died. They continue feeling the effects of their suffering together with their families. The most they would ask is recognition of their efforts and for Kenyans to commit themselves to social transformation. Kenyans fought the colonial war against the British but when independence was achieved the wounds suffered by the Mau Mau fighters were not tended. New ones were inflicted and it has been all bitterness. The old wounds need not be re-opened and a process of healing must begin by picking and stitching together the broken pieces.

Chapter Twelve: **Aluta Continua**

The crusade for multipartism in Kenya in the 1990's was part of a big wave sweeping Africa. It created its own dynamics and its own leadership. This was first expressed in Kenya through formation of the Forum for the Restoration of Democracy (FORD) with stalwarts such as Jaramogi Oginga Odinga and Masinde Muliro in the front. These were significant enough to send political shockwaves throughout the land. They were people known for their pro-people stand. FORD managed to electrify the whole society. Public rallies to demand multi-partism were held under very hostile circumstances, mass protests followed and people went into the streets.

An important player was the civil society movement led by National Convention Executive Council (NCEC). There was intense lobbying at home and abroad. Pressure was applied to the Government. It in turn responded by unleashing the police on the people, breaking up meetings, demonstrations and hundreds of people were arrested, maimed and others died.

Some politicians in KANU and the government saw the contradictions of the system they were serving and the validity of the demands of the masses. They jumped ship and joined in the crusade for multipartism. Best known amongst these were politicians Kenneth Matiba and Charles Rubia in 1988. These were close allies of President Moi and were also staunch KANU members.

In its shocked reaction to the new entrants into the crusade, the government arrested Matiba and Rubia in 1990 and put them in detention. The KANU government did not have the courage to take them to court. The two were to rot away in detention until 1991 when they were released after intense national and international pressure when it was learned they were seriously ill.

The pressure for multipartism increased and eventually the government succumbed in December 1991, leading to the lifting of the infamous section 2A of the constitution, thus Kenya reverting to multi-partyism. FORD was immediately registered as a party. It became the forum for all the progressive forces working to bring about radical change.

Soon, however, differences arose among the leaders which split the party into two factions, FORD Kenya under Jaramogi Oginga Odinga and FORD Asili under Matiba and Martin Shikuku. Around the same time Mwai Kibaki left the government and registered the Democratic Party of Kenya.

The 1992 general election was held against a background of division brought by individual ambitions of the leaders. The Moi regime encouraged the rivalry between the groups. The divisions, helped by the massive rigging of the general election, made it possible for Moi and KANU to claim victory.

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After fraudulently winning the elections, the KANU government continued on its path of repression. There was increased police brutality on civilians. Any attempts by the people to organise themselves were suppressed and this continued to be the trend up to the 1997 general election. During this period, pressure was applied on the government by many interested groups including opposition political parties, the clergy, journalists, lawyers and the international donors review the constitution especially on the question of governance.

The civil society was not allied to any of the major political players. It too was divided between those who wanted to go for elections and those who wanted to have comprehensive constitutional reforms before elections. Hence the slogan 'No Reforms No Elections'. It was apparent then that all the politicians wanted was to gain power. They were least concerned with basic legal and constitutional changes which would give the electoral process a level playing field. The battle had been lost but not the war.

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A significant development just before the 1997 elections was the Inter-Parties Parliamentary Group (IPPG) sponsored constitutional changes. These were presented as the pre-conditions for holding the elections. Although these were done to level the political playing field, their effect was not much felt. They did not help the opposition to win the elections (1997) and again the opposition, which remained divided, lost once again after massive rigging and electoral corruption.

The 2002 election saw the opposition forces change tactics. The economy was virtually at a stand still. Looting and grabbing of public property was on a grand scale and this heightened the need to take drastic measures. Moi increasingly became the focus of all opposition political activities. This time the opposition combined to form a formidable coalition under the banner of the National Rainbow Coalition (NARC).

