

# "The Dregs of the Mau Mau Barrel": Permanent Exile and the Remaking of Late Colonial Kenya, 1954-61

#### Abstract

This article seeks to illustrate the emergence and significance of permanent exile in the latter years of British rule in Kenya. Drawing on concepts of the "state of exception" in the imperial context, the analysis places Kenyan policy into a longer history of penal practice. Exile as a mode of punishment was a permanent fixture in the repertoire of the British Empire as a method of controlling rebellious subjects. In Kenya, it was a tool to ostracize "troublemakers" from their home community, stabilizing the body politic in fractious moments. However, during the State of Emergency declared against the anti-colonial Mau Mau movement, the legal and spatial production of spaces of exception, settlements in the far-flung corners of the colony, reached its apotheosis. Drawing on long histories of colonial banishment, and specific legal precedents shrouded in liberal language, administrators hoped to make Kenya safe for a loyalist ascendancy by excising the "irreconcilables." Critically, permanent exile was deemed necessary for a section of the population "infected" with Mau Mau ideology. In large exile settlements, rebellious subjects were expected to be remade into pacified workers. Colonial correspondence, as well as the petitions of the displaced, reveal the production of exile during these years as well as its misdiagnosis of the various imaginations of the exiled. "Settlers," at exile camps like Hola, retained an autonomous vision of "land and freedom," refusing their forced migration, and eventually precipitating the collapse of the scheme.

On April 12, 1957, the District Commissioner (DC) at Lamu, the ancient Swahili archipelago on Kenya's Coast, received a handwritten letter from a Njeroge Njogu, a Gikuyu settler at the nearby village of Mkowe. Written in Kiswahili, the letter implored the "Bwana DC" to come as soon as possible, with a doctor, to the settlement to investigate the severe beating of a settler by the officer-in-charge, William Northcott. Njogu believed the news had to be shared with the "serikali kubwa," the central colonial government, who should know what was going on at the settlement. The doctor at Lamu found that Gabalene Kabuki, the victim, had a three-quarter inch cut on the side of his forehead, a black eye, and four further bruises.<sup>2</sup> Two weeks later, victim and suspect sat before the DC and gave their version of events. Northcott had seen Kabuki insolently lying beneath a tree, challenging his authority, after which he took him to the guard room. Demanding Kabuki fight back, but failing to elicit a response, Northcott nevertheless beat him for several minutes. Later, when Kabuki was lying wounded, Northcott admitted to kicking and beating him further. Kabuki was then forced to do manual work uprooting a tree for two hours for several days, until he was taken away to detention at Lamu. The DC felt this savored "of what is known as 'softening up' in Totalitarian countries." However, Northcott should not be transferred and a five-pound compensation for Kabuki would be sufficient. Justice was to be "seen to be done" by the Mkowe settlers, but a public court case avoided.<sup>3</sup>

What makes this story significant, beyond testifying to the gratuitous violence that underpinned Britain's response to the Mau Mau Emergency, is the space in which it occurred, Northcott's justification, and Njogu's resistance by writing to the DC at all. These facets give significant insights into the nature of sovereignty, penality, and development in the late-colonial context. Mkowe was in fact not a camp for Mau Mau detainees, characteristic of the so-called "Pipeline" established to deal with those the colonial state suspected of "subversion." Instead, it was an exile colony, where "rehabilitated" detainees had their detention orders formally suspended. They were as far away from their homes in Central Province within Kenya as possible and expected to settle permanently. Exiles were those deemed "unacceptable" in their home district by local loyalists (supporters of the colonial state). At Mkowe, these were selfconfessed murderers whose return home would have upset the delicate balance of communities the British were attempting to reconcile after active fighting ended in 1956.<sup>5</sup> Northcott justified the use of extra-judicial means to enforce discipline, within a supposedly non-detained population because:

The settlers of Mkowe are a tough lot—for instance, the ten members of their elected committee have some thirty-nine murders to their credit—and it is essential that I should maintain discipline and not become a laughingstock, and I thought that if Gabalene continued to behave in this insolent way, this might happen. <sup>6</sup>

Hereby, exile settlements are revealed as exemplars of the violent "state of exception" which underpinned colonial governance. Liberal and legalistic rhetoric was at the heart of justifications for the exiling of the "irreconcilables," in a manner that was crucial to British imperial governance. Older ideas about the disciplining of rebel colonial bodies meshed with late-colonial developmentalism, to produce a machine of permanent exile which would leave significant "debris" for the post-colonial future. Simultaneously, settlers like Kabuki and Njogu resisted the disciplinary models of late-colonialism, and in the long-run made exile impossible.

Mkowe: small, dusty, and capable of only housing 150 exiles and their families, was only a pilot settlement for a far larger scheme of exile that was conceived of by the colonial state as the solution to the problem of the Gikuyu "hardcore." Areas once thought of a desolated frontiers were to be remade into productive spaces as part of the post-war impulse to "high-modernist"

development. Kenya in this period represents the culmination of both the liberal-imperialist and developmental mindsets which had shaped colonial governance. Exile had for centuries been a key tool in the Empire's penal arsenal, specifically targeted at controlling "troublemakers" and thereby stabilizing the fractious body politic during unstable periods of colonial rule. However, during the State of Emergency, declared in response to the anti-colonial Mau Mau movement (1952-60), the legal and spatial production of spaces of exception reached its apotheosis. Drawing on, but also modifying long histories of colonial banishment, administrators hoped to make Kenya safe for a loyalist ascendancy. Critically, despite appearing in the waning years of colonial rule, permanent political exile, rare in earlier penal policy, was deemed necessary for a section of Mau Mau activists. Top-ranking leaders were individually removed, while in large exile settlements rebellious subjects were supposed to be remade into pacified workers. Exiles resisted their displacement in various ways; articulating a conception of "land and freedom" which drew on indigenous political theory and "moral ethnicity" that upset the state planning. 10

Recent historiographic treatments of Mau Mau have emphasized the network of detention camps thrown up to "rehabilitate" those colonial officers believed to be infected with a pathological hatred of their rule.<sup>11</sup> While thousands were detained after actively fighting in the forests against British security forces, many tens of thousands more were plucked from civilian life on the allegation of having had sympathy for the Mau Mau cause. 12 While estimates differ, recent archival revelations confirm that over 100,000 Kenyan men and women spent some time in the detention system. After years-long and torturous journeys of interrogation, beating, and confession, they were moved through a series of camps back to their home areas. 13 As Inge Brinkman has argued, Mau Mau "rehabilitation" was conceived of primarily through "metaphors of mobility," with movement back home the central dynamic. 14 Scholars have elucidated the "codified regime of violence" which persisted behind the wire. 15 However, this article does not seek to re-tread that terrain. While the "Pipeline" was structured around proximity to home and on inducing confessions as evidence of "rehabilitation," exile instead developed as an alternative solution for several thousand "irreconcilables." Whereas James Parker has analyzed the exile settlement on the Tana River considering effects on the local Pokomo, and the exiles as "developmental actors," this under-emphasizes the process by which the exiles were to be excised from the Kenyan political nation. <sup>16</sup> In fact, the settlement at Hola indicates that colonial state-making relied on its simultaneous negation, a thanatopolitics attempting to reduce the exiled to total domination albeit never succeeding due to continuing settler resistance.<sup>17</sup> Thereby this analysis seeks to place the exile settlements of Kenya's Emergency within the longue durée of colonial punishment, especially how officials created legal spaces of exception and how the confined contested their banishment.

