

Dedan Kimathi on Trial

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Introduction

The Trial of Dedan Kimathi

Julie MacArthur

ON 19 NOVEMBER 1956, Mau Mau rebel field marshal Dedan Kimathi stood or, more accurately, sat in front of Her Majesty's Supreme Court of Kenya at Nyeri and asserted a "plea of not guilty." After eight days of trial, Chief Justice Kenneth Kennedy O'Connor found Kimathi guilty of unlawful possession of a firearm and ammunition and sentenced him to be "hanged by the neck until he is dead."¹ Early on the morning of 18 February 1957, Dedan Kimathi was hanged to death and buried in an unmarked grave in the grounds of Kamiti prison.

This book centers on the trial of Dedan Kimathi—a piece of the colonial archive long thought lost, hidden, or destroyed. Dedan Kimathi remains a powerful symbol of resistance in Kenyan history. His dreadlocked visage, captured while he sat in the defendant's chair on trial for his life, can be seen on T-shirts, in graffiti art on the sides of Nairobi buildings, and on the sides of *matatu* (minibuses) throughout contemporary Kenya and farther afield. His name has often been considered synonymous with the anticolonial rebellion that engulfed colonial Kenya in the 1950s. He was the self-fashioned Field Marshal of the Mau Mau, a movement that had many names, many faces, and even more interpretations.² The Mau Mau rebellion, which emerged predominantly among the Gikuyu, Embu, and Meru populations of Central Kenya, was a radical response both to

colonial settler policies of land appropriation and squatter labor restrictions on the one hand, and to the repressive local African governing apparatus in the reserves and the slow-moving constitutional nationalists of the anticolonial movement in Kenya on the other.³

Kimathi rose to prominence in the early 1950s out of relative obscurity, first as an administrator of the oaths of loyalty sworn by “Mau Mau” adherents and then as leader of the fighters who moved into the forests after the colonial declaration of a State of Emergency in October 1952. His charisma, flair for oration, and ability to evade British forces became legendary. For the British, Kimathi was a fearsome adversary. Special Branch superintendent Ian Henderson, the man in charge of the “hunt” for Dedan Kimathi, compared him to Hitler.⁴ In his memoir, *The Hunt for Dedan Kimathi*, Henderson pictured Kimathi as both a formidable intellect and a cowardly criminal. In 1953 the *East African Standard* compared him to Mussolini.⁵ For many in Kenya, however, Kimathi conjured other historical comparisons. William R. Ochieng’ argued Kimathi had been “elevated to the ranks of Mao, Lenin and Guevera.”⁶ Ali A. Mazrui placed Kimathi among the top candidates in Kenyan history to be anointed a national martyr, akin to other global anticolonial heroes the likes of Gandhi.⁷ While the Emergency and counterinsurgency operations would officially last until 1960, the capture and execution of Kimathi, in 1956 and 1957 respectively, allowed the British to claim victory over Mau Mau and solidified Kimathi’s position among the martyred leaders of a failed rebellion.

But Kimathi’s legacy was never a simple exemplar of patriotic martyrdom, and his place in the postcolonial imagination reflected the complicated legacy of the Mau Mau rebellion: at times suppressed or downplayed, at others lauded and filled with mythic importance, but always contested.⁸ When Nelson Mandela visited Kenya for the first time, in July 1990, he invoked Kimathi’s name in a speech at Kasarani Stadium: “In my 27 years of imprisonment, I always saw the image of fighters such as Kimathi, [General] China, and others as candles in my long and hard war against injustice.” He lamented the absence of Kimathi’s widow, Eloise Mukami, at the festivities and the lack of a proper burial site for Kimathi: speaking of his desire to pay homage to the fallen heroes of Kenya’s independence struggle, Mandela lamented “it is an honor for any freedom fighter to pay respect to such heroes.”⁹ Mandela’s speech provided a pointed, if implied, critique of Kenya’s second president, Daniel arap Moi, and his government’s

treatment of former “freedom fighters.” Moi’s stolid expression during the speech revealed the more problematic aspects of the choice of Kimathi as hero in postcolonial Kenya.

As Marshall Clough observed in his important study of Mau Mau memoirs, those who exalted Kimathi often failed to “address the incongruence between Gikuyu revolt and Kenyan nation, . . . between guerrillamartyr Kimathi, champion of the fighting Mau Mau and enemy of loyalism, and living statesman [first president Jomo] Kenyatta, representative of the Gikuyu elders and the constitutional politicians and apostle of peace, reconciliation, and [the policy of] forgive and forget.”¹⁰ Clough pointed to the “irony” of elevating Kimathi as a national hero, with many of his contemporaries questioning his revolutionary credentials and pointing to his loss of support due to his notoriously strict disciplinary ethos and his legendary antagonism with the more populist General Stanley Mathenge.¹¹ Kahinga Wachanga, an early follower but later rival for leadership in the forest, described Kimathi as a great leader who fell from grace, turning jealous and power hungry in his later years.¹² Wachanga was quick to remind his public that Mau Mau was not one man but a movement: “we had no one leader or commander except the oath. The oath was our leader.”¹³ In memoirs and popular Kenyan literature, Kimathi could be a tragic folk hero, a misunderstood rebel commander, a power-hungry despot, a prophetic patriot, a reminder of the lost dreams of revolution, or a dangerous precedent for future dissidents against the postcolonial order.¹⁴

As many of the contributions in this volume make clear, Kimathi embodied all these ascriptions. Kimathi came to symbolize many of the contradictions that Mau Mau, and indeed Kenyan anticolonialism and nationalism writ large, represented: rebel statesman, educated peasant, modern traditionalist. Whether Mau Mau was indeed a purely anticolonial struggle or an internal civil war, a nationalist movement or a Gikuyu political project, a hastener or a hindrance to the achievement of independence in Kenya remain hotly contested debates.¹⁵ The position of “loyalists,” those who were perceived to work with the colonial state and proved successful in the postcolonial era, has engendered similarly bitter disputes. The line between “rebel” and “loyalist” was blurred and more often reflected colonial impositions rather than discrete social categories.¹⁶ In an important redress, Bethwell Ogot argued further that the narrow focus on Mau Mau as the sole criterion for revolutionary struggle and

Central Kenya as the sole site of nationalist thought have caused the multiple other anticolonial movements and figures from across the country to die “a second death” and “fragment our collective memory and therefore our history.”¹⁷ While Ogot and others are undoubtedly right to call for the necessity of rigorous examination of the multiple anticolonial practices and nationalist thought that developed in dialogue with or indeed outside Mau Mau, understanding Kimathi and his contested legacy remains vital to grappling with the histories of dissent and political thought in colonial and postcolonial Kenya.¹⁸

While much of the renewed memorialization of Mau Mau in Kenya over the past ten years has focused on the figure of Kimathi—with a statue, plaques, and the date of his death being celebrated across the country, though with varying levels of state sanction—he remains a controversial and elusive figure.¹⁹ When the erection of a statute for Kimathi was finally confirmed in 2006, instructions called on the artists and designers involved to create an ideal of “heroic patriotism.”²⁰ Permanent secretary to the cabinet and the head of public service, Francis Muthaura, further called for the need to “correct the negative image” of Kimathi as he appeared in the famous photograph from his trial, “in handcuffs, disabled.”²¹ Absences and silences, as much as his ubiquitous image and reworked words of resistance, cloud the figure of Kimathi in contemporary Kenya. Archives, like that of the trial and Kimathi’s own voluminous writings during the Mau Mau rebellion, have been shrouded in uncertainty: disappeared, destroyed, or mistranslated. Oral accounts and memoirs, as we shall see, also produce contradictions and ambiguities. The fate even of his body remains a mystery, despite multiple attempts to locate and uncover his burial site.²²

The recovery of the “missing” Kimathi trial file that prompted the creation of this volume provides just such an opportunity. Some of the most heated historiographical debates mentioned above have centered on memory, political partisanship, and the use of sources.²³ Controversies over classified, “missing,” or destroyed British archives on Mau Mau in specific and on the British Empire more generally have grabbed headlines in recent years.²⁴ The activism of Mau Mau veterans seeking reparations from the British government has prompted an opening of files and a court case on the costs of the colonial counterinsurgency in Kenya.²⁵ Huw Bennett has written the first full study of the “hidden” colonial archive at Hanslope Park, home to Her Majesty’s Government Communication

Centre.²⁶ Historians Bennett, David Anderson, and Caroline Elkins all played prominent roles in the trial itself, offering evidence of the “systematic abuse and abrogations of justice” that Mau Mau veterans suffered due to the colonial counterinsurgency in Kenya.²⁷ In 2013 the British government announced a negotiated settlement including compensation in the amount of \$21.5 million to be paid to fifty-two hundred Mau Mau veterans. In 2014 a further suit, involving over forty thousand Kenyan claimants, was launched against the British Foreign and Commonwealth Office for a range of alleged offences, including false imprisonment, forced labor, abuse, and denial of rights.²⁸

Even within this context of secreted or destroyed archives, the absence of Kimathi’s trial has been glaring. Mau Mau history has produced a wealth of primary-source texts, including colonial documents, memoirs, and personal archival publications.²⁹ Archives from the trials of Mau Mau fighters formed the basis for Anderson’s acclaimed study *Histories of the Hanged*. In this book, Anderson demonstrated how these meticulously detailed court transcripts allowed the stories of the shadowy, nameless figures of the Mau Mau rebellion to be brought to light and to bring us closer to the violence and lived experiences of the end of empire and the making of a new nation.³⁰ John Lonsdale has argued that a careful reading of the trial of Jomo Kenyatta on charges of organizing Mau Mau, while secured through perjured testimony, revealed the ways the nationalist leader used “the law’s shield to turn the blow, to convert hegemony from mask of empire to argument for nationhood.”³¹ Myles Osborne has recently added to this literature by publishing the fascinating interrogation and trial of Kimathi rival Waruhiu Itote, or General China as he was known in the forest.³² Kimathi himself contributed self-consciously to this archival patrimony. He was an avid writer and believed in the bureaucratic work of documentation (see below). In 1987, Maina wa Kinyatti published a collection of letters written by and addressed to Kimathi.³³ But questions of provenance, access, and translation have dogged the veracity of this archival collection.³⁴ As with Kimathi’s contested legacy, irony marks the profusion, and yet also conspicuous absences, of Kimathi’s historical records.