Chapter Thirteen: **What Next?**

The December 2002 general election that ushered in a new government led by President Mwai Kibaki and his National Rainbow Coalition (NARC) team was indeed a historic turning point in Kenya.

After 24 years of the despotic Moi and 40 years of Kanu rule, the Kenyan people had finally found a formula to depose the Kanu regime at the ballot box. This was one of the few times in the African continent that a brutal dictatorship was dislodged from power peacefully and it was indeed a momentous event celebrated everywhere in the world.

All of a sudden it felt good to be Kenyan. There were reasons for hoping that finally Kenyans could build a truly democratic nation and a society based on the principles of justice and equity for all. There was even talk that Kenya would be the new model for the transformation of African countries into modern democracies.

Those hopes and high aspirations for Kenya may still exist as we put together the Nyayo House story, but the cruel hand of reality has brutally intruded in the short time that NARC has been in power and is threatening to turn the Kenyan dream into a cruel nightmare.

It is emerging ever more clearly that the new leaders of Kenya under Narc carefully and correctly read the mood of the nation prior to the election. They knew which red buttons they needed to press to excite the people and give them hope. They knew that Kenyans hated the corrupt activities of the ruling elites under Moi. In response Narc made fighting corruption and recovering stolen property one of the pillars of their campaign.

They also knew that Kenyans were fed up with the iron-fist rule of Moi where one man wielded too much power and was supposed to know everything Kenyans wanted. In response Narc proposed a concept of shared leadership, even forming something called a NARC Summit where key decisions were to be made collectively. They knew Kenyans all across the country had given clear views on what they wanted in their new constitution. In response they promised to deliver that new constitution to Kenyans in one hundred days.

We could list the promises of the new regime in many more pages, but it probably would not serve much purpose. Suffice it to say that the NARC that approached Kenyans to get their votes to take over the leadership of the country and the NARC that is today in power based on those promises are completely two different entities.

The former was a humble, endearing and friendly creature that charmed the people; the latter seems to be a beast that is beginning to look more and more like the Kanu monster that Kenyans hated with a passion. Probably the most frightening aspect of Narc in power is the revival of crude tribalism to

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further the interests of desperate leaders who seem to have lost any sense of nationalism. So what happened in such a short time?

The challenge with Narc, which Kenyans will have to deal with for the next five years, seems to lie in the fact that it was not the coming together of visionary leaders who wanted genuine democratic change in the country. Indeed, apart from a handful of them who have been involved in the protracted struggle to free the country from dictatorship, the bulk of the leaders in the coalition are opportunists who have spent the best part of the struggle wining and dining with the tyrants. Indeed, some of them were the potentates who actually helped Moi craft his dictatorship.

Narc, therefore, is not a thoroughbred child of the struggle but a creation of the Kenyan people who forced the then opposition leadership in the country, not necessarily the democratic forces, to come together or face rejection from the masses.

This could be either good or bad. It could be good if the masses remain steadfast and are able to influence the leadership and not the other way round. To do that Kenyans must shun tribalism and focus on what is good for the country and not what is perceived to be good for the Kikuyus, the Luos, the Luhyas, the Kalenjins or any other tribal grouping. That obviously will be a hard task considering the large presence of anti-democracy, anti-nationalist forces that have found their way into the new political dispensation.

But it is still possible to accomplish the goal of democratic nationhood if the people can safeguard against ceding all the power to the leaders. The situation could get nasty if the balance of power is tipped in favour of leaders to the exclusion of the masses. If that is the case, Kenya is headed back to the Nyayo era in a hurry. It could be the worst tragedy the nation has faced since independence.

The leaders of the various factions of the mainstream opposition parties in Kenya came together not because they were committed to this or that principle but rather because Kenyans insisted and demanded that they get together and get rid of Moi and his Kanu regime that was choking the nation to death.

