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ACTS OF DEFIANCE

More than 60 years after Kenya gained independence, veterans of the Mau Mau rebellion are still pursuing justice against the British government. In a new book, *State of Emergency*, photographer **Max Pinckers** collaborates with the veterans to re-enact the past and imagine a future of reconciliation aimed at healing – without erasing – the wounds of colonialism

OPINION

Max Pinckers is a photographer based in Brussels.

In 2014, I was invited by the Archive of Modern Conflict (AMC) in London to work with their collections of mostly photographic material, arranged on the shelves in order of acquisition. Among one of the many intriguing items is a folder containing British documents from 1950s colonial Kenya: remnants of a crumbling empire, Ministry of Information photographs, news articles, pamphlets and war-time propaganda against “Mau Mau.” Propaganda sparked my curiosity as it is one of the most ideologically driven forms of communication, and my work as a speculative documentarian mostly revolves around questioning the relationships between photographs and truths.

At that time I had no idea what Mau Mau was, and only much later did I learn that not only was this a story of resistance and resilience by people against their oppressors, but also a tale of lost and surviving documents that would later undermine government institutions. I decided to travel to Kenya in 2015, where I had the honour of meeting some of the remaining Mau Mau freedom fighters, who had organized themselves into associations to claim back the land that was stolen from them. This became the starting point of a 10-year art

research project into one of Britain's most violent episodes in colonial history and the subsequent government conspiracy to cover up the evidence.

I returned several times to Kenya. The relationships with Mau Mau veterans grew stronger, and I sought dialogue with local museums, universities, historians, thinkers and other artists. Guided by the National Museums of Kenya, I was introduced to Elijah Kinyua Ngang'a (1933-2021), a.k.a. General Bahati, national chairman of the Mau Mau War Veterans Association (MMWVA), who granted me his blessing to work with all the veterans of his organization. I presented them with the propaganda images I had collected in British archives and asked them how we might create counter-images, together, according to their terms, their memories. We decided to stage “demonstrations,” scenes they arrange in which they re-enact their personal experiences from the war as a response to the colonial photographs. A form of “imagined records” that attempt to fill in the missing gaps of fragmented historical archives.

The result is the book *State of Emergency – Harakati za Mau Mau kwa Haki, Usawa na Ardhi Yetu (Mau Mau Movement for Justice, Equality and Our Land)*. Both in English and Swahili, it interweaves photographs of architectural and symbolic remnants from the past, mass grave sites, the colonial archives, demonstrations and the testimonies of people who experi-

enced and survived the war themselves.

It is a collaborative attempt to shine a light on history's blind spots. A way of rebuilding and reimagining possible futures of reparation and reconciliation aimed at healing – without erasing – the still gaping wounds of colonial violence, creating a restorative instrument of the photographic medium that makes it possible to tell their truths to the powerful. To remind King Charles III to officially address the claims of Mau Mau veterans, we sent him a copy of the book but it was returned to sender. We will continue to mail it back to Buckingham Palace until we receive a response.

“DEMONSTRATIONS”

As a photographer, my challenge was to visualize the past by challenging the present with a future audience in mind. History and memory have a complicated relationship to photography. Rather than working only with provable facts, I departed from existing photographic archives, physical remnants from the past, and testimonies of people who experienced the war themselves. This eventually grew into a visual historiography in which ambiguity, uncertainty and speculation became inherent to the retelling of history.

Inspired by how the elders spontaneously gesticulate actions while telling their stories – transforming their walking sticks into rifles, for example – I decided to focus my artistic approach around the “in-

person re-enactment,” or “demonstration,” in which people demonstrate personal experiences from their own past through bodily gestures. Here, the body bridges temporal and spatial gaps, connecting past events with present performances. The term “demonstration” not only means to show that something exists or is true by exhibiting evidence, it also means to protest against something or to express views on a political issue. I introduced the term “demonstration” instead of “re-enactment” because the re-enactment is usually associated with well-organized grand historical tableaux involving costumes, extras and some form of predetermined action plan usually defined by amateur historians and hobbyists, and is often not considered a form of individual self-expression. What distinguishes the demonstration from other forms of mimetic, illustrative reconstructions of the past is that the agency of what is being shown entirely lies with the performers themselves as reliable narrators. The document now becomes the individuals – their physical presence – and the performance of their imagination and recollections. This ambiguous agency of the protagonist-turned-actor also grants the performers the opportunity to treat the original events and experiences creatively, allowing them to transform their memories to resonate with the contemporary context.

■ KENYA, 05



The Mau Mau War Veterans Association (MMWVA) reflect on the 'migrated archives' and photographs from State of Emergency during a round-table conversation, Murang'a, 2022.