If one searches for the “trial of Dedan Kimathi” in a range of search engines, one invariably finds not its archival record but the groundbreaking play *The Trial of Dedan Kimathi* by Kenyan authors Ngũgĩ wa Thiong’o and Mícere Githae Mũgo.³⁵ Written in 1976, the play uses the theater of

the trial to reclaim and rehabilitate a lost history for a postcolonial world. Kimathi, in Ngũgĩ and Mũgo's production, stands before the court and declares his undying commitment to the Mau Mau cause. He gives a history of the movement, of the "Kenyan masses," and of the oppression suffered under British rule. While Ngũgĩ and Mũgo make clear in the preface that their work was "*not* a reproduction of the farcical 'trial' at Nyeri" but rather "an imaginative recreation and interpretation of the collective will of the Kenyan peasants and workers," without the actual trial transcript available for academic and public examination, Ngũgĩ and Mũgo became responsible for constructing the popular postcolonial imagination of the trial and the man himself. And yet, as Ngũgĩ and Mũgo submit in their foreword to this volume, theirs was an imagining of the trial, and of Kimathi himself, that rejected "the entire assumptions underlying that British kangaroo court in Nyeri." The absence of the archival record of Kimathi's final stand, at least in part, created a space for popular mythmaking and the continual reimagining of this contested past.

The Hunt for (the Trial of) Dedan Kimathi

The location of the archival record of Kimathi's trial, much like the fate of Kimathi's body, has remained a mystery. Unlike the British intelligence and colonial records described above, the records of colonial trials mostly remained in the colony where they were produced, most often in multiple certified sets kept at various levels of the judicial process that could include, but were not limited to, sites of appeal outside the colony. Many scholars, writers, journalists, politicians, and activists have gone in search of the Kimathi trial. The tireless journalist and author Joseph Karimi lamented the impossibility of locating the file in his 2013 biography of Kimathi.³⁶ I recently came across a letter from no less than the late J. M. Kariuki, the populist leader assassinated in 1975, requesting the Kimathi file from the High Court of Kenya for a book he planned to write in 1971.³⁷ The request was denied.

My own search for the trial began inconspicuously enough.³⁸ After working on the court transcript of another anticolonial rebel, Dini ya Msambwa leader Elijah Masinde, whose trial had been mislabeled in the archives and never before used by historians, I decided, back in 2008, to

venture into the High Court of Kenya (now the Supreme Court) in search of Kimathi's trial.³⁹ I had heard from colleagues David Anderson and Stacey Hynd that the trial was housed there, and that a few had caught glimpses of various versions of the document, but that no one had as yet been able to secure a complete, certified copy. I arrived at the court and was escorted to the head archivist, who instructed me to bring a letter on my university's letterhead—the University of Cambridge at the time—with my request to view the file. Letter in hand, I returned and was told to meet another archivist in the basement where the court archives were held. Navigating the winding basement corridors stacked high with files and trial transcripts from floor to ceiling, I eventually found a young archivist who took my letter, told me to return the following day, and disappeared. The next day I arrived at the courthouse to find a stack of papers containing what appeared to be the trial of Dedan Kimathi lying on a crowded table.

The file was remarkable, containing a fuller picture of the trial than had ever been revealed before. I copied the entirety of the file and excitedly began research into this fascinating historical document. As I began to consult fellow scholars and legal experts, however, doubt was cast on the authenticity of this file. It was filled with strange artifacts. First among them, a header at the top of the file read REPUBLIC OF KENYA—but there was no “Republic of Kenya” in 1956.⁴⁰ Indeed in 1956 independence still seemed to many to be a far way off. The paper and typescript also did not match those in use at the time. The file had to have been produced in the postcolonial era. The file was also riddled with typos, omissions, and inconsistencies. At best, it seemed, this copy of the trial was a poor transcription of the original; at worst, it was a fabrication.

In consultation with the staff at the Supreme Court and archivists and scholars across East Africa, North America, and the UK, I attempted to authenticate the file and see if a certified original could be located. During that time, even the copy I had been given access to in 2008 seemed to have gone missing again. Exhaustive searches by archivists, curators, and staff at the Supreme Court and elsewhere seemed to be yielding little.

In 2015, I decided to widen my search. On a trip to the UK, I followed the trail left by the British lawyers who drafted Kimathi's final appeal to the Privy Council. Many interested parties and parliamentarians in Britain followed the case, warning of the danger of executing such a mythic figure in the Mau Mau movement and publicly pushing for the appeal.⁴¹ British

lawyer Dingle Foot took up the appeal. Foot had earlier successfully defended the Koinange family from the gallows.⁴² It can be assumed that a certified copy of the trial would have been sent to Foot to allow him to craft the appeal, though whether he would have kept a copy in his personal archives was a gamble. Foot's archives, housed at Churchill College at the University of Cambridge, turned out to be under a hundred-year closure, meaning none of his files from the 1950s would be accessible until at least 2050. But from the index of his files and conversations with the archivists at Churchill, it seemed unlikely that the trial would be among its contents.

Next, I went in search of Foot's associate, a lawyer named Ralph Millner. Often described as a "socialist" or "communist" lawyer, Millner defended several African trade unionists and liberation leaders against colonial prosecutions, wrote booklets on Soviet justice, and worked on multiple high-profile cases across the British Empire. Millner's papers were housed at the Institute of Commonwealth Studies at Senate House Library in London. The archivist at the institute informed me on my visit in May 2015 that Millner's papers had only recently been catalogued and that, to his recollection, no scholar had yet made use of them. The files proved incredibly rich, revealing the fascinating career of this "socialist" anticolonial British lawyer.

And there it was, among Millner's eclectic papers, a complete, original, and certified transcript of the trial of Dedan Kimathi. The file's cover contained the proper citing of the trial's case number and was embossed with the seal of Her Majesty's Supreme Court of Kenya. The paper was the thin, semitranslucent sheets that were used at the time to allow for multiple copies to be produced at once. In addition to the trial, Millner's papers also included reproductions of several of the exhibits submitted during the trial, usually destroyed after such proceedings, and marginal notes from both the judge in the case and Millner himself. After consulting again with scholars, archivists, and members of the judiciary, I could now confidently attest that the copy of the trial found among Millner's papers was authentic.

A few weeks later, upon my return to Kenya, ever more material began to emerge. Archivists and curators at the Supreme Court, due in large part to the tireless efforts of Stanley Mutuma, were able to locate two file folders containing an array of material from the trial, including original, handwritten letters by Kimathi submitted as evidence by the prosecution and

the X-ray of the contentious bullet wound he received during his capture. From this material, it seemed likely that the copy of the trial I had been given by the High Court was a poor transcription from the original, handwritten notes for the trial, written in an obscure shorthand that made full transcription almost impossible, probably hastily copied down sometime in the 1990s, judging by the paper and typescript. These newly uncovered files still did not contain a certified copy of the actual trial, and so it appeared the record of the trial found among Millner's papers was the only complete copy of the trial left in existence. Copies of the trial have now been "repatriated" to Kenya.⁴³ The retrieval and availability of this material, due in large part to the support, dedication, and cooperation of a wide range of scholars, archivists, and staff across the chief justice and deputy chief justice's offices, as well as the direct and enthusiastic support of former chief justice Willy Mutunga and former deputy chief justice Kalpana Hasmukhrai Rawal, has made possible the publication of this volume and the opening of a new chapter in the study of the Mau Mau rebellion.

Dedan Kimathi: The Man

Kimathi's biography is filled with questions and contradictions. Indeed, as this volume reveals, multiple Kimathis existed and continue to exist—many still wait for Kimathi to emerge from the forest, as did Ngũgĩ's Matigari, whose visage and material being seemed to morph and change as he moved about the country decades after independence.⁴⁴ But the dissonances in these stories provide opportunities; as Justin Willis has argued, "dissonances can tell us very much both about the ways in which people structure and understand the past—that is, about the ways in which they turn disparate fragments of knowledge into history."⁴⁵ The account of Kimathi's life given here has been gleaned from multiple sources, both written and oral, but should be read with an awareness that it, by necessity and design, must be partial, filled with dissonances, and open to continued contestation and revision.

Kimathi was born at Kanyinya, Tetu Location, Nyeri District of Central Province around 31 October 1920. He never knew his father but was raised by his mother, Waithuthi, and took her late husband's name, Wachiri, as his own. From a young age, Kimathi excelled in school. At age

fifteen, he entered Karunaini Primary School in Tetu Location, where he became well known for his prowess in debating clubs, his voracious appetite for the written word, and his own eloquent prose.⁴⁶ With school fees difficult to secure consistently, Kimathi moved in and out of schooling and odd jobs over the next few years. In 1941, Kimathi enlisted as a sweeper with the King's African Rifles (KAR), work he soon deserted after being exposed to the terrible conditions of African troops.⁴⁷ This brief service has led to the popular myth that Kimathi, like other Mau Mau generals, had served with colonial forces in the global theaters of war during World War II. In reality, his service was brief and confined to Kenya, a period even Kimathi omitted when relating his own biography to his interrogators after his capture.⁴⁸ In 1942 he enrolled in the Church of Scotland Mission Primary School at Tumutumumu but was expelled in February 1944, for reasons that remain a matter of debate. After trying his hand at a variety of jobs, ranging from dairy clerk to farm laborer and contractor, Kimathi returned to his old school of Karunaini as an "untrained" teacher. While his teaching career was short lived, Kimathi is widely remembered for his dedication to education. Eloise Mukami, then a student at Karunaini and later married to Kimathi in 1948, remembered Kimathi as a brilliant and strict teacher: "Mwalimu Dedan Kimathi was tough. My schoolmates and I respected him for his intellect but also feared him for his insults when we did not perform well."⁴⁹ It is said that during his time at Karunaini Primary School he opened a night school, "teaching simple writing and reading to earn money to pay his school fees."⁵⁰ Indeed, the tribal policeman Njeru s/o Karundo, who would confirm Kimathi's identity on the day of his capture, in 1956, was a former Karunaini student and remembered Kimathi from his time there as a teacher.