It is also important to understand the metamorphosis of Narc that is unfolding before our very eyes. On assuming power Narc came out blazing with energy and promises. Committees and commissions sprung up everywhere to examine past crimes and looting of public resources. Kenya went abuzz with expectation. President Kibaki made one of his most celebrated decisions when he used the controversial executive powers to take back Kenyatta International Conference Centre from the Kanu party that had illegally claimed ownership of this majestic property built by public funds. This was a reassuring sign that Narc meant business.

Every day Kenyans are told how politicians and their friends have grabbed land, buildings and other property. They are told how 'cowboy' contractors have been robbing the nation blind working closely with their friends in government. However, they are assured that all these will end with the new government. The Goldenberg scandal came back to life with a new inquiry that continues to mesmerise Kenyans with the sheer magnitude of plunder coming directly from the most powerful figures in the land. Interestingly, some of the key players in the Goldenberg tragi-comedy are very well entrenched in the Narc government. Former president Moi has himself been severally mentioned in the proceedings in ways that are not very flattering.

A few months down the line the promise of the Narc broom sweeping the filth that Kanu left behind and ushering a new era of accountability and transparency is very much in doubt. Corruption has persisted with Narc cabinet ministers being caught right in the midst of new and past scandals. The cowboy contractors are still getting paid and are warming their way into the highest echelons of power almost with gleeful impunity.

Police violence against demonstrators is once again being endorsed as the only way to control "unruly students." The government is being accused of arrogantly trampling on the delegates trying to put together the new constitution at the Bomas of Kenya by allegedly dictating what it thinks must replace what Kenyans told the Constitution of Kenya Review Commission in the national consultations. "Ethnic entrepreneurs;" to quote the words of Kenya National Commission on Human Rights commissioner Wambui Kimathi, are promising fire and brimstone if their place at the trough is disturbed.

If Moi had called a cabinet meeting to try to impose the will of his government on delegates working on a new constitution, there would have been numerous press conferences condemning him as a dictator and rightly so. When Kibaki does the same thing and there is not a single finger raised to condemn such blatant interference something is terribly wrong with civil and human rights movement in Kenya.

Finally, it seems the human rights movement in Kenya and the civil society in general has to take a step back and identify their new role in pushing ahead with the agenda for democracy and human rights. They have to avoid the trap of involvement in partisan narrow politics of the day. Already there are general murmurs that the stalwarts of the movement who got elected and are now occupying positions of leadership have proved a disastrous lot so caught up in partisan politics it is difficult to distinguish them from the Kihika Kimanis, the Kariuki Chotaras, the Joseph Kamothos, the Muli Mutisya and Oloo Aringos of yesterday.

Curiously human rights groups that were so vocal against the Moi dictatorship seem to be woefully impotent in confronting the new reality. If Moi had called a cabinet meeting to try to impose the will of his government on delegates working on a new constitution, there would have been numerous press conferences condemning him as a dictator and rightly so. When Kibaki does the same thing and there is not a single finger raised to condemn such blatant interference something is terribly wrong with civil and human rights movement in Kenya. It behoves everyone to try to put a finger on what is ailing this great movement that has been the engine of change for decades in the country.

There is a feeling among the emerging elites of the human rights movement in Kenya that Narc is their government. Narc leaders have been pragmatic enough to integrate some key figures as well as historical demands of the human rights movement into their ranks and agenda respectively. Kenya today has a National Human Rights Commission comprised mainly of well-known human rights activists. This of course is a very positive sign. It is even more positive when those jobs put them in a position to monitor what the government is doing in relation to the protection of the fundamental rights of all Kenyans. What then are some of the pitfalls?

Let us start with the much heralded truth, justice and reconciliation commission. This has been recommended by a committee set up by the Narc government that went across the country and came to the conclusion that Kenya needs such a commission to heal itself and address past crimes. This commission, upon which many hopes of the human rights movement is invested, has numerous problems. To begin with, the commission may take years to be set up. As of now, the various factions of Narc seem to be trying to outdo each other in negotiating with the Kanu crop of M.Ps to gain strategic advantage on influencing the outcome on contentious issues in the constitutional review process. Kanu's interest on the TJRC is obviously only on how to prevent its formation, this for obvious reasons. This means the TJRC may be stillborn.