MAX PINCKERS/MMWVA

"We want these photos to be shown in Europe, and especially in Britain, so that they see the inhuman treatment they did to us. We want these photographs to be seen, not only to Britain, but to the whole world. We want the message to get across. Johanna was saying that, particularly people like him, who were maimed – and can show the deformities and scars – that he has no problem for them to be photographed and shown to the world, with the message: 'Ask the British to compensate us for what they did.'"

– Julius Gilbert Kimari, 2022

Kenya: Motivation to perform experience resonates

■ FROM 01

These spontaneously improvised micro-performances are examples of "how it may have been," emphasizing the act of the demonstration itself and the spectral aura of repeating what is historically unique. For instance, elderly veterans don't wear the same clothing that they may have while living in the forest; instead, they appear in casual suits. Walking sticks can be seen along the fringes of scenes with many other anachronistic objects. But historical accuracy isn't the point here. Rather, the very fact that people, decades later, are able and motivated to physically perform what they've experienced is what resonates.

THE "PIPELINE"

The British occupied Kenya in 1885 and the first white settlers arrived in 1902. The fight for independence was initiated by the Kenya African Union, a political organization, and gained momentum in the early 1950s with the Kenya Land and Freedom Army, its militant counterpart that popularly became known as Mau Mau. As a homegrown resistance movement led by men who served in the British army during the Second World War, bound by a sacred oath and armed with rudimentary homemade guns and pangas (machetes), the Mau Mau forest fighters developed renowned guerrilla warfare tactics in the Aberdares and the forests around Mount Kenya, to which superior British military power was ineffective.

The British Ministry of Information campaigned heavily to portray the movement as a gang of savage criminals, a myth that still very much lives in the imagination of Europeans today. One article in the AMC collection, published by the BBC in 1973, reads: "Mau Mau was more than just a ruthless form of nationalism. It was a frenzied plunge back into tribal savagery and its apostles were not political theorists but witch-doctors." The events leading up to Britain's exit from Kenya, and the way they would be remembered later, have become part of a carefully curated history by the well-oiled propaganda machine of imperial rule. Omitted from the official narrative is the Empire's brutal response to the uprising that eventually forced them to leave.

In October, 1952, the British colonial administration declared a state of emergency and was on the verge of one of the bloodiest and most protracted wars of decolonization that lasted more than seven years. As one of the last remaining colonies, with India, Pakistan, Malaya and Palestine already lost, Britain scrambled to hold on and did so with a shocking amount of violence. Not only was a war being waged against colonial oppression, it was also a civil war between revolutionaries and Africans loyal to the British. Alongside the Europeans stood Kenyan "loyalists," also known as Home Guards and members

of the Kings African Rifles. This was a conflict that would create a complicated long-lasting division of land, wealth and power that still remains unresolved today.

In the name of retaining colonial control and "rehabilitating" those in favour of an independent nation, the British state constructed a large-scale network of more than 100 work camps, detention camps, torture centres and "emergency villages" throughout the country. The network of detention camps was formally known as the "pipeline," designed in 1953 by Thomas Askwith, commissioner for community development in Kenya's colonial administration. The notion of a pipeline was used to denote the progression of individuals from their initial detention to their ultimate release. Some detainees would be moved through

dozens of camps in an attempt to extract a confession of their connection to Mau Mau. Along with the pipeline, a rigorous villagization program was developed that placed more than a million women and children in villages behind barbed wire fences, spiked trenches and watchtowers.

The Gikuyu, the largest ethnic group involved in the rebellion, continued to be systematically robbed of their land, much of which has not been returned to this day. According to the Kenya Human Rights Commission, an estimated 160,000 people were placed in camps and deprived of their land, and 90,000 were tortured or subject to violence in an attempt to "rehabilitate" them (popularly referred to as "screening" by its survivors as there is no word in Gikuyu or Kiswahili that captures the same

meaning). One-thousand-and-ninety people were hanged for Mau Mau-related crimes, executed in "mobile gallows" that travelled from one town to the next, the largest number of executions in any British colonial "emergency." Kenya's central region is littered with mass graves, and human bones are now emerging from the soil.

It was in January, 1959, when a group of detainees at Hola camp refused to work, that camp guards brutally clubbed to death 11 men and maimed many others. When I listened to Samuel Wambugu Nyingi (1927-2020) telling me his story about how he survived the massacre but was beaten unconscious and loaded into a truck with corpses, he demonstrated how he was forced to wear leg irons for nine years during detention by putting a chain around his ankles, which still bore open wounds.