Some time between 1947 and 1949, Kimathi joined the emerging nationalist movement, becoming a member of the Kenya African Union (KAU), the first national political party in Kenya. Kimathi served as secretary for the Ol Kalou branch, where Kimathi worked as a swineherd, and the Thomson's Falls branch of the KAU, though the exact chronology of his time as secretary remains difficult to pin down. Kimathi's political career and relationships within the KAU, however, seem to have been limited. In his interrogation, Kimathi asserted that he had seen then president Jomo Kenyatta at KAU meetings, particularly at the famous meeting at Thomson's Falls on 26 June 1952, but that he had "never had private conversations

with him or with other political leaders.”⁵¹ The Ol Kalou and Thomson’s Falls branches, where Kimathi served as secretary, were, by his time, controlled by the militant supporters of the Muhimu, an outgrowth of the Anake a Forti (Forty Group) made up of ex-servicemen, urban gangs, and frustrated political activists of the late 1940s. Rumors of a growing movement among the urban youths from the Muhimu, squatters, and a wider range of supporters in the rural areas of Central Kenya were spreading in the early 1950s. The Muhimu committee played a central role in transforming and spreading the practice of oathing from the urban areas to rural villages.⁵² Kimathi quickly rose among their ranks, becoming a respected oath administrator and organizer of a growing movement as yet without a name. Violent episodes increased into the early 1950s as attacks on settler farms, arson, and political murders gave shape to an emerging insurgency. Reports of mass oathing ceremonies, growing resistance and acts of arson on settler farms in the White Highlands, and the murder of “loyalist” Senior Chief Waruhiu prompted the colonial government to declare a State of Emergency in October 1952. The following few months would see the murders of white settlers, Senior Chief Nderi Wang’ombe, and prominent Nairobi politician Tom Mbotela. Directly following the declaration of the emergency, the colonial government launched a series of operations aimed at imprisoning political leaders, rounding up Gikuyu residents of Nairobi, and interning in concentration camps both those suspected of Mau Mau involvement and those in the rural areas accused of providing “passive” support to the movement.⁵³ In November 1952, Kimathi found himself arrested for the first time during one of the frequent “screenings” of farm laborers, on suspicions of his involvement in the murder of Senior Chief Nderi. But Kimathi managed to escape by bribing a local warder (perhaps with the assent of local chief Muhoya, whose relationship with Kimathi is discussed below). Kimathi then headed for the Nyandarua forest, also known as the Aberdare forest.

It was in the Nyandarua forest that Kimathi rose to become one of the most important leaders of the Mau Mau rebellion. His time in the forest is the best-documented, though still greatly contested, period in his life. There he founded the Kenya Defence Council and the Kenya Parliament, both attempts to bring order, hierarchy, and centralization to the scattered Mau Mau forces. Unlike General Mathenge, Kimathi was known less for his prowess as a field general and more for his speeches and ability to draw

on global exemplars of revolution and political thought.⁵⁴ He was known to tour all *itungati*, troops of young “warriors,” giving motivational speeches to the young men and chastising their leaders for any breach of protocol he discovered at their camps.⁵⁵ Kimathi was obsessed with the bureaucratic recording of the daily work of his troops and the ever-shifting organization of Mau Mau forces.⁵⁶ At a now famous meeting held at Mwathe in August 1953, Kimathi lectured the hundreds gathered on the need for record keeping.⁵⁷ Special Branch reports in June 1953 repeatedly reference finding typewriters, printing machines, and other record-keeping materials.⁵⁸ According to Derek Peterson, these record books “would make them citizens of a future independent polity. . . . Mau Mau’s record keeping was more than a memory bank. In writing, Mau Mau imagined a counter-state.”⁵⁹ In the forest, Kimathi became a statesman, and imagined himself as a leader of a new polity of citizens of an ordered, lawful, and progressive society.

But Kimathi was also at the center of many of the more contentious conflicts over discipline and moral order in the forest: as Lonsdale put it, “quarrels of gender and education were at the heart of Mau Mau’s agonized spirit of manhood.”⁶⁰ While Kimathi enforced a strict code of legal prohibitions and punishments in the forest, he also drew resentment from fellow fighters when he failed to punish his brother Wambararia for attempted murder. While Kimathi chaired meetings on the question of women in the forest, penned prohibitions on sexual affairs with female fighters, and was the first to allow women to be promoted in the military ranks, he was also well known for his relations with female fighters, often described in memoirs on both sides as keeping a “harem” of lovers in his company.⁶¹ Most famous perhaps was Kimathi’s relationship with his long-term mistress in the forest, Wanjiru Wambogo, the only woman in the forest to be awarded the rank of colonel and regarded as the “head of the women and the mother of Mumbi’s children.”⁶²

Kimathi’s confrontations with other generals were legendary. Superintendent Henderson noted that “in the rest of Kenya there were a few Africans who could have held their own with Kimathi in council or on the platform. But they were not in the forest and Kimathi was.”⁶³ In the forest, literacy often became a dividing line among the leadership.⁶⁴ Kimathi openly criticized the unlettered and they in turn accused Kimathi of having been poisoned by Christianity and Western education. In March 1955, General Stanley Mathenge and his followers broke away from Kimathi’s

Kenya Parliament and formed their own association, the Kenya Riigi, which translates as the woven door that secured the opening of a Gikuyu household.⁶⁵ As Peterson has argued, “to Riigi critics, the bureaucrats of Kimathi’s Kenya Parliament were untrustworthy. . . . General Kahiui-Itina accused Kimathi and other educated Protestant leaders of using their illiterate followers for their own selfish ends.”⁶⁶

Of particular interest in relation to his later trial is the question of Kimathi’s role in and openness to negotiations with the British. In August 1953, Kimathi sent a letter to prominent politician W. W. W. Awori to be published in his newspaper *Habari za dunia*, which Awori published and then turned over to the colonial police Criminal Investigation Department (CID). The letter was then translated into English and published in the *East African Standard*. In this letter, Kimathi wrote, “I have told all leaders of the war in the forest areas to stop fighting again from August 1, 1953. . . . Now it is only peace we want to maintain.”⁶⁷ In Special Branch files, Huw Bennett found similar references to negotiations in 1953 indicating the Kenya Intelligence Committee believed these letters to reveal “a sincere wish by many Mau Mau to surrender,” though they remained doubtful of the reach of Kimathi’s influence.⁶⁸ Such discussions led to the first surrender offer by the British government on 24 August 1953. When few surrendered in the first few weeks following the offer, Kimathi again requested negotiations toward a conditional truce, though Bennett was unable to find any evidence that this request was followed up.⁶⁹ While this initial surrender scheme yielded little, these records do demonstrate how early in the Emergency lines of communication had been opened and negotiations discussed, with Kimathi at the center.

There also exists a series of letters that discuss negotiations and surrender possibilities between Kimathi and Senior Chief Kagumba wa Muhoya, chief of Ihururu, in the North Tetu division of Nyeri. The relationship between Muhoya and Kimathi revealed the complex and intertwined personal histories of dissent and loyalism within the Mau Mau rebellion.⁷⁰ Kimathi was age-mates with Muhoya’s sons, and worked with Muhoya during his time at the Ihururu Dairyman Cooperative Society. Members of Muhoya’s home guard had gone to school with Kimathi, as had several members of the party who would later capture Kimathi. Indeed, Kimathi pinpointed Muhoya as a possible “go-between” for the rebel leader and the provincial administration. Their relationship was obviously

complex. In one letter, Kimathi chastised Muhoya for not controlling his home guard forces and announced that he would “come again in order to see you face to face, Muhoya.”⁷¹ He ended the letter by warning Muhoya that if he wanted war, then Muhoya best “enter the aeroplane with your Home Guard and go to Europe.” Exhibit No. 25 from Kimathi’s trial, a letter dated 2 June 1954 from Muhoya to Kimathi, revealed the regularity of their communications. In this letter, Muhoya informed Kimathi that he may “at any time surrender with your men under the original terms. . . . you and your followers will not be molested if coming in to surrender.”⁷² Henderson discovered this letter in a discarded skin satchel in 1955. While some in the colonial office remained wary of Muhoya’s true loyalties, the chief publicly derided Mau Mau as unruly youths who should return to productive labor and familial obligations. Muhoya managed to not only survive but also profit from the polarizing politics of the era.⁷³

The capture of General China, on 15 January 1954, provided the government with a new strategic option in regards to surrender negotiations. General China, born Waruhiu Itote and leader of the Mount Kenya forces, had a complicated relationship with Kimathi, who outranked him but allowed him a “practically unrestricted hand” in the leading of his troops.⁷⁴ China’s capture came as a result of an accidental gun battle between China’s men and government forces, during which China was shot. Though China, like Kimathi, would later claim he had come in to surrender and to negotiate on behalf of Mau Mau, he would be charged with consorting with armed men and the possession of ammunition, both capital charges under the Emergency Regulations.⁷⁵ Then assistant superintendent Ian Henderson led the interrogation of China and read in China’s detailed depiction of the Mau Mau’s structural organization the “sole wish . . . to expound his political testament . . . and then walk to the gallows without trial.”⁷⁶ Henderson reported that China wanted “no discord between himself and Dedan Kimathi although he does not consider that Kimathi is a good leader.” While China claimed Kimathi had lost “a lot of prestige” and that he was “frightened to leave the forest,” he affirmed that Kimathi was the undisputed leader and could not “be deposed.”⁷⁷ Although China was found guilty and sentenced to death, his sentence would be commuted in return for his cooperation with the colonial government in negotiating surrender terms with other Mau Mau generals still at large. After a large-scale surrender scheme negotiated by China and Henderson ended

in what seems to have been an unintended slaughter by British forces of Mau Mau forces gathering to surrender, negotiations ceased and China was sent to Lokitaung Prison until 1962, where he was imprisoned alongside future president Jomo Kenyatta.⁷⁸

Subsequent attempts at negotiations caused great internal dissension. Who should represent Mau Mau grievances and what the conditions of surrender should be caused ever-greater rifts to emerge among the leadership. In January 1955 the colonial government made another attempt at negotiations, declaring a two-week cease-fire and dropping leaflets offering amnesty to Mau Mau who surrendered. According to Kahinga Wachanga, Kimathi rejected this offer out of hand, but Wachanga and others felt the offer was genuine and proceeded with the negotiations. What happened next is perhaps best told by Wachanga himself:

At first light the following morning, we were awakened by Kimathi's *itungati*. We were told to raise our hands and we were searched for weapons. Then we were marched to meet Kimathi and ten Murang'a junior leaders. That morning, Kimathi had his men arrest twenty-seven senior leaders. Kimathi interrogated us upon our arrival in his *mbuci* ["guerrilla camp," derived from the English term "bush"]. He asked us why we had met with the government without him. Kimathi was a very jealous man. He did not want any one to be above him. He did not like it when we negotiated without him. He had wanted to lead the negotiations himself. Kimathi ordered his *itungati* to build a temporary camp to keep us in. We were held and interrogated there by Kimathi and his Lieutenants. We decided to try to escape after the fourth day in that camp. We were able to overpower our guards and get away into the forest. . . . This was truly the lowest point in our struggle. Kimathi had shown himself to the other forest leaders. From that time, he was unable to command the respect or support of any forest fighters.⁷⁹

Kimathi's scribe, Njama, tells a very different story of the circumstances and nature of this encounter, but he comes to a similar conclusion: after this affair, "Mathenge and his supporters had classified the Kenya Parliament and its supporters as enemies."⁸⁰ Whatever the motives and intentions, it is clear from these multiple accounts, including those presented in the primary documents in this volume, that Kimathi

had been discussing negotiations since at least mid-1953 and believed that if negotiations were to proceed, he was the only man to lead them. Despite the seeming failure of these multiple surrender negotiations, the forest war was all but over by the middle of 1955. Surrenders increased and the divides within the Mau Mau movement were widely publicized in British propaganda. But Kimathi was still at large, a fact that dogged colonial officials and inspired detained Mau Mau fighters and ordinary Kenyans across the colony.