Secondly, even if the Commission were to be established there is a huge question mark whether a fractured, confused and opportunistic regime really has the capability to carry out such a historic and important task of setting the country on a new footing. A TJRC needs a government of national unity as opposed to a government of tribal disunity. A TJRC needs a government with vision that is committed to social justice, not a temporary coalition of convenience with neither a common vision for the future nor a common sense of purpose.

Unless the human rights movement in Kenya reclaims its role as a watchdog and agitator for change and keep the pressure on Narc to move forward not much should be expected of the proposed TJRC and of course this would be a tragedy.

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rights. They have to avoid the trap of involvement in partisan narrow politics of the day. Already there are general murmurs that the stalwarts of the movement who got elected and are now occupying positions of leadership have proved a disastrous lot so caught up in partisan politics it is difficult to distinguish them from the Kihika Kimanis, the Kariuki Chotaras, the Joseph Kamothos, the Mulu Mutisya and Oloo Aringos of yesterday.

This is shameful enough, but some would say very much expected. What is not expected and may not be acceptable to millions of Kenyans who look at the human rights groups for leadership is that the movement will accept to limp alongside the Narc government and lose its distinctive identity of steadfast courage and forthrightness in dealing with whoever is in power. The movement must take lessons from the experience of the labour movement in the sixties. Under Tom Mboya, the movement became an appendage of the government, a situation that has rendered it impotent and a liability to the Kenyan workers. Four decades later it has yet to extricate itself from the mess.

What is really encouraging about all these is that the foot soldiers of the human rights movement have remained intact. Some of them are even considered unemployable because of their uncompromising activist stance which they proudly embrace. But we all have to remember that it was on the backs of these soldiers, never afraid to be jailed, never afraid to be brutalised, never afraid of the poverty that comes with their work, that the human rights movement and the civil society as a whole was built and has grown to what it is today. They have been the true opposition in Kenya politics and from the look of things may remain so for a long time to come.

The Kenya human rights movement as a whole, together with newly established set-ups like the National Human Rights Commission, have to start genuine dialogue within themselves to understand each others' roles and establish common strategies to press forward with the human rights and social justice agenda. Narc or any other regime will not do it for them.

The worst thing that can happen to the human rights movement at this stage is to work in isolation and beg for crumbs from the ruling elite. The next worst thing is to mistake gradual absorption into the bureaucracy of power as a sign that the movement is now part of the government. There is need to avoid both and continue to chart an independent path. Kenyans will demand and indeed deserve no less.

Recommended Readings

1. Kenya a prison Diary – Maina wa Kinyatti
2. Itikadi No 1 of 1995 (Not Published)
3. Cheche Kenya – Zed Publishers
4. Mwakenya – Draft Program
5. Detained – Ngugi wa Thiong'o
6. A Season of Blood – Poems from Kenyan Prisons - Maina wa Kinyatti

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Appendix 1: The Immediate Political Tasks of Mwakenya (Extract from the draft Programme)

MWAKENYA is hence ready to forge the broadest possible democratic alliance with all the organisations and individuals who want to work for National Liberation and genuine democracy in Kenya!