The violence of the Hola massacre, and the attempts to cover it up, finally exposed the atrocities of the British colonial administration and sparked British public outcry. Later that year, a debate in the U.K. House of Commons led by Barbara Castle concluded that there was no justifiable reason to support the actions of the colonial administration in Kenya, which paved the way for independence.

"Mau Mau was a disease which has been eradicated and must never be remembered again," wrote Jomo Kenyatta in 1963, shortly after becoming Kenya's first president. "I have no intention of retaliating or looking backwards," he famously proclaimed in his postelection speech, "We are going to forget the past and look forward to the future." The post-independence governments maintained the colonial-era law that it was illegal to speak or write about Mau Mau up to 2003.

This collective amnesia has led many people in Kenya to forget where these camps were or even that they existed at all. Former Home Guards remained in power and colonial land divisions remained unchanged. Only when president Mwai Kibaki came into office in 2002 were streets renamed after Mau Mau freedom fighters, and other nationalist heroes, and monuments erected in their honour. But Kenya's freedom fighters still seem to be forgotten heroes, mostly living in poverty, deprived of their land and recognition. That veterans today are demonstrating the same scenes as what they experienced 70 years earlier speaks volumes about the postcolonial condition of the people who fought for freedom.

UNDER THE RUG

"If we are going to sin, we must sin quietly," wrote the attorney-general Eric Griffith-Jones to governor Sir Evelyn Baring in 1957. On the eve of independence, the colonial government erased most of its documentation relating to the emergency crisis in a process that later came to be known as "Operation Legacy."

■ KENYA, 06



Peter Irungu Njuguna demonstrates how a bucket of soil had to be held above the head for 12 hours as a form of torture in 'emergency villages,' Murang'a, 2019.

MAX PINCKERS/MMWVA

"I act this out, even in bitterness, to remind people who may not know what we went through, and at the same time, I am also doing it because I participated in removing the British from here. And now I have a government formed by the people of Kenya. And I am proud of that."

– Peter Irungu Njuguna, 2022



Peter Irungu Njuguna (b. 1934), John Mwangi (b. 1944) and Paul Mwangi Mwenja (b. 1937), Giforo Cave, 2019. MAX PINCKERS/MMWA

Peter Irungu Njuguna: "This picture portrays men who have been in combat. They have come back with one of their wounded. A gallant soldier, because he has not left his weapon behind. He is still holding it regardless of being wounded. But as they are treating him, they are also encouraging him. That he is not going to die because the work is not yet done. That they have to continue fighting. They have not yet achieved what they are fighting for."

Mwangi Wangai: "The photos remind me of the work I did, and I feel proud. I would do it again. At the same time, after independence, I expected this country to be different. I expected to have my land back and to be compensated. I expected to be prosperous, but I have never recovered what was lost during all those years fighting in the forest. It's bittersweet."
— Round-table meeting with MMWVA Murang'a, 2022

What distinguishes the demonstration from other forms of mimetic, illustrative reconstructions of the past is that the agency of what is being shown entirely lies with the performers themselves as reliable narrators.

■ FROM 05

Colonial officers were given meticulous instructions to either falsify, hide or destroy any documentation that "might embarrass Her Majesty's Government" or "might be used unethically by Ministers in the successor government." It was even specified that documents "could only be destroyed by shredding or burning," and when it is burnt "the waste should be reduced to ash and the ashes broken up." On some occasions it was "permissible, as an alternative to destruction by fire, for documents to be packed in weighted crates and dumped in very deep and current-free water at maximum practicable distance from the coast." The result is that there are relatively few documents available in Kenyan archives or museums, and the people who experienced this war have almost no official records to prove what happened to them.

Today, former detention camp sites, prison cells and torture chambers have been repurposed into school classrooms or other community buildings. Despite the presence of so many camps in Kenya, and with thousands of people still bearing unhealed wounds, the history of detention isn't taught in schools. Equally so in Britain, the history of colonialism is not taught sufficiently, often presenting the country as the saviour rather than an oppressor. Only recently has Mau Mau become part of national discourse in Kenya. It's used as a political tool during elections, and popular youth culture appropriates the movement's symbolism and iconography.