Ever since notions of biopolitics, the "state of exception," and "bare life" entered social theory, first and foremost through the scholarship of Carl Schmitt, Michel Foucault, and Georgio Agamben, it has been associated with analyses of colonialism. Biopower has attracted scholars of colonialism because of its emphasis on the "political subject of the population at the center of governmental calculations," bodies as disciplinary targets, as well as its complex relation to liberalism. How liberal colonialism implemented biopolitical

policies, not just penal, but also medical, social, and spatial, has been the focus of much historical attention and is underpinned by a particular understanding of political theory. 19 Carl Schmitt defined the sovereign within a state as "he who decides on the exception." Normality, defined by liberal democracies as the "rule of law," is equally subject to the rule of the state of exception. 20 This decisionist and anti-normative understanding of political power, as argued by Nasser Hussain, is indicative of the relation between law and power in modern imperial formations. The exception dovetailed with "government by law:" the "privileged basis for the conceptualization of the 'moral legitimacy' of British colonialism."<sup>21</sup> This duality, laying at the heart of colonial legalism, was inscribed in the plans for permanent exile, stretching the exception beyond the temporally-limited "state of emergency." 22 Agamben took Schmitt's exception and placed it at the heart of biopower: "inclusive exclusion" that provides the foundation of the political sphere.<sup>23</sup> For Agamben, Nazi concentration camps were the ultimate materialization of this process. People were reduced to "bare life" by sovereign power, and themselves became the ultimate negation which anchors modern sovereignty.<sup>24</sup> While Aoife Duffy has applied this understanding of camps as "restoring coherence amongst the population and a societal homeostasis based on an inclusive-exclusion" to the British colonial policy, she has not explored how exile was itself a break from the policy of encampment.<sup>25</sup> Because detention retained the goal of re-integration into home communities, the main "Pipeline" camps did not constitute a permanent "space of exception." Exile served an entirely different logic.

Achille Mbembe, himself echoing Hannah Arendt's placing of Nazi camps in an intellectual genealogy that included the colonial conquest, sees Agamben's understanding of the state of exception reaching its apotheosis in the colonies.<sup>27</sup> He argues "the colonies are the location par excellence where the controls and guarantees of judicial order can be suspended—the zone where the violence of the state of exception is deemed to operate in the service of 'civilization."28 As Stephen Morton stresses, this does not mean the colonies are a "lawless zone." Rather, what Partha Chatterjee has called the "rule of colonial difference," the racial thinking that formed the bedrock of colonial governance, brought the ultimate negation of the liberal-rational order-death and civil war—into everyday political practice.<sup>30</sup> Despite accusations he did not sufficiently consider the role of race in his understanding of governmentality, Foucault in Society Must be Defended acknowledged that race was crucial to biopower. Racial difference produced a "biological-type caesura within a population," where "the health and strength—the purity—of one race demands the demise of the other" and thus race allowed to mobilization of death within a power that manages life.<sup>31</sup> In Kenya, this took the form of often violent biopolitical control of African bodies, deemed to be equivalent of European children, in the pursuit of white-settler agriculture.<sup>32</sup> Mbembe also understands the colonial exception to be driven by spatial production, the making and unmaking of boundaries and hierarchies that saw "space" as "the raw material of sovereignty and the violence it carried with it." Hence, the institutionalization of spaces of exception, even at the twilight of colonial rule, was not only deemed justified but necessary to the persistence of the state—especially as that state was about to be handed to new, post-colonial rulers. Mbembe recognizes that colonial power was never total in the manner of the Nazi death camps, as colonial

subjects "guide, deceive and actually toy with power."<sup>34</sup> Thus, Agamben's bare life, the "biopolitical substance that is the end product of the total politicization of life," also described as "social death," was not achieved and a culture of opposition persevered.<sup>35</sup>

The legal and spatial production of exile settlements is revealed through correspondence within the colonial state-apparat in Kenya, as well in discussions with the Colonial Office in London. Here the case for new, permanent spaces of exception were made, especially in relation to human rights legislation to which the metropolitan government was recently bound. 36 As Morton argues "colonial regimes have used the law as a technique of power to produce states of exception, and the literary prose of counter-insurgency has produced narratives and stereotypes that often reinforce those laws and states of exception."<sup>37</sup> The prose of bureaucratic counterinsurgency must be read to understand the process by which spaces of exception were produced. The analysis also draws on the petitions and correspondence drawn up by the exiles themselves, which made demands for their recognition as sovereign citizens, often using an indigenous anti-colonial imaginary that sought to resist their exile.<sup>38</sup> In lieu of oral histories, Kenyan voices on exile emerge from these files and from post-colonials memoirs, illustrating how forced displacement intersected with earlier debates about land, autochthony, and moral ethnicity which had been formative to the Uprising itself. While research was conducted for this article in the Kenyan National Archives, most of this correspondence is drawn from the Hanslope Disclosure. These are documents removed from Kenya in the latter days of colonial rule, as they might embarrass British officials, compromise intelligence sources, or "be used unethically by Ministers in the successor Government."<sup>39</sup> Only after a High Court case around Mau Mau compensation did the Government admit they possessed these files, comprising tens of thousands of documents. These files provide the details to fully tell the story of Britain's exile efforts in Kenya. In David Anderson's words, the "destruction and retention combined in Kenya, as elsewhere, to provide Britain's ordering regime with the power to contain and shape knowledge about the past."<sup>40</sup> The removal of these documents themself is thus part of the same bureaucratic racialization that produced the exile settlements and spaces of exception.<sup>41</sup>