- 1.1 MWAKENYA is firmly convinced that the problems of our country stem from the stranglehold of Euro-American imperialism on our economy, politics and culture through its alliance with the comprador *Mbwa-kali* ruling class. The existing neo-colonial system is chiefly to blame for the hardships and sufferings that continue to confront our people.
- 1.2 MWAKENYA is hence totally convinced that a relentless struggle against that *Mbwa- Wakali* alliance, to seize and put political power in the hands of the oppressed and exploited classes of our people, is the only way we Kenyans can develop freely and use our wealth to satisfy our needs and banish hunger, disease, ignorance and mass poverty for ever.
- 1.3 We therefore advance as our immediate political task:
 - (a) the overthrow of the present neo-colonial regime in Kenya and its replacement by a popular people's democratic government.
 - (b) The unit of all patriotic, democratic and progressive forces as the surest means of overthrowing the now disintegrating regime in Kenya and destroy all its repressive apparatus for ever.
- 1.4 MWAKENYA is hence ready to forge the broadest possible democratic alliance with all the organisations and individuals who want to work for National Liberation and genuine democracy in Kenya!
- 1.5 On seizing political power, MWAKENYA will work for a Broad-based Government of National Unity and Reconstruction to build a new Kenya out of the ashes of years of imperialist pillage and of the puppet regime's criminal neglect of real development.
- 1.6 MWAKENYA, in its pursuit of the urgent tasks of ending the neo-colonial rule and foreign domination, and of forging unity with patriotic, democratic and progressive forces in the country is guided by:
 - a) Its commitment to its fundamental Goals and Objectives.
 - b) Its support of the Immediate Demands of the various strata in our society.

Appendix 2: List of Torture Victims

This list is neither conclusive nor exhaustive

Category 1: List of Nyayo House Torture Survivors arrested, charged, convicted and jailed

1. Achira, James Omwenga
2. Rungurwa, Fredrick Karithi
3. Manje, Joseph Kamonye
4. Ndabi, Elijohn Gitau
5. Okech, Shem Ogola
6. Peter Njuguna Nding'o
7. Opiata, James Odindo
8. Lumumba, Richard Odenda
9. Ongwen, George Fanuel Oduor
10. Muyela, Nelson Akhahukwa
11. Onyango, Cornelis Akelo
12. Mutonya, David Njuguna
13. Kahuha, Munyui
14. Wanderi, Mugo Theuri
15. Awiti, Adhu
16. Kihara, Peter Gathoga
17. Osewe, Walter Edward
18. Olel, Odhiambo
19. Odera, Daniel Tito
20. Mzirai, David Kishushe Lengazi
21. Wandui, Naftali Karanja
22. Ogonda, Charles
23. Ondewe, Alex Okoth
24. Maina, Geoffrey Kiongo
25. Kitur, Philip Tirop Arap
26. Riagayo, John Murithi
27. Waweru, Simon Maina
28. Agutu, Vitalis Owinyo
29. Waheire, Bernard Wachira
30. Mghanga, Julius Mwandawiro
31. Ongombe, Odungi Randa
32. Onyange, William Apiyo
33. Achieng, George Otieno
34. Mathenge, Remjioh "Kaggia"
35. Kamana, Kimunya
36. Kariuki, Benedict Munene
37. Mburu, Stanley Muchugia
38. Kihara, Joshua Njoroge
39. Karanja, Joseph Gichuki
40. Mahugu, Michael Danson
41. Wekesa, Richard
42. Nyoike, Kimani wa
43. Nderi, Herman Marine
44. Wang'ombe, Jackson Maina
45. Wambola, Dick Joel Omondi
46. Waikonyo, Michael Mwangi
47. Theuri, Daniel John Mwangi
48. Chege, Peter
49. Karanja, Francis Nduthu
50. Wanguthi, Stephen Njoroge
51. Kariuki, Stanley Waweru
52. Oduor, Silvanus Christopher Okech
53. Buke, Robert Wafula
54. Mwati, Zachary Kariuki Paul
55. Maina, Njoroge
56. Arara, Harris Okongo
57. Kahungi, William Muchiri
58. Kiriamiti, John Baptista Wanjohi
59. Kahara, Charles Njoroge
60. Kituu, Stephen Mulili
61. Muigai, Andrew Kebathi
62. Ang'ong'a, Wilson Awuor
63. Nduthu, Francis Karimi
64. Kimani, Milton Chege
65. Wangunya, Alex
66. Kariki, Edward Koigi
67. Anyona, George
68. Kariuki, Ngotho
69. Kathangu, Augustine Njeru
70. Wamwere, Charles Kuria
71. Oyugi Edward
72. Kamau, Loli Wambua
73. Gicheru, Harrison Githaiga
74. Wamwere, Koigi
75. Kariuki, Mirugi
76. Kinuthia Rumba

List of Torture Victims contd...