The “hunt” for Dedan Kimathi has been enshrined in multiple accounts and elevated to mythic levels. Early intelligence reports seem to have known the least about Kimathi’s movements of any of the leaders in the forest.⁸¹ The elusive figure of Kimathi became a symbol of the entire rebellion. Home Guards training for service used an effigy of Kimathi for target practice.⁸² For many British officials, most famously in the case of Superintendent Ian Henderson, capturing Kimathi became “an obsession.”⁸³ Intelligence reports told of Kimathi wearing the overcoat of the “late Mr. Ruck,” an image that certainly would have added to his brutal and remorseless image in British minds.⁸⁴ A reward of KSh 10,000, or £500, was proffered in 1953 for information “leading to the arrest of a former Secretary of the Thompson’s [*sic*] Falls Branch of the KAU, Dedan Kimathi wa Waciuri, who is wanted in connection with the murder of chief Nderi.”⁸⁵ While British soldiers were not eligible for such rewards, British company commanders, with the knowledge of their commanding officers, made unofficial offers to their soldiers of KSh 100 “to kill the Mau Mau leader Dedan Kimathi”—a matter that prompted great controversy during the McLean Court of Inquiry in 1953 that investigated disciplinary breaches and misconduct among British forces.⁸⁶ In October 1954 the colonial government published thirty thousand flyers in Gikuyu asking, “Have you seen Dedan Kimathi lately?” hoping to enlist the public’s help and further restrict Kimathi’s ability to move throughout the region.⁸⁷

Kimathi’s legend grew with every month he eluded the British forces. Detained politician J. M. Kariuki remembered being forced to repeat the phrase “Dedan Kimathi and Stanley Mathenge will be finished in the forest” by the guards at the Langata detention camp.⁸⁸ Kariuki and others would subvert this psychological torture through some creative linguistic gymnastics: “fortunately the Swahili word for ‘flourish’ (*ishi*) is very similar to that for ‘finish’ (*isha*) so by mumbling in deep voices we managed to

disguise this one easily.” The “Song of Kimathi” elevated Kimathi to godly heights, with Kimathi, like the biblical Moses or perhaps the first Gikuyu man, ascending “into the mountains alone.”⁸⁹ Kimathi’s very name became synonymous with the Mau Mau rebellion, for all sides.

By early 1956, however, Kimathi was increasingly isolated, surrounded by a few loyal followers but constantly harassed not only by colonial forces but also by the *komerera* gangs that roamed the forests. The *komerera* were often former Mau Mau fighters condemned for their “idleness and cowardice,” as the term implied: “as vagrants they perpetrated anti-social violence, refused to cook for their leaders, and failed to fight the British.”⁹⁰ Kimathi saw in the *komerera* all the ill discipline and lack of moral order that he abhorred. From the early days, Mau Mau leaders worried that the *komerera* gangs who operated on the “fringes of guerilla operational areas” would damage their cause and that the unprincipled banditry of these “thugs” could prove “politically disastrous.”⁹¹ As Mau Mau forces became increasingly divided, *komerera* gangs proved ever more successful in stealing their stores, harassing their troops, and causing disorder in the few camps left under Kimathi’s command. In addition, Kimathi had to contend with the “pseudogangs,” bands of former Mau Mau fighters who had surrendered or been captured and sent back into the forest to infiltrate, capture, or kill the remaining forest fighters.

The hunt for Kimathi was prolonged and aided by the coalescence of these various forces. In June 1956, Henderson’s forces captured Kimathi’s brother Wambararia, who fed them false information that stalled the search for a time.⁹² Henderson, by his own account, ramped up the search after Wambararia’s capture, sending “a select group of the very best of our converted terrorists . . . over ninety hard-core Mau Mau” into the forest to search for Kimathi.⁹³ Although accounts vary, Kimathi’s “forest wife,” Wanjiru, either deserted him or was told by him to “be caught by yourself!” to allow Kimathi a close escape sometime in mid-October 1956.⁹⁴ When Wanjiru was captured, “she swore at her captors, spat at them, bit them and kicked at them as they bound her up.”⁹⁵ Henderson’s account of her initial obstinacy after her capture, sudden turn against Kimathi during interrogation, and surprising release soon after has led some to claim she gave crucial intelligence on Kimathi’s movements, though very little evidence exists to support these claims.⁹⁶ In Henderson’s words, “it seemed that even Ngai [God] was deserting Kimathi.”⁹⁷ When Kimathi was finally captured, in the

early hours of 21 October 1956 in the emergency trenches dug to separate the “native reserve” and the Nyandarua forest, he was alone.⁹⁸

Neither Henderson nor any of his “Mau Mau turncoats” were actually present when a troop of tribal police captured Kimathi on the edge of the forest reserve. While newspaper accounts and subsequent memoirs described the careful planning and the “tightening of the net” leading up to the capture, when read from the multiple accounts given as testimony during the trial the capture appears more accidental. Popular accounts tell of Kimathi entering the reserve that day, as he knew a film would be playing at Karunaini village, an event that would pull the civilian population away from their farms and allow Kimathi to gather some food.⁹⁹ Walking along the trench that morning, carrying a few ears of corn and some sugarcane, a troop of tribal police spotted his shadowy figure and began chase.

The actual progression of the subsequent events during the capture proved the most contentious aspect of Kimathi’s trial. How Kimathi came to be shot and captured remains disputed. The tribal police reserve constable responsible for shooting Kimathi, Ndirangu s/o Mau, would be alone during the actual shooting, despite earlier claims by his partner on patrol, Njogi s/o Ngatia, that he had witnessed the shooting. Ndirangu claimed he shot Kimathi in the leg as Kimathi attempted to reenter the forest. The evidence, including the X-ray of Kimathi’s bullet wound (fig. A.3 in appendix), as noted by Judge O’Connor in his judgment, however, did not support Ndirangu’s account. In 1985, at the age of seventy-nine, Ndirangu would recount a version of the capture to a local journalist almost identical to his testimony to the court in 1956, save one addition: after being shot, Ndirangu claimed Kimathi said to him “ni wega (It’s okay).”¹⁰⁰

Kimathi’s demeanor after the capture prompts some interesting questions. Kimathi was, by all accounts, an eloquent and effusive speaker. His silence after the capture stood out not only to British officials but moreover to local onlookers.¹⁰¹ After being read the charges against him, Kimathi stated, “I would like to say that I never knew there was such a law,” pausing for a few seconds and then adding, “I have nothing more to say.”¹⁰² The trial perhaps offers further insights, but Kimathi’s silence following his capture raises questions not only possibly about his own motivations and state of mind at the moment of capture but moreover about the possible colonial omissions or erasures of Kimathi’s voice during the period between capture and trial, a point raised by Mũgo and Ngũgĩ in their foreword.

The British press reported Kimathi's capture worldwide. The accompanying photograph pictured Kimathi, stripped of his leopard skin coat and cap, from an extremely high angle, dreadlocks wound tight atop his head, as if a subdued animal or helpless infant (photos 2 and 3).¹⁰³ A British Pathé newsreel video proclaimed to the world that the capture of Kimathi "will have a great psychological effect for the Mau Mau leaders still at large are only small fry. Without Kimathi, Mau Mau's days are numbered."¹⁰⁴ The government distributed one hundred thousand leaflets throughout Central Kenya detailing how Kimathi was captured. Special broadcasts announcing his capture were made with the aim of reaching "even the most remote and isolated villages in the Emergency areas."¹⁰⁵ Kimathi's capture also happened to coincide with the royal visit of Princess Margaret to Kenya, making Kimathi's capture share the front page of the *East African Standard* on 22 October 1956 with full images of the princess's arrival. The princess was regaled with stories of his capture, even meeting with the tribal police officers that led the capture outside of Government House.¹⁰⁶ Broadcast around the world, Kimathi's capture brought the special-forces operations in Kenya to a "spectacular conclusion."¹⁰⁷

The trial would occur almost a month later and last eight days. It would be one of the last in the long parade of Mau Mau trials throughout the 1950s that would lead 1,090 Africans to their deaths by hanging and thousands more to detention camps.¹⁰⁸ The charges against Kimathi were unlawful possession of a firearm and unlawful possession of ammunition.¹⁰⁹ Originally, British officials also charged Kimathi with the murder of Mwai Itufanwa, a forest guard who served outside Aberdare National Park, near Nyeri, and was killed in December 1952.¹¹⁰ But murder was a much harder charge to prove, and the mere possession of the pistol, a charge never denied by Kimathi, carried the death penalty under the Emergency Regulations. The murder charge was thus "delayed," though according to Prosecutor D. W. Conroy, it was technically never dropped.¹¹¹

Outside the courthouse, hundreds would gather each day hoping to catch a glimpse of the rebel leader, carried in and out of the court on a stretcher, still suffering from the bullet wound to his upper thigh (photo 6). Crowds grew to the point that local police set up roadblocks leading into the town.¹¹² Among those in the crowd was Kimathi's mother, who would also testify in the trial. *Time* magazine would describe the scene with vivid, and highly prejudicial, imagery:

Day after day, in the shade of the great jacaranda tree outside the courthouse at Nyeri, an old woman squatted, moodily scratching the vermin beneath her filthy rags. Inside, on trial for his life before a British judge and a jury of three Kikuyu elders from his native village, was her son, Dedan Kimathi, 36, self-styled Field Marshal, Knight Commander of the African Empire, President of the Parliament of Kenya and Commander in Chief of the Land Liberation Army, the man once feared through all Kenya as the leader of some 10,000 Mau Mau terrorists.¹¹³

The article would go on to describe Kimathi as “riddled with venereal disease . . . a leader with no army, betrayed even by his mistress . . . [having] only the memory of past power to sustain him.” As an ambulance drove Kimathi away from the courthouse each day, the article continued, “a crowd of impassive Kikuyu natives watched in stony silence,” and Kimathi’s mother “stared at her son’s Kikuyu judges and spat in the dust.” Present in this obviously sensationalized account lurk many of the colonial assumptions regarding not only Kimathi but moreover the wider African public who bore witness to this trial.¹¹⁴

Inside the courthouse, Kimathi stood trial with his court-appointed lawyer, Frederick Miller, before Justice O’Connor, Crown prosecutor Conroy, and three Gikuyu “assessors.” By all accounts, Kimathi appeared feeble, visibly drugged and in pain from the surgeries performed on his leg and hip after his capture. Indeed, the proceedings had to be suspended on the first day due to concerns over Kimathi’s medical condition. This was not to be a soapbox trial, as in the cases of other anticolonial leaders put on trial the likes of Jomo Kenyatta and Nelson Mandela.¹¹⁵ As litigant, Kimathi proved himself the ever-controlled, measured speaker he had gained a reputation for in debating clubs and in his command of troops in the forest. Kimathi used the complicated internal politics of Mau Mau, the colonial government’s often contradictory counterinsurgency strategies, and his own painful, seemingly hidden history of epilepsy to make his case.¹¹⁶

It was this last strategy that provided some of the most poignant moments of the trial: in Kimathi’s words, “during my life I have suffered from what the Kikuyu call ‘devils.’ It throws me down to the ground and I become unconscious. . . . It started a very long time ago when I was young . . . when I was a small boy. I have these fits very often. They have continued all

my life.” While epilepsy remains a highly stigmatized disorder in modern Kenya, its associations with excessive religiosity, mental instability, or prophetic calling have a distinct colonial history.¹¹⁷ Kimathi spoke of receiving treatment for his condition in the forest: “I have been treated by ‘medicine men’ (Witness corrects the interpreter’s translation to ‘Witch doctors’) not by African doctors of medicine.” Kimathi’s correction of the interpreter here raises questions not only about translation but moreover about the role of witchcraft in the movement: in 1955, the district officer and later historian John C. Nottingham voiced the widely held official view that “on witchcraft all movements such as Mau Mau must be built.”¹¹⁸ Indeed, both sides appealed to the power of witchcraft in their propaganda: British propaganda painted Mau Mau fighters and supporters as brainwashed, under the spell of powerful leaders who used witchcraft to control their loyalties, while Mau Mau propagandists similarly invoked their ability to harness witchcraft powers and enlisted Kamba witchcraft practitioners to “employ power and paraphernalia against the state.”¹¹⁹

Such testimony also raised questions regarding Kimathi’s mental state, and indeed the collective mental stability of all those who fought in the forest. While a defense of “insanity” was specifically not sought in this case, and indeed the evidence of epilepsy was presented not as explanation of Kimathi’s behavior or leadership but rather as explanation of his failure to articulate his desire to surrender at his capture, the specter of madness and witchcraft raised through this testimony certainly resonated with a much longer history of the pathologization of dissent.¹²⁰ The testimony around Kimathi’s history with epilepsy also provides a stinging resonance with Maina wa Kinyatti’s vitriolic rant in 2007 during the unveiling of the Dedan Kimathi statue (photo 9), in which he argued that the fighters of the Mau Mau Land and Freedom Army were “still being treated like an epileptic orphan.”¹²¹ While not examined explicitly in this volume, Kimathi’s trial transcript opens up the possibility of new insights and explorations into African and European perceptions of health and disease, witchcraft and power, psychology and rebellion.

For Kimathi, this trial, which would almost certainly end in his death, represented a last opportunity to record his patriotic vision and renegotiate the meaning of the Mau Mau movement. And yet, as a close reading of the trial and as the contributors to this volume suggest, multiple meanings can be drawn from Kimathi’s testimony.¹²² As General

China wrote in his memoir regarding his own trial, “whether anyone tells the whole truth in a court which is trying him for his life is doubtful; at least, I doubt it.”¹²³

After the assessors returned their unanimous verdict of guilty, Judge O’Connor sentenced Kimathi to death by hanging. Multiple appeals failed and Kimathi was moved to Kamiti Prison, in Nairobi, where he was held until the day of his execution (see fig. A.5). In his memoir, former Special Branch officer Derek Peter Franklin provided an account of Kimathi’s final days, relayed to him by his brother Raymond, who served as one of Kimathi’s guards. He described Kimathi’s cell as cramped and stench ridden, with Kimathi originally manacled by one hand to the wall above his bed before medical concerns prompted an adjustment of the spatial arrangement in his cell.¹²⁴ Another account offered a different image of Kimathi in his final days. On a torn slip of paper telegraphed to London in February 1957, a “Senior Prison Officer” at Kamiti Prison described Kimathi as a model prisoner, and said of his final walk to the gallows, “to the last he was composed and quiet.”¹²⁵

Kimathi’s death prompted a variety of responses. In the *Daily Worker*, renowned author Doris Lessing called Kimathi’s execution “a completely barbarous act of which we should all be deeply ashamed.”¹²⁶ Solly Sachs, a prominent trade unionist exiled from South Africa, predicted “the execution of Dedan Kimathi will send a wave of horror and indignation throughout the peoples of Africa and Asia, and of Europe and America, who are bitterly opposed to the policy of terror and oppression in Kenya and other parts of Africa.”¹²⁷ For many Kenyans, mourning for Kimathi would have to remain clandestine with Emergency Regulations still in effect until 1960, thousands still in detention, and no body to bury. The date of his death, however, inspired yearly commemorations and has served as a symbolic reference point for continuing postcolonial struggles.¹²⁸

The Volume

This critical edition provides the first public availability of the complete trial of Dedan Kimathi. The publication of the trial transcript may be shocking, even unsettling to those for whom Ngũgĩ and Mũgo’s version provided the reclamation of a collective history of solidarity, heroism, and

national fidelity. But a close reading of the trial reveals that much of our historical and contemporary knowledge of Kimathi, the internal structure of Mau Mau, and the political legacies of rebellion and counterinsurgency in Kenya are in need of further public and academic reflection. Annotations have been provided throughout the primary texts to offer points of clarification and context. The audiences for this volume are thus necessarily multiple.

To put the trial in a broader context, this volume also includes material related to the trial and several other important documents. The Judgment and the Appeals for Kimathi's case provide a lens into how the British colonial justice system interpreted and carried out legal procedures in this very high profile case. The thoroughness of these procedures, as Anderson argues in his contribution to this volume, speaks to the recognition of the potential impact of the Kimathi verdict.

If one is looking for a Kimathi closer to that of Ngũgĩ and Mũgo's creation, then one might find him more readily in the pages of his interrogation. By the end of this report, Kimathi's interrogator A. D. Dunn reveals his frustration with Kimathi's unwillingness to give names. Throughout, Kimathi refuses to reveal the true name of his "mistress" and supposed "betrayers." He refuses to name any of those who participated in the "passive wing" of Mau Mau, those who provided food and support from the reserves. Dunn ends by noting that the "subject is a man of tremendous personality, with a well developed sense of humor, and punctuated his obvious lies with a large grin." But, as Anderson and Lonsdale point out in their contributions to this volume, the account offered by Kimathi under interrogation deviates significantly from, and even at times contradicts, his testimony before the colonial court.

Finally, several key exhibits from the trial and letters written by Kimathi have been included in their original form. Considering the voluminous collection of letters Kimathi wrote over the course of the rebellion, the selection of letters chosen as exhibits reveals the selective nature of the prosecution's case as well as the hesitancy of the defense to submit into evidence any further documentation that might prove incriminating. Exhibit No. 22 (Document 7) offers a particularly unique source, as it appears to be the only letter still in existence originally written by Kimathi in Gikuyu. Further, the translation of the document into English (Document 8) for the court proceedings reveals the ambiguous and politically

charged nature of such work. I am grateful to Derek Peterson and Joseph Kariuki Muriithi for their insightful and provocative annotations on the work of translation and the relationship between these two versions of this letter. Other documents, including Kimathi's last letter to Father Marino, and further exhibits from the trial, including the contentious X-ray of Kimathi's wound, provide a complex constellation of archival material now available for public and academic analysis.

This volume also includes critical essays by some of the most prominent Mau Mau scholars in the world. David Anderson's chapter provides an incisive look into the mechanics of British colonial justice and the character of the legal proceedings taken against Kimathi. Kimathi's trial, in Anderson's assessment, was "functional and ordinary," and in many ways more rigorous and carefully orchestrated than other Mau Mau trials at the time. But it was also rich with political significance, and filled with revelations on Kimathi's complex motivations and shifting strategies during the course of the rebellion. While encouraging caution regarding the possibility of the "colonial fabrications" that Mũgo and Ngũgĩ point to in their foreword, Anderson demonstrates just how crucial such texts can be in the historical project of "triangulation" and the "balancing of evidence."

There is perhaps no scholar more renowned or respected for investigating the moral economy of Mau Mau than John Lonsdale. In his contribution, Lonsdale draws together threads of arguments he has made throughout his career to examine the ways Kimathi's defense put "Mau Mau's internal debates publicly on trial." Setting Kimathi's defense in a longer genealogy of moral disputes over social obligation, collective action, and generational discipline, Lonsdale investigates the "intimate unease" and necessary subversions such histories engendered.

Placing the Kimathi trial into a broader social and political context, Nicholas Githuku's chapter offers provocative insights and critical reflections on the roles of legality, morality, and identity within the Mau Mau movement and the decolonization of Kenya. Githuku importantly asks readers to think equally about what was "not on trial" in Kimathi's case. Using a broad theoretical and interdisciplinary framework, Githuku unpacks the "uneasy tango" of Britain and Kenya's colonial pasts and reveals Kimathi as a "privileged identity" in contemporary conceptions of nationalism, state building, and social justice.