## Exile in the Imperial Longue Durée

Terence D. Miethe and Hong Lu argue that exile historically has functioned as "one of the most basic means of social control." They define exile as "the physical banishment of dissidents and persons of higher social status in a society (e.g. political rivals, religious leaders, social reformers)," with strong symbolic value that coercively enhances "community solidarity." Matthew Gibney adds that it specifically involves the "expulsion of an individual from the territorial boundaries of a political community leading to the loss of rights and privileges associated with membership." There can be significant permutations within the rubric of exile: the level of control exercised after transportation, numbers to be removed, and the judicial authority by which it is authorized. However, definitions of exile share the desired destruction of an unwanted influence, a desired effect on the home community, and the expulsion beyond a political boundary. Severing a connection to the *oikos* (home) is the key

principle, and exile fails if this bond persists. 45 It can be distinguished from other forms of penal displacement due to the "non-institutional setting" to which they are removed. 46 This indicates the importance of spatial imaginaries to the process. Isolating hostile subjects invites place-making, "rendering of certain spaces into undesirable zones of exclusion, or into enclosed sites of confinement and incarceration."47 "Imaginary geographies," whether it be of an entire continent like Australia, or a specific region like Kenya's Coast, are thus crucial to the process of exclusion. 48 Perceptions of both the exiled, and the punishing authority, are key. In the case of Kenya's coastal hinterland, long colonial developmental neglect, with an arid and malarial landscape, had made the area deeply undesirable to the Gikuyu, far from the fertile Central Highlands where they had long histories of studious clan and individual accumulation. <sup>49</sup> As Godfrey Muriuki recounts, Gikuyu tradition included "bone-chilling accounts meant to dissuade the Mount Kenya peoples from venturing to the Coast."50 It was this understanding of space that the colonial developmental mind sought, and eventually failed, to remake. Corey Young has stressed that in the twentieth century, the dominant form of penal expulsion became "internal exile," forming "communities of the banished," as "prison colonies eventually became a geographical impossibility as the frontiers of the world disappeared."<sup>51</sup> The British considered exile beyond the boundaries of Kenya impossible, for practical and ideological reasons, so the underdeveloped Coast was the logical site for permanent resettlement. Notably, "exile" as a term has been used interchangeably with deportation, penal transportation, and banishment, but this term is the most appropriate to the Kenyan context. This is because of the creative "inclusive-exclusion" that is expressed by the term: outside the realm of the political but not banished beyond the state's sovereignty.

A longue durée, global history of exile re-conceptualizes the Foucauldian shift from capital punishment to carceral confinement.<sup>52</sup> As Clare Anderson argues, colonial exile "did not exist as an addendum to the central narrative of the history of punishment as a story of the rise of the prison but pre-dated it, coexisted with it and shaped it in crucial ways."53 This echoes developments in the study of colonial punishment which go beyond a narrow focus on imprisonment to the "larger matrices of colonial coercion." <sup>54</sup> Colonial biopolitical practices were conceived first as "social prophylaxis," a racialized rationale of protection that stretched beyond liberal-western notions of the prison to the "new calculative technologies of population control and management" that characterized the totalitarian states of mid-century Europe. 55 As Daniel Branch argues in the case of Kenya, a Foucauldian focus on prisons misses how "compulsion and detention were normalized as part of the colonial political economy." The screen between incarceration and everyday life for colonial subjects was therefore more porous than imagined by scholars like Florence Bernault.<sup>56</sup> With prisons failing the role to isolate political "subversives," exile proffered an answer to the question of how to permanently excise anti-colonial elements from Kenya's political community. For Nathan Carpenter and Benjamin Lawrence, scholars must argue for the centrality of exile "to theorizations of state power in colonial and postcolonial Africa," as unstable state authority reproduced a logic where exile was deemed as the most efficient way of preventing dissident political mobilization.<sup>57</sup>

In the British Empire, exile as a mode of punishment was an ever-evolving repertoire, but regularly served the purpose of calming rebellious territories through a humoral letting of bad blood and ostracizing hostile subjects. In the British context, circumscribed by habeas corpus, exile had always relied on "royal prerogative without resort to legal process." Up until the present-day case of the Chagos Islanders, the Crown (represented in the colonies in the figure of the Governor) retained prerogative "powers of extraordinary scope and arbitrariness" that fundamentally preceded the "rule of law."<sup>59</sup> In medieval Europe, exile tended to be unspecified, banishing someone beyond the boundaries of the polis to punish "deviations from the moral code," but offering eventual reincorporation. 60 Gibney asserts that with the Enlightenment shift from communal to individual justice, exile began its slow decline. 61 Penal transportation to a particular place, not just from the polis emerged and by the twentieth century exile in the metropolitan context disappeared. However, just as the Foucauldian prison limits understanding of colonial punishment, this history of exile does not appropriately describe developments outside the metropole. The colonial ideology that saw African society as fundamentally communal, easily manipulated by semi-westernized miscreants, meant exile was believed to retain the symbolic value it once had in medieval Europe. 62 This was echoed in the colonial diagnosis of Mau Mau.

Recent works by Aidan Forth and Michael Lobban have elucidated the development of detention and exile in the British Empire. Forth focusses on the explosion of encampment around 1900, just as Africa was definitively divided among European empires. 63 British imperialism faced a series of inter-connected crises, from cholera epidemics to the Boer War, and responded with a synthesis of governmentalities that produced the "century of camps."64 The "camp addressed the central problem of imperial rule: the occupation and surveillance of immense landscapes and the effective management of distant 'strangers' by a small contingent of reliable Europeans."65 The liberal language of welfare, hygiene, and security was the primary justifications for the spatial exclusion of dangerous elements. Explicit biopolitical governance entered the British political repertoire in this late-Victorian imperial crisis, creating an "archive of expertise" which would be quarried by the Colonial Office. 66 This process had, however, been prefigured by individualized exile: developed in India and used to bolster the occupation of Africa. As Lobban argues, the Diceyan view of the rule of law was "entirely redundant in parts of the Empire." Since 1818, the Bengal State Prisoners Regulations allowed detention-without-trial "for reasons of State" and the "preservation of tranquility."68 The language was directly copied in East Africa, where the 1897 Native Courts Regulations allowed anyone "dangerous to the peace and good order in the Protectorate" to be "removed or interned in such place within the limits of the Protectorate as [the Governor] may direct."69 In the century after the Indian Mutiny in 1857, 83,000 rebels including members of the "criminal tribes" were exiled to the Andaman Islands, first as convict labor, then as free settlers. To It was this response to anti-colonial violence like at Malabar in the 1920s and Burma in the 1930s, which was explicitly cited by colonial officers in Kenya to justify permanent exile after the Emergency.<sup>71</sup>