Category 1: List of Nyayo House Torture Survivors arrested, charged, convicted and jailed contd...

77. Kinuthia, Joseph Mwara
78. Mwara, Hosea Gitau
79. Ndirangu, Andrew Mureithi
80. Wakaba, Harry Thungu
81. Mwangi, Elijah Bernard
82. Kihara, Samuel Ndila
83. Muthike, Peter Kitusa
84. Osundwa, George Chitechi
85. Kihoro, Karige
86. Mwairo, D. Chome
87. Adongo, Justice Maurice Ogony
88. Thiong'o, Gupta Nga'ang'a
89. Kahiga, Francis Chege
90. Mutahi, Paul Wahome
91. Mutahi, Joseph Njuguna
92. Murathe, David Wakairu
93. Muhehe, Benjamin Andahi
94. Kimani, Gibson Maina
95. Muchiri, Macharia
96. Muthigani, Wanderi
97. Odote, Samuel Onyango
98. Nyakundi, Fred Osoyo
99. Njoroge, Charles Kang'ara
100. Njoroge, George Mwaura
101. Ndung'u, Raphael Kariuki
102. Momanyi, Peter Nyangau
103. Miano, Joseph Karuiru
104. Njuguna, Wanyoike
105. Kahiri, James Mwangi
106. Saikwa, Ali
107. Imunde, Lawrence Ndege

List of Torture Victims contd...

Category 2A: **List of Victims Arrested, Confined, Tortured, Jailed and Deceased during/after Nyayo House deceased (Nyayo House)**

1. Ochieng, Harjulas Nyapanyi Kabaselleh
2. Opanyi, Mwai Atito
3. Nduthu, Karimi
4. Kamangara, John Maina
5. Apiyo, Onyange Augustine
6. Maina, Joseph Karuiru
7. Imbo, Silas Awuor
8. Mbaja, Oyangi
9. Atieno, Ernest Owuor
10. Chege, Charles Wainaina
11. Ojijo, Daniel Odera
12. Ndede, Dandi Mbewa
13. Opar, Absalom N. Ombee
14. Otieno, George
15. Mwakudua wa Mwachofi
16. Ng'ang'a Mukaru
17. Mbau, Paul
18. Wanjau, Gakaara
19. Karanja, Peter Njenga
20. Wanjema, Stephen
21. Thuo, Donald Mwangi
22. Mutahi, Paul Wahome
23. Kiragu, Bernad Githigi
24. Namadoa, Dickson Nabwire
25. Gatu, Sam Gatungo
26. Kimondo, Kiruhi
27. Chege, Richard Gathua
28. Odumbe, Eliud Ahao
29. Kariuki, Peter Githua
30. Waruiru, John Mungai
31. Githirwa, Stanislaus Muhoro
32. Macharia Kaara

List of Torture Victims contd...

Category 3: List of Nyayo House torture survivors detained without trial

1. Mkangi, Katama
2. Kariuki, Isaiah Ngotho
3. Miano, Gacheche
4. Kihoro, Wanyiri
5. Odinga, Raila
6. Gathitu, Kariuki
7. Kariuki, Mirugi
8. Onyango, Patrick Ouma
10. Nga'ang'a, Mukaru
11. Okwany, Samuel Okumu
12. Guya, Richard Obuon
13. Paul Amina