Simon Gikandi's chapter delves into the spaces between literary representation and historical imagination, memory and forgetting, materiality and absence, the archival and the imaginative. As popular literature has played a prominent role in the making of "Mau Maus of the mind," Gikandi explores the elusive literary figure of Kimathi as a "floating signifier"—a symbolic referent for national imaginaries that resists repression despite the danger his figure continues to pose to the postcolonial state. Popular writing around Kimathi, Gikandi argues, further reveals contemporary "historiographic anxieties" and provides a "space of dislocating the truth claims of colonial and postcolonial history."

Finally, Lotte Hughes's chapter bravely dives into the murky waters of the ongoing battles over the memorialization of Mau Mau in Kenya, battles that have often featured Kimathi at their center. Taking a broader lens, Hughes's contribution offers new ways to think about the so-called "amnesia policy" and "crisis of memory" in postcolonial Kenya, and the state and nonstate heritage projects that reflect the fragmented experiences of rebellion as much as their aims of reconciliation. Examining the activism of Mau Mau veterans themselves in driving for public recognition, Hughes unpacks the national processes of memory making and the search for a "useable" Mau Mau past.

If there is one aspect of this story that is beyond question, it is that Kimathi was a dedicated scribe. By all accounts, he was a careful and charismatic speaker; a bureaucratic leader, who believed in the importance of record keeping and history writing; an intellect to be reckoned with, in person and on the page. In 1953, when the CID complained that they still did not have a picture of the famed Mau Mau leader, Kimathi staged two photographs and had them delivered to the Nyeri police station. In the second, he posed deep in the Nyandarua forest, head high, holding a rifle (see fig. A.4). At a time when the mere possession of a weapon carried the death penalty, Kimathi announced himself to the world holding a rifle. The *East African Standard* would publish a modified version of the photo, cropping out the rifle and centering only Kimathi's face, carrying the caption "This is Dedan Kimathi, the notorious Mau Mau terrorist, on whose head there is a price of £500. . . . It shows him in an arrogant pose—head thrown back and hair brushed out, recalling the pompous manner struck by Mussolini—so that the light exaggerates his features."¹²⁹ The prosecution would

use this photo as evidence against Kimathi's claims to nonviolence: when asked why he had the photo taken, Kimathi replied, blithely, "It is no harm to have a photo taken. I wished to have it taken. The rifle was not mine."¹³⁰

But in the first, earlier photograph sent to the CID, Kimathi posed holding a different weapon: the pen (see photo 1). Another rebel stands beside him, holding open a notebook as if ready to take down Kimathi's every word.¹³¹ It is in this spirit that this volume presents this material, made public for the first time since Kimathi's death, sixty years ago. The voices captured in this volume, from colonial officials to Kenyan writers to international scholars to Kimathi himself, do not always agree. Archives such as these documents create as much as they record. No one, singular "Kimathi" emerges from this volume. But, as former chief justice Mutunga evokes in his introductory note, through such revitalized public and academic engagements, we hope, "a luta continua!"

Notes

1. Criminal Case no. 46 of 1956, Dedan Kimathi v. Regina, Her Majesty's Supreme Court of Kenya at Nyeri, Papers of Ralph Millner, Archives of the Institute of Commonwealth Studies, Senate House Library, London, ICS165/3/2.

2. As Mĩcere Gĩthae Mũgo and Ngũgĩ wa Thiong'o point out in their foreword, along with several of the contributors in this volume, the term Mau Mau was popularized by British officials and the colonial press, and its origins and meaning remain contested. However, scholars and veterans of the movement alike have largely taken up the ascription in the postcolonial period. For some of the debates over the use of the term and the multiple "faces" of this rebellion, see E. S. Atieno Odhiambo, "The Production of History in Kenya: The Mau Mau Debate," *Canadian Journal of African Studies* 25, no. 2 (1991): 300–307; E. S. Atieno Odhiambo and John Lonsdale, eds., *Mau Mau and Nationhood: Arms, Authority and Narration* (Athens: Ohio University Press, 2003); Donald L. Barnett and Karari Njama, *Mau Mau from Within: Autobiography and Analysis of Kenya's Peasant Revolt* (New York: Monthly Review Press, 1966), 54–55; Bruce Berman, "Nationalism, Ethnicity, and Modernity: The Paradox of Mau Mau," *Canadian Journal of African Studies* 25, no. 2 (1991): 181–206; Frederick Cooper, "Mau Mau and the Discourses of Decolonization," review of *Squatters and the Roots of Mau Mau*, by Tabitha Kanogo, and *Economic and Social Origins of Mau Mau*, by David W. Throup, *Journal of African History* 29, no. 2 (1988): 313–20; John Lonsdale, "Mau Maus of the Mind: Making Mau Mau and Remaking Kenya," *Journal of African History* 31, no. 3 (November

1990): 393–421; Lonsdale, “The Moral Economy of Mau Mau: Wealth, Poverty, and Civic Virtue in Kikuyu Political Thought,” in *Unhappy Valley: Conflict in Kenya and Africa*, vol. 2, *Violence and Ethnicity*, ed. Bruce Berman and John Lonsdale (Athens: Ohio University Press, 1992), 315–504; Carl G. Rosberg Jr. and John Nottingham, *The Myth of “Mau Mau”: Nationalism in Kenya* (New York: Praeger, 1966). For debates on the term Mau Mau, see also Lonsdale’s contribution to this volume.

3. For the sake of consistency, the term Gikuyu is used throughout this volume, though the common form of Kikuyu appears in several of the primary and secondary sources and in references to historical names (e.g., Kikuyu Central Association).

4. Ian Henderson, *The Hunt For Kimathi*, with Philip Goodhart (London: Hamish Hamilton, 1958), 22.

5. *East African Standard*, 7 September 1953.

6. William R. Ochieng’, “Dedan Kimathi: The Real Story,” *Maseno Journal of Education, Arts and Science* 1, no. 1 (1992): 134.

7. Ali A. Mazrui, “On Heroes and Uhuru-Worship,” *Transition* 3, no. 11 (November 1963): 28.

8. Other scholars have argued this point. See, for example, David M. Anderson, *Histories of the Hanged: Britain’s Dirty War in Kenya and the End of Empire* (London: Weidenfeld and Nicolson, 2005), 287. For a fascinating account of academic debates over the place of Mau Mau and Kimathi in Kenyan historiography, see David William Cohen, *The Combing of History* (Chicago: University of Chicago Press, 1994), 59–64.

9. As quoted in S. M. Shamsul Alam, *Rethinking the Mau Mau in Colonial Kenya* (New York: Palgrave Macmillan, 2007), 41. For Eloise Mukami’s recollections of this event, see Wairimū Nderitū, *Mūkami Kĩmathi: Mau Mau Freedom Fighter* (Nairobi: Mdahalo Bridging Divides, 2017), xiii–xix.

10. Marshall S. Clough, *Mau Mau Memoirs: History, Memory, and Politics* (Boulder: Lynne Rienner, 1998), 82.

11. *Ibid.*, 243.

12. H. K. Wachanga, ed. Robert Whittier, *The Swords of Kirinyaga: The Fight for Land and Freedom* (Nairobi: East African Literature Bureau, 1975), 26

13. *Ibid.*, 32.

14. Barnett and Njama, *Mau Mau from Within*; Sam Kahiga, *Dedan Kimathi: The Real Story* (Nairobi: Longman Kenya, 1990); Waruhiu Itote, “Mau Mau” General (Nairobi: East African Publishing House, 1967); Itote, *Mau Mau in Action* (Nairobi: Transafrica, 1979); Shiraz Durrani, *Kĩmathi: Mau Mau’s First Prime Minister of Kenya* (London: Vita Books, 1986); Tabitha Kanogo, *Dedan Kimathi: A Biography* (Nairobi: East African Educational Publishers, 1992); David Njeng’ere, *Dedan Kimathi: Leader of Mau Mau* (Nairobi: Sasa Sema Publications, 2003); Wachanga, *Swords*; Kenneth Watene,

Dedan Kimathi (Nairobi: Transafrica, 1974). For a comprehensive look at how Kimathi has been portrayed in memoirs and popular literature, see Alam, *Rethinking the Mau Mau*, 53–70.

15. For a recent summary of these historiographical debates, see Myles Osborne, “The Historiography of Mau Mau,” in *The Life and Times of General China: Mau Mau and the End of Empire in Kenya*, ed. Osborne (Princeton: Markus Wiener, 2015), 255–61.

16. Bethwell A. Ogot and Mordecai Tamarkin both provided early accounts of the ambiguous position of loyalists within the Central Province. Bethwell A. Ogot, “Revolt of the Elders: An Anatomy of the Loyalist Crowd in the Mau Mau Uprising, 1952–1956,” in *Politics and Nationalism in Colonial Kenya*, ed. Ogot, Hadith 4 (Nairobi: East African Publishing House, 1972), 134–49; Mordecai Tamarkin, “The Loyalists in Nakuru during the Mau Mau Revolt and Its Aftermath, 1953–1963,” *Asian and African Studies* 12, no. 2 (1978): 247–61. Daniel Branch has written the first full study dedicated to the history of the loyalists: *Defeating Mau Mau, Creating Kenya: Counterinsurgency, Civil War, and Decolonization* (Cambridge: Cambridge University Press, 2009).

17. Bethwell A. Ogot, “Mau Mau and Nationhood: The Untold Story,” in Atieno Odhiambo and Lonsdale, *Mau Mau and Nationhood*, 34. See also Ogot, “Britain’s Gulag,” review of *Histories of the Hanged: Britain’s Dirty War in Kenya and the End of Empire*, by David M. Anderson, and *Britain’s Gulag: The Brutal End of Empire in Kenya*, by Caroline Elkins, *Journal of African History* 46, no. 3 (2005): 493–505.

18. For one example of such fruitful comparisons, see Julie MacArthur, “Rebel Litigants: The Lost Trials of Elijah Masinde and Dedan Kimathi,” Dedan Kimathi University of Technology, Conference Proceedings, July 2014.

19. Godwin Siundu, “Reading the Statue of Dedan Kimathi,” *Standard*, 24 February 2007; Mazrui, “On Heroes”; Annie E. Coombes, “Monumental Histories: Commemorating Mau Mau with the Statue of Dedan Kimathi,” *African Studies* 70, no. 2 (2011): 202–23; Annie Coombes, Lotte Hughes, and Karega-Munene, *Managing Heritage, Making Peace: History, Identity and Memory in Contemporary Kenya* (London: I. B. Taurus, 2014); Patrick Gathara, “The Spoils of War: Why Do We Celebrate Kenyatta, Not Kimathi, Day?” 19 October 2009, <http://gathara.blogspot.ca/2009/10/spoils-of-war-why-do-we-celebrate.html>. For Kimathi as an “elusive” figure, see Gikandi’s contribution to this volume.