A BONE TO PICK

On June 6, 2013, 50 years after Britain's exit from Kenya, the British government announced it had reached an out-of-court settlement with the law firm Leigh Day & Co., the Mau Mau War Veterans Association and the Kenya Human Rights Commission for compensation payment to 5,228 claimants for a total sum of £19.9-million (\$35-million), along with the construction of a memorial in Nairobi acknowledging the torture and ill-treatment inflicted during the colonial era (which is already crumbling apart). After the law firm took its commission of 30 per cent for a total of close to £5-million (\$8.9-million), each claimant received about 348,000 Kenyan shillings (£2,000, or \$3,560). Not even enough to "educate a child nor buy a piece of land," argued the late MMWVA secretary-general Mwai wa Muthigi. And so, the blood-stained hands of the British government were washed clean. But it was a meaningless settlement for the majority. Thousands were left out of this case, which caused veteran associations to splinter apart into separate groups that now accuse each other of being imposters and collaborators (*State of Emergency* was made together with people excluded from the settlement).

After the lawsuit's success but shortcomings in only compensating a fraction of the people who underwent systematic, organized abuse, more cases were brought to the Royal Courts of Justice in London. In June, 2016, Tandem Law filed a case representing 40,000 Kenyans who were allegedly mistreated, among them was General Bahati. In January, 2023, another lawsuit was filed demanding 54-quadrillion Kenyan shillings in compensation (£364-trillion, or \$647-trillion) from the British government. However, the government refused to settle larger claims, arguing that the events took place too long ago.

By contrast, the British government passed the Slavery Abolition Act in 1833, which outlawed slavery in some parts of the Empire, and took out one of the largest loans in history to finance the slave compensation package. A total of £20-million (\$35-million) was borrowed (40 per cent of its national budget), equivalent to around £300-billion (\$534-billion) today. But this money did not compensate the newly freed slaves, instead, it went exclusively to the owners of slaves, who were being compensated for the loss of what had, until then, been considered their property. The benefits of slave-owner compensation were passed down from generation to generation of Britain's elite, among them the former prime minister David Cameron. Up until 2015, several generations of British taxpayers' money was used to pay off this loan.

The Mau Mau compensation case set a global precedent for a former colonial

power paying for the abuses it committed in the past. This led to numerous other colonial-era compensation claims, such as the class-action lawsuit by Greek Cypriots in 2019. In 2021, Germany agreed to pay Namibia €1.1-billion (\$1.6-billion) for the genocide in the early 1900s as a gesture of reconciliation but not a legally binding reparation. But more surprisingly, the Mau Mau High Court Case brought to light the "migrated archives," a vast secret collection of some 20,000 files and other records created by the governments of 37 British colonial dependencies, known as the "Hanslope Disclosure."

REPATRIATE THE ARCHIVES!

In 2011, during the court hearings for compensation, the Foreign and Commonwealth Office was forced to admit that it had secret documents on its Kenyan operations. This led to the declassification of what became known as the "migrated archives." A key witness was professor David Anderson (author of the instrumental book *Histories of the Hanged: Britain's Dirty War in Kenya and the End of Empire*), who presented a memo from 1967 that detailed information about a cache of documents "retained" from Kenya in 300 boxes taking up some 100 linear feet of shelving.

More than 1,500 government files that were secretly removed from Kenya just before independence were ordered to be released into the public domain and moved to The National Archives (TNA) between 2013 and 2014. They contained many unseen documents that described in detail the systemic torture of detainees during the emergency and the awareness of those abuses by British government officials in London and Nairobi, corroborating the allegations of widespread acts of murder and torture by the colonial authorities.

This repository of evidence led to the claimants winning their settlement in 2013. The "migrated archives" are just a small part of a much larger collection of documents that were either destroyed or have disappeared. However, a secret archive of an estimated 1.2 million files is still illegally withheld from the public at Her Majesty's Government Communications Centre in Hanslope Park, a highly secured Foreign Office and M16 outpost in which "batches of files are catalogued according to the length of shelf space they occupy, with six metres and two centimetres dedicated to files about Rhodesia, for example," and "50 metres of files on Hong Kong, and 100.81 metres about the United States," reported journalist Ian Cobain. Before any of those files can be made public, they must be revised and checked manually, one by one, by state personnel in charge of the declassification process, who are mostly retired clerks and former colonial officers who work at a painstakingly slow pace. At this rate, clearing the collections could take another 340 years.

Although the archive is in the public domain, it is not accessible to everyone. The National Archives have not digitized the documents, and the government refuses to "repatriate" or make copies available to Kenyan archives. For someone living in Kenya, it would require a passport, a visa, air travel, a TNA membership card and quite a significant budget to be able to see the files. I used my privilege to access as many institutional archives as I could. I reproduced more than 1,200 photographs at TNA in high resolution, printed and bound them in folders as facsimiles, and brought them back to Kenya straight into the hands of Mau Mau veterans and camp survivors (now in the collection of the National Museums of Kenya). These reproductions formed the departure point for the creation of new documents, photographs and demonstrations in *State of Emergency*. Mau Mau veterans would study and discuss them during round-table conversations. They would then decide which scenes they wanted to have photographed as counter-images to the archives.