The 1897 regulation had been preceded in Africa with *ad hominem* ordinances, allowing the specific removal of individual pre- and anti-colonial leaders

like King Mwanga II of Buganda, who was exiled to the Seychelles.<sup>72</sup> After 1900, as colonial rule was placed on firmer footing, these ordinances gave way to detention and exile as mass tools for preserving colonial sovereignty. By 1939 this was codified in the Emergency Powers (Colonial Defense) Order in Council, which would form the legal basis of Kenya's State of Emergency and was used in "the post-war empire to restrict movement, censor the press, and arrest and detain without warrant."73 The same regulations had first been applied in post-war Palestine, with some detainees deported to Eritrea and Sudan.<sup>74</sup> Thereafter, the practice was exported directly, in the form of Henry Gurney who had been Chief Secretary in Palestine, to the counterinsurgency in Malaya where he served as High Commissioner. 75 In Malaya the British had the capacity, due to the ethnic Chinese character of many of the communist leaders, to deport thousands to the People's Republic. In Kenya, which adapted wholesale many of the practices of the Malayan counterinsurgency, like the use of Emergency Villages, this option did not exist. Internal exile thus seemed the only option for the "irreconcilables."

This wider imperial genealogy had a specific history in Kenya, where local and global histories inter-mingled to provide the discourses that legitimated permanent exile during the Mau Mau Uprising. In Gikuyu historical memory, the early-colonial deportation of Waiyaki wa Hinga is particularly important. In 1892, after skirmishes between Waiyaki's Gikuyu and British East African Company troops, and on the advice of colonial collaborators, he was deported to the Coast. Though he died *en route*, the incident reveals how, from the earliest conquest, exile was the solution to removing troubling political influences. It was the children and grandchildren of the "motley crowd of mercenaries" that encouraged Waiyaki's deportation, who became the Chiefs and Headman which would consign Mau Mau to permanent exile. Waiyaki's death would consciously play on the mind of exiles sent to the Coast themselves in the 1950s. The incident entrenched the conception among the Gikuyu that the Coast was a place of death and loss of personal sovereignty.

These precedents would harden in the 1920s, with the first prominent anticolonial Gikuyu activist, Harry Thuku. He had agitated against the alienation of Gikuyu land, and his deportation to the Coast led to a riot in Nairobi that killed twenty-five. 18 When some Kipsigis were deemed to be committing stock thefts and murders under the influence of the orkooik (prophets) of the Talai, the entire clan was removed from the Reserve and exiled "in an alien and inhospitable area of Nyanza province in what was, in effect, an open prison." The legal procedure under which this was justified, the Laibons Removal Ordinance of 1934 was retroactively applied, allowing for the collective deportation of an entire group. They would remain there until the mid-1950s, justified as "the restoration of the 'traditional' authority of the elders."80 As Julie MacArthur claims, in Kenya "deportation as governance strategy reflected the deep moral anxieties and judicial pragmatism inherent in dealing with anti-colonial dissent."81 She explores the deportation of Elijah Masinde, a Luhya prophet that combined religious invocations with anti-colonial rhetoric, who would find himself in exile for the entire period, from 1948 to 1961. 82 Thereby, at the time of the declaration of the State of Emergency in 1952, all the building blocks were in place for a regime of exile in Kenya; however an assumed permanence, and the creation of "communities of the banished," had not yet been introduced.

## Exiling the "Irreconcilables"

The expansive use of exile, with the innovation of permanence, entered the official mind due to their specific diagnosis of the Mau Mau "infection." "Rehabilitation" policy was underpinned by the "language of the psycho-docs," the cadre of social scientists that diagnosed and prescribed social medicine for Africa's supposed existential malaise. 83 J.C. Carothers' Psychology of Mau Mau is illustrative as it was widely cited by the officials that devised the "Pipeline."84 Carothers, a South African psychiatrist with experience in Kenya's mental hospitals, attempts to explain Mau Mau by providing a diagnosis of the "African mind." He depicts the Gikuyu as the most extreme exponents of Africa's civilizational "crisis of transition." An "anxious and conflictual situation" developed as traditional communal solidarity was undermined by encroaching modernization, while the "old magic modes of thinking" remained. 86 Central to this diagnosis was a gendered analysis of Gikuyu households, blaming Mau Mau in part on the schism between "essentially home-loving" women and detribalized, politicized men who were neither noble savage nor "stabilized" proletarians.<sup>87</sup> Crucially, this anxious situation could only explode when a class of "newly-risen egotists," emerging from Nairobi and having tasted the fruits of education but frustrated in political ambition, like "jilted lovers ... turned to hate" Western civilization.<sup>88</sup> The first diagnosis required the remaking of the Gikuyu to ideal colonial subjects through spatial and economic revolution, villagization and land reform, which would deal with the "psychological problems of Kikuyuland."89 The question however remained what would be done with those "so fanatical in outlook that they will prove irreconcilable," whose crimes made them "unacceptable" in the Gikuyu body politic. 90 These "egotists" were in reality the ideologically-committed nationalists who the Administration believed could not be politically de-mobilized with economic inducements, Christian prayer, and "shock treatment" (torture). 91 For them, exile would be the solution.

In the administration's formulation, making Central Kenya safe for colonialism by restoring civilizational equilibrium required the removal of a section of the population. Biopolitical language was never far away. Mau Mau was an "infection" of the Gikuyu body politic, and of oathed individuals specifically. 92 While some saw Mau Mau as a pathology of African bodies and minds, others saw a social disease which required reform. Like all societies that have practiced exile, it was removing the "hardcore" from *political* society that was key. Initially, this was simply a component of the counterinsurgency strategy, getting the perceived ringleaders as far away from the populace as possible. From the beginning of the Emergency, both radical and moderate leaders of the Kenya African Union (KAU) were imprisoned far from home in the northern reaches of the colony in places like Lodwar and Marsabit. Contrastingly, most of the tens of thousands of individuals who were detained by the colonial state were supposed to be in a "pipeline" towards release. Moving ever closer to home, after confession and cooperation, detainees were transported many times through Kenya's carceral archipelago. Here was a major biopolitical exercise: the management of tens of thousands of bodies to be disciplined and regulated. Several camps were legally inscribed as sites where exceptional violence could take place. Recent disclosures from the Migrated Archive have conclusively proven that the socalled "special detention camps," first on the Mwea plain, were authorized to use punitive beating to induce cooperation and confession. <sup>93</sup> Acting as "filter camps," violence was authorized at the highest levels in London, so intimidating detainees that they would become "soluble" enough to flow down the rest of the "Pipeline." <sup>94</sup> Despite this brutality, ever-increasing proximity to home remained a guiding thread and the "state of exception" was consciously temporary. The desire of the colonial state to build a new Kenya, with rehabilitated detainees as pacified workers of a loyalist "yeoman farmer" leadership, meant that release was always the final objective for most detainees. <sup>95</sup> However, an "irreconcilable" minority could upset this scheme, and even within the regular camps there was continuously a desire to segregate those who would upset the reintegration of the whole.