Category 4: List of Nyayo House torture survivors released without charge

- | | |
|--------------------------------|--------------------------------|
| 1. Muchiri, Fredrick Waweru | 25. Mwangi, Gabriel |
| 2. Wanyeki, John Muchiri | 26. Murage, Frederick |
| 3. Munyeki, Baptista John | 27. Kariuki, Denis |
| 4. Chege, Richard Gathua | 28. Mwangi, William |
| 5. Kimondo, Kiruhi | 29. Amina, Paul |
| 6. Kinuthia, Margaret | 30. Munyua, Anthony |
| 7. Maina, Mercy Wambura | 31. Owak, David |
| 8. Ndiba, Kihara | 32. Njoroge, Wilson Nduati |
| 9. Gatu, Sam Gahungo | 33. Ngotho, Isaiah |
| 10. Kiruhi, Wachira | 34. Karanja, Joseph |
| 11. Kinyanjui Gabriel Peter | 35. Gitau, Wanguthi |
| 12. Mwaura, James | 36. Mwangi, Washington Gichuki |
| 13. Kamau, Munene | 37. Waruiru, Edward |
| 14. Githere, Joe | 38. Mwaura, Mary |
| 15. Akumu, James Aggrey Joel | 39. Theuri, Joseph Ndumia |
| 16. Kihumba, Stephen Wagema | 40. Kimani, Wilson Maina |
| 17. Munyika, Samuel | 41. Kihara, Samuel |
| 18. Christine, M. Patrick | 42. Atiang, Charles Etyang |
| 19. Alogo, Raila | 43. Kariithi, James Mwangi |
| 20. Mary, Mwaura | 44. Wanguthi, Gitau |
| 21. Florence, Nyaguthie Murage | 45. Mwangi, David Ndii |
| 22. Kimani, Joe Njoroge | 46. Njoroge, Kingori |
| 23. Kuria, Kamau | 47. Kariuki, James Mwangi |
| 24. Wanyama | 48. Juma, Kipsang |

List of Torture Victims contd...

Category 4: List of Nyayo House torture survivors released without charge contd...

49. Michuki, George Kihara
50. Kiboro, Munga David
51. Mbote, Simon Njaaga
52. Wainaina, George John Njenga
53. Wainaina, John Njenga
54. Ndamwe, Salim
55. Moroto, Stephen Kiop
56. Nene, Michael Lobo
57. Nemedo, Samuel Toyoko
58. Kirui, Ayub Miano Julius

Category 5: List of victims/survivors who were forced to flee/Exiles

- | | |
|----------------------------|-----------------------------------|
| 1. Wanguthi, Gitau | 15. Jakobuya, David Dimba |
| 2. Gicheha, Mungai | 16. Kameana, Jonathan Mbutia |
| 3. Mwara, Gitau | 17. Githirwa, Stanislaus Muhoro |
| 4. Kaara, Macharia | 18. Adongo, Justice Maurice Ogony |
| 5. Kaberere, Samuel Njenga | 19. Obanda, Omondi |
| 6. Thiong'o, Ngugi wa | 20. Mutahi, Njuguna |
| 7. Kinyatti, Maina | 21. Odongo, Langi Joseph |
| 8. Maigwa, Charles | 22. Sumba, Onyango |
| 9. Onyango, David oloo | 23. Ngugi, Muhindi |
| 10. Ngome, Charles | 24. Gichure, Kiiru |
| 11. Wangunya, Alex | 25. Omondi, Kabir |
| 12. Mghanga, Mwandawiro | 26. Jeff, Mwangi Kwirikia |
| 13. Waruiru, Mungai | 27. Stephen, Karanja |
| 14. Njoroge, Kingori | 28. Kishushe, Mzirai |

Category 6: List of victims/survivors arrested, confined, charged in court but not jailed

1. Kamuyu, Chris (former Dagoretti MP)
2. Muraguri, Cyrus Gitari (Former Businessman)
3. Murage, Florence Nyaguthie (University Employee)
4. Kimani, Joe Njoroge

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