20. Instructions for Dedan Kimathi Statue, no author, n.d. [2006], Kimathi Statue file, Nairobi, National Museums of Kenya (NMK) Archives. For more on the erection of the Kimathi statue, see Hughes’s contribution to this volume.

21. See cover image. Francis K. Muthaura, Permanent Secretary to the Cabinet and Head of the Public Service to Alice K. Mayaka, Permanent

Secretary to the Ministry of State for National Heritage, 24 July 2006, Kimathi Statue file, NMK Archives.

22. Daniel Branch, “The Search for the Remains of Dedan Kimathi: The Politics of Death and Memorialization in Post-Colonial Kenya,” *Past and Present*, suppl. 5 (2010): 301–20. For a wider discussion of the place of the dead and burial in relation to Mau Mau in contemporary Kenya, see David M. Anderson and Paul J. Lane, “The Unburied Victims of Kenya’s Mau Mau Rebellion: Where and When Does the Violence End?,” in *Human Remains in Society: Curation and Exhibition in the Aftermath of Genocide and Mass-Violence*, ed. Jean-Marc Dreyfus and Élisabeth Anstett (Manchester: Manchester University Press, 2017), 14–37.

23. See, for example, Caroline Elkins, *Britain’s Gulag: The Brutal End of Empire in Kenya* (London: Pimlico, 2005); Derek Peterson, “The Intellectual Lives of Mau Mau Detainees,” *Journal of African History* 49, no. 1 (March 2008): 73–91; Ogot, “Britain’s Gulag”; John Lonsdale, “Britain’s Mau Mau,” in *Penultimate Adventures with Britannia: Personalities, Politics and Culture in Britain*, ed. William Roger Louis (London: I. B. Tauris, 2008), 259–73; Joanna Lewis, “Nasty, Brutish and in Shorts? British Colonial Rule, Violence and the Historians of Mau Mau,” *Round Table* 96, no. 389 (April 2007): 201–23.

24. Ian Cobain and Richard Norton-Taylor, “Mau Mau Massacre Cover-up Detailed in Newly-Opened Secret Files,” *Guardian*, 30 November 2012; Cobain and Norton-Taylor, “Files That May Shed Light on Colonial Crimes Still Kept Secret by UK,” *Guardian*, 26 April 2013; Claire Ellicott, “How UK Ordered Mau Mau Files to Be Destroyed: Archives Reveal How Staff ‘Cleansed’ Dirty Documents Related to Colonial Crimes,” *Daily Mail*, 29 November 2013.

25. David M. Anderson, “Guilty Secrets: Deceit, Denial, and the Discovery of Kenya’s ‘Migrated Archive,’” *History Workshop Journal* 80, no. 1 (Autumn 2015): 142–60; Anderson, “Mau Mau in the High Court and the ‘Lost’ British Empire Archives: Colonial Conspiracy or Bureaucratic Bungle?,” *Journal of Imperial and Commonwealth History* 39, no. 5 (2011): 699–716. For more on these court cases, see Hughes’s contribution to this volume.

26. Huw Bennett, *Fighting the Mau Mau: The British Army and Counter-insurgency in the Kenya Emergency* (Cambridge: Cambridge University Press, 2013). See also Aoife Duffy, “Legacies of British Colonial Violence: Viewing Kenyan Detention Camps through the Hanslope Disclosure,” *Law and History Review* 33, no. 3 (August 2015): 489–542.

27. Caroline Elkins, “Alchemy of Evidence: Mau Mau, the British Empire, and the High Court of Justice,” *Journal of Imperial and Commonwealth History* 39, no. 5 (December 2011), 733.

28. Katie Engelhart, “40,000 Kenyans Accuse UK of Abuse in Second Mau Mau Case,” *Guardian*, 29 October 2014.

29. In addition to those already mentioned, see Josiah Mwangi Kariuki, “Mau Mau” *Detainee: The Account of a Kenya African of His Experiences in Detention Camps, 1953–1960* (London: Oxford University Press, 1963); Gakaara wa Wanjaũ, *Mau Mau Author in Detention*, translated by Paul Ngigĩ Njoroge (Nairobi: Heinemann Kenya, 1988); Wambui Waiyaki Otieno, *Mau Mau’s Daughter: A Life History* (London: Lynne Rienner, 1998); Wangari Muoria-Sal, Bodil Folke Frederiksen, John Lonsdale, and Derek Peterson, eds., *Writing for Kenya: The Life and Works of Henry Muoria* (Leiden: Brill, 2009).

30. Anderson, *Histories of the Hanged*, 7–8.

31. John Lonsdale, “Kenyatta’s Trials: Breaking and Making an African Nationalist,” in *The Moral World of the Law*, ed. Peter Coss (Cambridge: Cambridge University Press, 2000), 221.

32. Myles Osborne, ed., *The Life and Times of General China: Mau Mau and the End of Empire in Kenya* (Princeton: Markus Wiener, 2015).

33. Maina wa Kinyatti, *Kenya’s Freedom Struggle: The Dedan Kimathi Papers* (London: Zed, 1987).

34. Wunyabari O. Maloba, *Mau Mau and Kenya: An Analysis of a Peasant Revolt* (Bloomington: Indiana University Press, 1993), 128; Christiana Pugliese, “The Organic Vernacular Intellectual in Kenya: Gakaara wa Wanjaũ,” *Research in African Literatures* 25, no. 4 (1994): 177–97.

35. Ngũgĩ wa Thiong’o and Mícere Gĩthae Mũgo, *The Trial of Dedan Kimathi* (London: Heinemann Educational Books, 1976). For excellent analysis of the play and its role in the “rewriting of history,” see Oyeniyi Okunoye, “Dramatizing Postcoloniality: Nationalism and the Rewriting of History in Ngũgĩ and Mũgo’s ‘The Trial of Dedan Kimathi,’” *History in Africa* 28 (2001): 225–37; James Ogude, “The Nation and Narration: ‘The Truths of the Nation’ and the Changing Image of Mau Mau in Kenyan Literature,” in Atieno Odhiambo and Lonsdale, *Mau Mau and Nationhood*, 268–83. See also Gikandi’s contribution to this volume.

36. Joseph Karimi, *Dedan Kimathi: The Whole Story* (Nairobi: Jomo Kenyatta Foundation, 2013).

37. J. M. Kariuki to the Registrar, High Court of Kenya, 26 October 1971, Kimathi file, Archives of the Supreme Court of Kenya.

38. Julie MacArthur, “The Hunt for (the Trial of) Dedan Kimathi,” *Africa Is a Country*, 24 March 2016, <http://africasacountry.com/2016/03/the-hunt-for-the-trial-of-dedan-kimathi/>.

39. See Julie MacArthur, “Prosecuting a Prophet: Rebellion, Psychiatry, and Justice in Colonial Kenya,” unpublished manuscript.

40. My thanks to historian Sean Hawkins, who was among the first to note this irregularity.

41. For correspondence and press clippings from the UK on Kimathi’s sentence, see UK National Archives (hereafter TNA:PRO), London, CO 822/1219.

42. Anderson, *Histories of the Hanged*, 60, 290.
43. Patel Okumo, “Judiciary Receives Dedan Kimathi File from United Kingdom,” *Standard*, 1 March 2016.
44. Ngũgĩ wa Thiong’o, *Matigari*, translated by Wangũi wa Goro (Nairobi: East African Educational Publishers, 1987).
45. Justin Willis, “Two Lives of Mпамizo: Understanding Dissonance in Oral History,” *History in Africa* 23 (1996): 321.
46. Anderson, *Histories of the Hanged*, 287.
47. Wachanga, *Swords*, 26; Derek R. Peterson, *Creative Writing: Translation, Bookkeeping, and the Work of Imagination in Colonial Kenya* (Portsmouth, NH: Heinemann, 2004), 165.
48. See Document 5, interrogation report of Dedan Kimathi, in this volume.
49. Nderitũ, *Mũkami Kĩmathi*, 33.
50. Alam, *Rethinking Mau Mau*, 49.
51. See Document 5, interrogation report of Dedan Kimathi.
52. For more on the practice of oathing, see Mickie Mwanzia Koster, *The Power of the Oath: Mau Mau Nationalism in Kenya, 1952–1960* (Rochester: University of Rochester Press, 2016); Anderson, *Histories of the Hanged*, 42–45; Barnett and Njama, *Mau Mau from Within*, 55–67.
53. For more on the role of the “passive wing,” see Cora Presley, “The Mau Mau Rebellion, Kikuyu Women, and Social Change,” *Canadian Journal of African History* 22, no. 3 (1988): 502–27; Tabitha Kanogo, *Squatters and the Roots of Mau Mau, 1905–1963* (Athens: Ohio University Press, 1987); Caroline Elkins, “Detention, Rehabilitation, and the Destruction of Kikuyu Society,” in Atieno Odhiambo and Lonsdale, *Mau Mau and Nationhood*, 191–226.
54. Wachanga, *Swords*, 26. See also Kimathi’s letters transcribed as Documents 8 and 9 in this volume. For more on Kimathi’s “management of speech acts,” see Gikandi’s contribution in this volume.
55. Wachanga, *Swords*, 26; Maina wa Kinyatti, *History of Resistance in Kenya, 1884–2002* (Nairobi: Mau Mau Research Centre, 2008).
56. For more on the “paperwork” of rebellion, see Lonsdale’s contribution in this volume.
57. For a vivid depiction of the meeting at Mwathe, see Gikandi’s contribution in this volume.
58. Weekly Intelligence Report, Nyeri District, 3–9 December 1953, Kenya National Archives (hereafter KNA), Nairobi, VP/8/9; Nyeri ISUM, 28 June 1953, KNA, VP/8/9.
59. Derek Peterson, “Writing in Revolution: Independent Schooling and Mau Mau in Nyeri,” in Atieno Odhiambo and Lonsdale, *Mau Mau and Nationhood*, 89–90.

60. John Lonsdale, "Authority, Gender and Violence: The War within Mau Mau's Fight for Freedom," in Atieno Odhiambo and Lonsdale, *Mau Mau and Nationhood*, 61.