Early in the Emergency, with the imperial repertoire of decades of deportation and the immediate precedent of the removal of the top KAU leaders to the northern frontier, exile was soon considered as the response to the problem of the hardcore. 96 In 1954 the War Council, Kenya's highest executive body during the Emergency, wanted a settlement on the Red Sea island of Kamaran as permanent exile location. 97 These plans were rebuffed as not in "the sphere of practical politics" by the Colonial Office. 98 The fact that this island, originally a quarantine station for Mecca-bound pilgrims, was even considered, illustrates both the biopolitical genealogy of the exile scheme, as well as the lengths the state was willing to go. 99 The idealism did not cease there however, and the final location at Hola, on the Tana River in Coast Province was planned to become a settlement for 7,000 people on 25,000 acres of freshly-irrigated land. Government would spend "large sums of money in turning an arid desert into green pastures and a land flowing with milk and honey in order to accommodate those Mau Mau detainees." Hola was chosen over the existing camps on Lake Victoria's islands due to the "unpleasant associations for the Kikuyu" of open water, and its proximity to the Nyanza mainland, as the exiles might politically "infect" the residents of that Province. 101 At Takwa Camp, near Lamu, the Mau Mau "intelligentsia" had been "concentrated," but officials complained that the normal processes of rehabilitation did not work with those who were "political rather than terrorist in outlook." 102 As officers lacked the "intellectual capacities" to rebut detainees, euphemism for the inability to depoliticize Kenya's nationalist leadership, exile became necessary. 103 A small cadre were "so dominating the others that it was considered that they would hinder the settlement of others" and exile at Marsabit was "designed to allow the detainees to become accustomed to a degree of freedom before they were sent to the Hola Settlement." The rest of the "Takwa Boys" were committed immediately to Hola. 104

Re-assuring loyalists was a key motivation in developing the exile scheme. Since the 1920s the nationalists of the Kikuyu Central Association (KCA), KAU, and Mau Mau had slowly risen to positions of community hegemony. Chiefs, Church elders, and landowners that formed the backbone of loyalism wanted assurance that henceforth they could rule unchallenged. Governor Baring promised them that the irreconcilables would "never be released." The importance of loyalist leadership to the re-building of the new Kenya was reflected in the selections for exile. Loyalist elders were crucial in mediating the decision whether a rehabilitated detainee could return to their village, or would

be dispatched to the Coast.<sup>106</sup> Detainees who petitioned for release were told they would not be returned until "those who resisted Mau Mau and remained loyal to the Government are prepared to have you back."<sup>107</sup> When detainee H.K. Wachanga wrote about being sent to Hola in his memoir, he said he was told "my Chief had ordered permanent exile for me. I was to be taken to Hola Restriction Camp to rot."<sup>108</sup> DCs resisted London-imposed release targets as they wanted to maintain the practice of reviewing every case individually, claiming that otherwise loyalist hegemony may be upset.<sup>109</sup> Especially from 1957, this system was rationalized with the production of "permanent exile lists" by DCs in consultation with local Chiefs.<sup>110</sup>

Governor Baring made clear in March 1958 that "Hola development will take priority to development in other camps," both as an exile settlement, but also a place where "the most dangerous of all detainees" could be rehabilitated. There would be a mini-pipeline, with a closed camp, an open camp, and the settlement scheme itself as the endpoint. 111 The existence of multiple camps at Hola was a product of agricultural, as well as penal, necessity. The scheme swallowed a huge amount of labor to dig the irrigation canals necessary to transform the dusty flatlands to a cotton-producing settlement. Hardcore detainees were supposed to be rehabilitated by labor in the Camps and work their way up to becoming settlers, merely restricted to the scheme but not directly imprisoned. Governor Baring wrote that "the relative liberality of the agricultural settlement and the village side of Hola depends ... on our ability to maintain some detainees under conditions of confinement in the Closed Camp."112 What made the situation more difficult was that the remaining detainees were described as "thugs, almost sub-human and fanatics" by the Attorney General. 113 This racialized language reflects that these were the detainees most committed to continuing anti-colonial activism. However, the settlement depended on the labor of the un-rehabilitated hardcore in the closed camp, many of whom would become the settlers on the scheme after they had been rehabilitated by that work. Detainees thus served a dual biopolitical role, both bodies to be disciplined and labor preparing the settlements. The closed camp was gazetted a Special Detention Camp to allow for forced labor. 114 Hereby, Hola was seen as the allinclusive answer to the problem of the irreconcilables, either rehabilitating them or permanently exiling them, allowing camps across Kenya to close. 115

Over the years at Hola, especially in late-1958 and early-1959, violence became more prominent in a desperate effort to rehabilitate the closed-camp detainees. Pressure from London increased, asking for more releases to make it possible to end the State of Emergency with its exorbitant financial costs. While there were places available on the exile scheme, the continuing presence of thousands of unrehabilitated detainees was "one of the major political problems of this country today." Violence escalated to discipline the remaining hard-core, forcing them to cooperate and accept plots on the scheme. Detainees refused to work because, in the words of one petitioner, Kanyoro Kiiro, the "ambition is to kill all the detainees at Hola securely and make them run short of blood by slave labor on land which Europeans intend to farm later." This sentiment is worth remarking on, testifying to the way in which Kenyans themselves conceptualized their exile. First there is resistance to the hardship of forced labor, with "running short of blood" a reference to the various diseases the Gikuyu suffered in the alien climate of the Coast. However, there was

also resistance to breaking ground (which traditionally had been the legitimating act for Gikuyu moral adulthood and land ownership) without being secure in tenure. <sup>119</sup> Potential exiles, despite being told they would become settlers on the land they irrigated, did not want land so far from Central Province. In Mau Mau's ideology, the tenancies offered by the European administrators could not be trusted.