Historian Riley Linebaugh pointed out that the movements of colonial records stood in stark contrast to the migration restrictions the British Government placed on people upon decolonization, making clear the government's commitment to British xenophobia through the enactment of new border regimes. While the British government pushed people from former colonies away from its borders, it smuggled in the documents relating to those very people and their colonial past.

■ CONTINUES ON 08



Geoffrey Nderitu (1946-2024) presents the bones of Mau Mau fighters that are buried in the mass grave on his land. As their custodian, he sometimes digs up the bones to show them to people from the community to educate them about the history of their ancestors, Gifitu, 2019.

MAX PINCKERS/GEOFFREY NDERITU



Field Marshal Muthoni wa Kirima (1931-2023) at her home, Nyeri, 2019. Muthoni wa Kirima was the highest-ranking female Mau Mau forest fighter. At the time of making her portrait, Muthoni still had the same dreadlocks she had when fighting in the forest. She called them 'the history of Kenya.' They were a symbol of her dissatisfaction with the new governments and she vowed only to cut them when the deserved compensation was given to the Mau Mau veterans. But on April 2, 2022, former first lady Mama Ngina Kenyatta controversially shaved Muthoni's six-foot-long dreadlocks during a ceremony in Nyeri.

MAX PINCKERS/MUTHONI WA KIRIMA

■ FROM 07

UNLEARNING AND UNPLANTING

The fact that so much important documentation and proof of colonial violence has been destroyed and hidden, has created gaps in history and impeded consequential reconciliation processes. This greatly suppressed oral history and community discussions around the subject and prevented an official restorative body of justice from healing the wounds of the past. *State of Emergency* is an attempt to find collaborative ways of working together and moving forward. Proceeds from the project are shared with the MMWVA to support their operations, and to gain access to larger institutional support.

The long-term aim of this project is to

look toward the future by garnering support for an ecological initiative managed by the MMWVA that aspires to restore and rehabilitate ancestral forest land by the veterans and their children. Land that has been exhausted by colonialists cutting down hardwood forests and planting exotic water-draining trees such as eucalyptus, cypress and pine. Land that urgently needs to be replenished with indigenous vegetation to fight the disastrous effects of climate change.

Today a new generation of revolutionaries is emerging in Kenya – dubbed “Gen Z” – who are fighting against government corruption on the beat of Kendrick Lamar’s *Not Like Us*, sampled by local rapper Sabi Wu, in the movement’s anthem *Reject Hio Bill*, with the music video explicitly

referencing Mau Mau iconography. One Mau Mau veteran told me “that Gen Z are the grandchildren of Mau Mau, fighting against corruption, police brutality, bad governance and imperial presidencies.”

We are not attempting to position our work as absolute truth, but to present it as stages in our learning process. We want to show that you don’t have to be an expert to take an interest in this history, participate in this work, or listen and record the testimonies of a vanishing generation of revolutionaries and witnesses of mass atrocities. Perhaps decolonization is not about experts teaching non-experts, but in learning to unlearn what we have known to be true. To participate in a collective and collaborative attitude that attempts to transcend boundaries of time

and authority, and to make common cause with the experiences of other people, without asserting egocentric, authoritative or absolute truth claims. To inspire action and new forms of solidarity today based on the power and importance of yesterday’s struggles, and honouring the way they live on in the present while looking out for tomorrow.

“Mau Mau was – and remains – a way of thinking about and negotiating Kenya’s past and the present, and of imagining the future, both individual and collective,” said the Kenyan-British historian Rose Miyonga.

“In this way, Mau Mau was, and is still existential. It is about who we were, who we are and who, in the face of all adversity, we want to be.”



Agnes Muthoni Kinyua (b. 1933), a.k.a. Major Gachebu, with Elijah Kinyua Ngang’a (1933-2021), a.k.a. General Bahati, in their home with their daughters Diana Wangui and Gladys Njeri, Ndaragwa, 2019.

MAX PINCKERS/MMWVA

“In the forest I was referred to as Major Gachebu, member of the Hika Hika Battalion Number One. We fought against the injustice. I belonged to a very fierce group led by General Bahati, who I later settled down with. We encouraged each other through all that we experienced. Mau Mau loved one another. We never snitched on each other. We were united. Home Guards really hated us. They said that even if we attained freedom, they would rule over us. Aren’t they the ones passing laws in parliament? Have we ever been given a place or an opportunity?”

– Agnes Muthoni Kinyua, a.k.a. Major Gachebu, 2019.