61. Lonsdale, "Authority," 63–68; Henderson, *Hunt*, 33; Barnett and Njama, *Mau Mau from Within*, 443

62. "Mumbi" represents the first woman, mother to all, in the Gikuyu origin story; Njama and Barnett, *Mau Mau from Within*, 443.

63. Henderson, *Hunt*, 29.

64. For more on literacy, see Gikandi's contribution to this volume.

65. For more, see contributions by Lonsdale and Githuku in this volume.

66. Peterson, *Creative Writing*, 207–8. For more, see Lonsdale's contribution to this volume.

67. *East African Standard*, 28 August 1953.

68. Bennett, *Fighting the Mau Mau*, 134.

69. *Ibid.*, 135.

70. Branch, *Defeating Mau Mau*, 62–64. For more, see the contributions of Lonsdale and Githuku to this volume.

71. Dedan Kimathi to "Chief Muhoya and your Home Guard," n.d., CID copy, translated as part of a collection of letters found in June 1953, KNA, VP/9/10.

72. See Document 11 in this volume.

73. Branch, *Defeating Mau Mau*, 140.

74. Osborne, *General China*, 19.

75. China was originally charged with four offenses: murder, consorting with "terrorists," possession of ammunition, and possession of firearms. Fearing the difficulty of proving all these charges, the prosecutor opted to drop the murder and firearms charges. Osborne, *General China*, 26.

76. Interrogation report of General China, as reprinted in Osborne, *General China*, 147.

77. *Ibid.*, 194–95.

78. Anderson, *Histories of the Hanged*, 273–76; Bennett, *Fighting the Mau Mau*, 139.

79. Wachanga, *Swords*, 122–23.

80. Barnett and Njama, *Mau Mau from Within*, 477.

81. Weekly intelligence reports, Nyeri District, 1953, KNA, VP/8/9.

82. "100 Kikuyu Guards in Field Exercise: Dedan Kimathi Effigy Shot Up in Mock Attack at Githunguri," *East African Standard*, 9 September 1953.

83. Bennett, *Fighting the Mau Mau*, 27. "Mr. Ruck" most likely referred to British settler Roger Ruck, who was murdered along with his wife and young son in their home on 24 January 1953, an attack widely and graphically publicized.

84. Nyeri ISUM, Special Branch, 28 June 1953, KNA, VP/9/10.

85. Kinyatti, *History of Resistance*, 199.
86. Bennett, *Fighting the Mau Mau*, 118–20.
87. Government flyer, “Muri Murona Dedan Kimathi Thutha Uyu?” 5 October 1954, KNA, AHC/9/95. As Myles Osborne has recently observed, Kimathi’s scribe, Njama, recounted that such leaflets merely served to increase Kimathi’s popularity and fame. Osborne, “‘The Rooting Out of Mau Mau from the Minds of the Kikuyu Is a Formidable Task’: Propaganda and the Mau Mau War,” *Journal of African History* 56, no. 1 (2015): 88.
88. Kariuki, “*Mau Mau*” *Detainee*, 49.
89. *Ibid.*, 101. For more on the link to Moses, see Lonsdale’s contribution to this volume.
90. John Iliffe, *Honour in African History* (Cambridge: Cambridge University Press, 2005), 324; Lonsdale, “Authority,” 61.
91. Clough, *Mau Mau Memoirs*, 164; Lonsdale, “Authority,” 61; Lonsdale, “Mau Maus of the Mind,” 419–20.
92. Henderson, *Hunt*, 160–62; Bennett, *Fighting the Mau Mau*, 157.
93. Henderson, *Hunt*, 163.
94. *Ibid.*, 257.
95. *Ibid.*, 258.
96. For a discussion of rumors around Wanjiru’s involvement in the capture, see Karimi, *Dedan Kimathi*, 249; “Twilight of a Terrorist,” *Time*, 10 December 1956; Dennis Onyango, “State Honours Freedom Hero Kimathi Belatedly,” *Standard*, 15 December 2005.
97. Henderson, *Hunt*, 193.
98. See photo 7. The trench where Kimathi was captured is now a site of commemoration, ostensibly controlled by the Mau Mau Veterans Association, who provide visitors with tours of the site: “THE DEDAN KIMATHI TRENCH: Measuring approximately 40 by 40 meters, this is the place that the late mau mau [*sic*] field marshal Dedan Kimathi was shot and captured on the 20th of October 1956. The site is located adjacent to the Thengeraini stream and Nyayo tea plantation in Karuna-ini Sublocation, Muhoya Location of Tetu Division, Nyeri County. The late Field Marshall was sentenced to death and later hanged on 18th February 1957. This site was gazetted by the National Museums of Kenya on the 21st of February 2001. To date, it is still unclear where the remains of the field Marshall are. The local community usually commemorates his hanging and his heroic deeds to save the country from colonialism on the 18th of February of every year.” Nyeri Museum Facebook page. For more on the constructions of emergency trenches, see footnote 11 in the trial transcript, Document 1 in this volume.
99. Karimi, *Dedan Kimathi*, 250–52; John Mwangi Kingori and James Muchi Ndirangu, interview by the author, Nyeri, 11 June 2015.

100. Machua Koinange, "My Encounter with the Man Who Shot Dedan Kimathi," *Standard*, 20 October 2013; Dr. Waweru, "The Capture of Dedan Waciuri Kimathi: The Untold Story," 24 February 2015, <https://creativeconnect.wordpress.com/2015/02/24/the-capture-of-dedan-kimathi-waciurithe-untold-story/>.

101. Charles Mwai Gichuru, interview by author, Nyeri, 11 June 2015.

102. See Exhibit No. 20, signed arrest statement of the accused, 22 October 1956, reproduced as Document 6 in this volume.

103. Ethnographic records point to the precolonial use of leopard skins by Gikuyu warriors and figures in leadership positions. See Ali A. Mazrui, ed., *The Warrior Tradition in Modern Africa* (Leiden: Brill, 1977), 173.

103. British Pathé newsreel, "Mau Mau Chief Captured, 1956," <http://www.britishpathe.com/video/mau-mau-chief-captured>.

105. "Leaflets Tell of Kimathi's Capture," *East African Standard*, 23 October 1956.

106. See coverage of the trial in the *East African Standard* from 22 October to 25 October 1956.

107. Bennett, *Fighting the Mau Mau*, 158.

108. Anderson, *Histories of the Hanged*; Elkins, *Britain's Gulag*.

109. See Document 6 in this volume.

110. Obituary, Government Notice 106: "The Government Regrets to Announce the Death of Forest Guard 471 Mwai Itubania: He Was Murdered by Mau Mau Adherents on 19th December 1954 in the National Park near Nyeri," *Kenya Gazette*, 27 January 1953; "Dedan Kimathi Charged with Murder," *East African Standard*, 23 October 1956.

111. Notes between Mr. Rednall and Mr. Mathieson, 14 January 1957, TNA:PRO, CO 822/1219

112. "Kimathi Trial Opens at Nyeri," *East African Standard*, 20 November 1956.

113. "Twilight of a Terrorist," *Time*, 10 December 1956.

114. For more on the other figures in the trial and the role of the assessors, see Anderson's contribution to this volume.

115. For a similar reference, see Githuku's contribution to this volume.

116. As Anderson indicates in his contribution to this volume, Sloan Mahone was perhaps the first to highlight this last point in her dissertation, in 2004. Sloan Mahone, "The Psychology of the Tropics: Conceptions of Tropical Danger and Lunacy in British East Africa" (PhD thesis, University of Oxford, 2004).

117. Sloan Mahone, "The Psychology of Rebellion: Colonial Medical Responses to Dissent in British East Africa," *Journal of African History* 47, no. 2 (2006): 244. For the stigma and religious interpretations surrounding epilepsy in sub-Saharan Africa, see Roy Baskind and Gretchen L. Birbeck,

“Epilepsy-Associated Stigma in Sub-Saharan Africa: The Social Landscape of a Disease,” *Epilepsy and Behavior* 7, no. 1 (2005): 68–73; Louise Jilek-Aall, “*Morbus Sacer* in Africa: Some Religious Aspects of Epilepsy in Traditional Cultures,” *Epilepsia* 40, no. 3 (1999): 382–86. For a broader discussion of psychiatry and illness in the colonial world, see Mahone and Megan Vaughan, eds., *Psychiatry and Empire* (New York: Palgrave Macmillan, 2007).

118. John C. Nottingham, “Witchcraft Appendix,” 1955, KNA, BB/PC/EST/12/15. For more on the connections between Mau Mau and witchcraft, see Katherine Luongo, *Witchcraft and Colonial Rule in Kenya, 1900–1955* (Cambridge: Cambridge University Press, 2011).

119. Luongo, *Witchcraft*, 186. See also Cooper, “Mau Mau and the Discourses of Decolonization”; Osborne, “Rooting Out of Mau Mau.”

120. Colonial psychiatrist J. C. Carothers was perhaps the most famous for articulating the psychological argument explaining Mau Mau. Carothers, *The Psychology of Mau Mau* (Nairobi: Government Printer, 1954). For more on the pathologization of rebellion, see Mahone, “Psychology of Rebellion.”

121. Maina wa Kinyatti, “Better Late Than Never,” *People on Sunday*, 18 February 2007.

122. Further complicating the reading of Kimathi’s testimony is the issue of language and court translation. The trial transcript does not clearly indicate in which language Kimathi spoke during the trial. By most accounts, Kimathi’s mastery of English was excellent. At several points in the trial, however, Kimathi’s own correction of the court interpreter suggests that he was speaking to the court in either Gikuyu or Kiswahili.

123. Itote, “*Mau Mau*” *General*, 179.

124. Derek Peter Franklin, *A Pied Cloak: Memoirs of a Colonial Police (Special Branch) Officer* (London: Janus, 1996), 84.

125. Reuter telegraph to London, n.d. [18 February 1956], TNA:PRO, CO 822/1219.

126. Daily Worker Reporter, “Kenya’s Leader Hanged,” *Daily Worker*, 19 February 1957.

127. *Ibid.*

128. In the 1990s antigovernment activists in Kenya named their movement the February 18 Movement (FEM) after the date of Kimathi’s execution.

129. *East African Standard*, 7 September 1953.

130. See also Exhibit No. 21, reproduced as figure A.4 in the appendix to this volume.

131. According to Kimathi’s interrogation, the other person in this photo was Ndungu Gicheru. See the interrogation report, transcribed as Document 5 in this volume.