The 1940s crisis at the resettlement scheme at Olenguruone is indicative here. Gikuyu there had been uprooted from their farms in Maasailand but were particularly aggrieved that they would not receive compensatory land on Githaka terms (the traditional Gikuyu land-ownership system allowing for clan holdings) when they were settled at Olenguruone. Instead, they would be tenants of the Crown, facing tight regulations on land utilization and with insufficient accommodation for polygamous families. In rejecting the colonial state's offer, Olenguruone became a crucible for debates about belonging, land ownership, and moral authority. The back-and-forth ended in 1949 with mass evictions and the burning of crops and huts by the colonial state. Stories of Olenguruone were formative to emerging radical Gikuyu activism, with its oath of unity becoming the model for the Mau Mau equivalent. 120 This is testified to by a number of Mau Mau fighters who produced memoirs like Wachanga, who was told by a District Officer after Olenguruone that "Africans don't own the land and are a kind of wild animals." For him, this was the primary inspiration for fighting against the colonial state and six years later he was exiled to Hola. 122 Detainees like Kiiro and Wachanga knew that Hola, like Olenguruone, was subject to the colonial rule of exception. At Hola they would be subject to the same authoritarian developmentalism that so aggrieved their conception of self-rule and masculine authority over farm and family. 123 Therefore, many chose to withhold their labor altogether, and none made their peace with permanent settlement.

Other petitions reported chronic beating in the closed camp section. 124 Later investigations confirm serious beatings occurred in August and September 1958, but it was believed by the Prisons hierarchy that officers had been too lax and "postponed a definite trial of strength." The Cowan Plan, which was drawn up to break this lethargy, was predicated on the idea that if detainees could be forced to work, up-to-and-including having warders hold their hands and pull weeds, then this would "break the hold of the oath" and open the road to rehabilitation. 126 Here, the ethno-psychology of J.C Carothers reached its ultimate paradoxical instrumentalization: the "irreconcilables" would be literally forced through their society's transition to the colonial ideal. This futile act escalated to punitive beating, eleven deaths, and a political crisis back in the UK which threatened the whole moral basis of Empire. 127 Hola was undoubtedly a space of exceptional violence, but crucially this violence was deemed to be in service of preparing the agricultural settlement and rehabilitating the "irreconcilables" to the point they would be willing to accept plots on the scheme. Hereby, colonialism's capacity for creating spaces that were the ultimate negation of the liberal-rational legal order is revealed. The administration, up to the Governor himself, where desperate for the scheme to succeed, and have the number of irreconcilables down to a "manageable proportions" by the time the Emergency ended—a desperation that fed the violence. 128 What made Hola exceptional was the desire to be a space of permanent exile; a scheme that not

only survived the massacre of March 1959 but was in fact stepped up after that time.

## Potemkin Villages on the Tana

The number of exiles was constantly reduced throughout the latter years of the Kenya Emergency, as pressure from London increased and "shock treatment" methods had their effect of cowing thousands of detainees into cooperation and allowing for their eventual release. By 1959 however, there were already several dozen exiles which had been given four-acre plots on the scheme, supposed to become the core of permanent settlement which would outlast the Emergency. The ideal at Hola was a large settlement comprised of several villages, with men on restriction orders tilling the land with their families. 129 From 1958 plans were made for a local primary school to make the scheme palatable for detainees, who had to consent to accepting plots on the scheme and were overwhelmingly refusing to do so. 130 While rehabilitation through labor continued, the settlement scheme was initiated, and its difficulties begin to demonstrate the conceptual flaws in the colonial state's plans. 131 As petitions from settlers illustrate, life was harsh and shared the compulsion of the adjacent penal camps. There were severe restrictions on agricultural freedom. Settlers were instructed to cultivate certain crops, especially cotton, with which Gikuyu agriculturalists were unfamiliar. Crop restrictions were precisely the kind of imposition which injured the feeling of moral adulthood of Gikuyu men, as argued by John Lonsdale, who had joined the insurgency precisely to win back the autonomy over their own land. 132 Exiles were deeply aggrieved, often having confessed, and made it all the way to the last stage of the "Pipeline," now yanked back to the desolate Coast. Andrew Ng'ang'a Munya claimed he had been personally certified as never taking an oath, having been through some of the harshest camps of the "Pipeline." Yet he had been plucked "from [his] mother land to [that] hellish place," Hola, because loyalists in his home division of Kandara had entered him into a "Black Book." Munya conceived of his exile as egregious to his duty as a male householder, as his land was about to be re-demarcated (as was happening across Central Province at this time to the detriment of many detainees). <sup>135</sup> He asserted that "nobody knows this border, not my brother, my wife, and my son, but only me." <sup>136</sup> Re-settlement could not fulfil the spatial and political imagination of the Gikuyu, attached to their home Githaka.

As the memoirist and ex-fighter Wachanga reported of Hola, the Gikuyu "suffered greatly as a result of the extreme heat and low altitude which [they were] not used to." The Coast's place in the geographical (and climatic) imagination of the Gikuyu was thus key to its rejection as a long-term settlement, but so was the desire for expansion in the area which they had traditionally set their eyes upon. Agricultural officials lamented that many Gikuyu would not take up plots "so long as there was a good prospect that land in the 'Highlands' would soon be available to them." It was in the "White Highlands" where Gikuyu thought they could reasonably expand, claiming an autochthony generated by labor on the white-settler farms. There they were "sons of the soil;" on the Tana they were unmoored, ill, and oppressed. Personal narratives like this reveal how, with the limited freedom provided in the villages, settlers resisted the reduction to "bare life" and the muting of their

political activism and spatial imagination. Even the land itself seemed to resist the scheme, with fifty-pound subsidies needed per acre of land to even provide subsistence, yet still the scheme persisted because it was "politically important."

While these difficulties persisted, Hola had to be inscribed as a space of exception to provide for legal restriction after the end of the Emergency. As early as 1955 planning began to permanently retain a level of restriction, so a Security Settlement Ordinance was drafted. This plan required astute political presentation. Domestic permanent exile after the Second World War was "unique in the Commonwealth," and was complicated by the 1950 European Convention of Human Rights (ECHR) which prohibited detention without trial (Articles 5-6) and enshrined freedom of assembly, press and expression (Articles 9–11). 141 Baring believed the task of reconciling "the requirements of a country [Kenya] in which there are still a number of irreconcilable fanatics to be counted in thousands with liberal feeling in the United Kingdom is a terribly difficult task." The Kenya Attorney-General Eric Griffith-Jones admitted in memoranda that their "aim in phraseology should be the maximum in euphemism in order that proposals may be as palatable as possible in the political field," acknowledging the ECHR would have to be derogated in order to, for a time, maintain a closed camp at Hola. 143 Griffith-Jones believed this was essential in order to encourage an eventual "peaceful agricultural existence" and that with a "certain amount of casuistic law stretching, [the] general proposals could be fitted into" the Convention. 144 He settled on the ECHR's regard to "local requirements," which he stretched to the "backwardness of the inhabitants, primitive customs and ways of life," especially witchcraft. 145 Foreign Office lawyers protested the local circumstances were only meant to include "semi-permanent features of a territory such as difficulties of communications." 146 Precedents were drawn from the Laibons Removal Ordinance and the Indian Criminal Tribes Act, which allowed for the restriction and criminalization of entire classes of people in a racialized context.<sup>147</sup> After the Colonial Office pushed back, the Governor wrote of the "great alarm and despondency" in the Administration to Colonial Secretary Alan Lennox-Boyd. Baring asserted that without the retention of restriction at Hola, the Emergency would have to be extended. Then there would be a serious risk of a Labor Government, after the 1959 General Election, releasing all the hardcore and permanently destroying their collective achievement pacifying Kenya. 148

In the wake of the massacre, Griffith-Jones argued disallowing Hola would be a triumph of politics over human-rights, choosing the rights of the minority over the majority. It would be "better surely to let the thugs rot among the tsetse than to let them contaminate the better types." The prominent policeman Ian Henderson, who was believed to "understand" the Gikuyu, was asked for details on Mau Mau witchcraft, while Kenya government lawyers conducted investigations into legal procedures used to deal with the Malabar and Burma rebellions. Griffith-Jones complained these rebellions did not have the EHRC lying "as an incubus on the shoulders of the Indian and Burma authorities in the "20s and '30s as it does on ours in the 1950s." In response, the Colonial Office warned about the precedent set by the legislation, as it would be bad to "train" African leaders in the use of exile and detention without trial. Despite the fraught communications that concerned the Security Settlement

Ordinance, it was passed into law, accompanied by propaganda accounts of "murders, atrocities (e.g., slicing off babies heads at Lari), bestialities, witchcraft, and similar illustrations of subhuman fanaticism" requested by the Colonial Secretary. In the legal drafting of the Ordinance, Kenyan officials and British government lawyers collaborated to permanently inscribe a space of exception on the Tana. The self-image of liberal colonialism could therefore be maintained while its discontented subjects were removed. Hereby the State of Emergency across Central Province could be ended, and its exceptional restrictions on political and civil liberties could be limited to a few hundred acres. Relying on a relentless racial logic, Britain's post-war international legal commitments could be avoided and by executive fiat the rule of law could be suspended on the scheme.

Particularly after the Massacre, the Administration moved to regularize the settlements on the Tana and consolidated the exiles into three villages: Nyakiambi (first village), Kiarukungu (dusty village) and Munyaka (good luck village). 154 Across the rest of 1959, Hola as a site of permanent exile reached its apotheosis, with the local DC given the task to "rehabilitate" it in the public mind. 155 The Fairn Committee, tasked with avoiding such violence from reoccurring, had embraced the scheme as a "social adventure" which should continue. 156 For them this was still a biopolitical experiment that could be the key to the whole problem of radical anti-colonial nationalism. As it became clear the Emergency would soon come to an end, the settlements had to be ready. The numbers had been reduced at this point to 500 men with families on 2,000 acres, with conditions needing to be improved due to the press attention in the post-massacre environment. These were not necessarily welfare improvements. For example, the Administration established a local court, with Gikuyu headmen, in order to avoid a turn to "less legal methods, which, in a place like this, will rebound one day." The Tana River DC's office, who had been based far away at Kipini, was moved to Hola, which itself was renamed Galole to erase "the bloodstained name." <sup>159</sup> During this time, the priority was "to make life of Restrictees approximate as closely as possible to their hitherto or customary way of life in their home districts," with village councils, dances, Tribal Policeman, and village headman. 160 The obvious signs of exceptionality had to be mitigated. After Special Branch reported a "Secret Committee of Settlers" in August 1959, a "very powerful and potentially dangerous" group, Village Committees were established. 161 The committees, over the coming years including prominent political figures of the both the Mau Mau and post-colonial period like John Kali and General China, were constantly agitating for a lessening of restrictions and better allowances. 162 While quibbling with minor details of their restriction, there was also a fundamental rejection of exile itself, with much of the discussions centering on conditions of return to Central Province. 163

Crucially, while administrators claimed "Hola is now being developed on the lines of the usual Government Station, on a permanent basis," they asserted "the inhabitants will be the dregs of the Mau Mau barrel" and the settlements never ceased being a space of exception. Detainees remained under strict restrictions, particularly as political actors: they were limited to moving within two miles from the settlement, had to report daily to the DC's office, and were prohibited from contributing articles to newspapers. Moreover, they should "not join any political association or attend any political meetings of any kind," nor

join an association or trade union, or manage any business. 165 Waruhiu Itote (General China) reports in his memoir that the settlers, among whom where him, his wife, and his children, at times took a vow of silence and refused cooperation with colonial administrators to protest the continued detention of Mau Mau leaders. They thus joined a wave of anti-colonial activism across Kenya in 1959 and 1960, thereby attempting to efface their separation and exclusion. Itote claims the settlers collectively would rather be detained in camps in Central Province "where at least the Government would feed" them, then be forced to grow cotton for a stipend on the Tana. 166 Officials believed that settlers "were not any easier to handle [than the closed camp detainees] ... politically they are just as hard, and they hate just as well as the detainee." Here was the essence of biopolitics; by controlling the bodies and activities of the settlers, nationalist politics was to be steered away from Mau Mau radicalism. This problem only became worse as more restrictees were allowed to return to Central Province as: "those who remain will be very bitter, very disappointed, very political, and ... very bloody-minded." The scheme manager continued to have near absolute control over the economic lives of the settlers. For example, James Wangama Francis had his wages confiscated for not cultivating his cotton assiduously. 169 While agricultural officers wanted to remove disciplinary restrictions to "ensure a happy settler population on which the future of the scheme depends," the Provincial Administration instead demanded full security measures and "reintroduction of a realistic code of discipline" after the massacre, giving the impression that "Government governs." Through these legal restrictions on settler activities, the process of "inclusive-exclusion" that was present on the Tana is revealed, while cosmetically free to conduct economic activity, they were to be rendered mute in the febrile national arena of a Kenya approaching independence.

Central to the protest of the exiles at Hola, and the difficulties of their administrators, was the question of families joining the restrictees. In Carothers' biopolitical view of Gikuyu society, stable nuclear families forming new, healthy communities was central the state's model of post-Emergency reconstruction. Families were to be called from Central Province to stabilize the settler population and sidestep the continuing desire to return home. In the case of one man from Gichugu whose father-in-law demanded the complete payment of the bride price before he let his daughter leave, the DC at Hola insisted she be allowed to come because "unless [the settler] builds up a family and a family life here, I see no hope at all of his ever being anything but a threat to security."<sup>171</sup> For unmarried settlers, officials tried to procure wives, in one case suggesting that detainee women at Kamiti could be "given in marriage to deserving bachelor settlers." 172 These plans show the heavy-handed, biopolitical, and gendered manner in which the Administration hoped to create a new community at Hola, forcibly forging the bonds of intimacy deemed necessary for exile. The reality was from the stabilized ideal. Wachanga reported that "if it had not been for [a prostitute] Maya we would have suffered much more." Transporting families to Hola was a logistical nightmare, marred by rejections, excuses, no-shows, and in one indicative batch in February 1959, out of the 50 women and 59 children requested, only 25 women and 39 children made the journey. 174 Reluctance in part stemmed from the "wild tales ... being told in Central Province about Hola," having "earned the reputation of being a veritable hell-hole." 175 Many women did not wish to leave their wider kin-groups, tasked with other duties like rearing grandchildren and tilling shambas, waiting instead for their husbands to be released. With these difficulties, the ideal of the exile settlement was tested and revealed to be flawed due to its mismatch with individual desires and the dynamic nature of Gikuyu communities.

With the 1961 election dominated by the issue of releasing the remaining Mau Mau, and African majority rule approaching, the use of Hola as an exile settlement lapsed.<sup>176</sup> By 1960 the Permanent Secretary for African Affairs admitted they had gone wrong with the whole conception, thinking people would be willing to work so far from home, and were "aghast" at the amount of money that had been spent on the Tana. 177 370,000 pounds had been spent to irrigate only 800 acres with only 160 settlers taking up plots. 178 By 1961 the despondency meant a special Working Committee agreed the scheme ought to be shut down for Gikuyu exiles, and there was "little to lose by setting free the bulk of the remaining restrictees" as it was "most unlikely that any future Kenya Government could ever again use Galole as a dumping ground for security detainees."179 A combination of political pressure, constitutional development, and spiraling economic costs precipitated the scheme's abandonment. However, more than all these, restrictees' resistance itself had made the scheme impossible. The vast majority of those committed to exile refused to accept plots. These refusers clung instead to dreams of return to their homeland, or of moving into the White Highlands which opened to Africans beginning in 1960. Those that did accept plots continued to agitate and refused to be cauterized from political life, as illustrated by appeals from restrictees, like Anderson Wamuthenya, to stand in the 1961 election despite their restriction. 180

Exile in Kenya, and in particular removal by executive fiat, did not perish with the sundering of the scheme on the Tana. For the remainder of formal colonial rule, political "subversives" were removed to Lamu Island. There they were formally "restricted" under the Preservation of Public Security Act, the crown jewel of the "twilight" legislation which permanently inscribed the legal rule of exception in Kenya's statute book. 181 As the Colonial Office had warned, this legislation was retained, expanded, and then utilized by Kenya's postcolonial government against enemies of the state as diverse as Somali secessionists and Mau Mau remnants. Against the Shifta rebels, Mau Mau-era collective punishment was employed, detention without trial and forced villagization again took place. 182 As Hannah Whittaker has argued, the whole of the Somali areas became a "militarized margin," another space of exception that condemned Somalis to decades of marginalization and dislocation. 183 While internal exile was no longer possible, with the whole of Kenya's territory (except the Somali territories) formally equal under national law, this did not stop the detention of political rivals. 184 Kenya's dissidents, like the author Ngugi wa Thiong'o, especially in the late-1970s and 1980s, took themselves into self-imposed exile, producing a wealth of literature and political activism which reflected on their alienation from the homeland. Thereby, they stood in the long tradition of Kenyans removed from their (national or sub-national) homeland for political opposition to the ruling regime, from the time of Waiyaki wa Hinga to the exiles on the Tana. 185 Just like the Hola settlers continued to resist the reduction to "bare life" through their petitions and withholding labor, these later exiles would do so from exile abroad.

### Conclusion

In a comparative perspective, this exile scheme represented the last grand attempt at penal exile in the history of the British Empire. As Carpenter and Lawrence have argued, "on the cusp of decolonisation, colonial administrators turned to exile again as a way to pre-empt anti-colonial political mobilization." 186 Long after exile from the metropole became unacceptable, it continued in Europe's African colonies. The reasons for this were a racialized understanding of African life and the prevalence of the "state of exception" in colonial thinking. Besides the totalitarian states of the Communist world, the most obvious contemporary was the program of internal exile in apartheid South Africa. While urban dissidents were "banned," political silencing through severe restrictions on public appearances and publishing, rural opponents were exiled to bolster pliant chiefs collaborating with the regime. 187 However, they were scattered in small settlements across the country, rather than the concentrated mass scheme on the Tana. What the Kenyan regime combined with the logic of penal exile was the dream of turning "an arid desert into green pastures and a land flowing with milk and honey" by the labor of the exiles, something more reminiscent of the Virgin Lands scheme of the Soviet 1950s. 188 What these examples illustrate is that exile as a biopolitical scheme of managing rural resistance was shared across the late-colonial world, to which the Soviet Union's frontier regions can be added, even after the horrors of the Second World War's camps. 189 The innovation of permanence, which originated from the racialized view of African society, illustrated precisely that even during the twilight of colonialism grand developmentalist attitudes became a license for brutality in the name of disciplining rebel bodies.

In Sunil Khilnani's recent review of Caroline Elkins' Legacy of Violence, he rightfully points out that an excessive loyalty to a "quasi-Foucauldian" theory of totalizing control by liberal imperialism cannot adequately explain the end the British Empire and especially the great capacity of colonial subjects to resist and shape their rule. 190 The story of the exile schemes in Kenya thereby provide a necessary corollary to the work of scholars like Lobban and Hussain, extending their temporal frame to the twilight of colonialism, but also demonstrating precisely how colonial subjects resisted the high-modernist imaginings of the colonial state. Detainees in some camps resisted with reference to post-war liberal ideas in their petitions. Some compared what was happening in the Pipeline to the crushing of the Hungarian Uprising in 1956. Others wrote to British MPs like Barbara Castle in the hope they would raise clamor in the metropole, while almost all appealed to British traditions of law and justice. 191 The legalityobsessed liberalism with which the administration justified the suspension of the rule of law and the evacuation of thousands from their homeland was exactly the language that detainees turned against their jailors. This is not to disregard the traditional idioms by which the exiled understood their condition, drawing on deeper ideas of autochthony, moral ethnicity, and the duty of the male householder. "Land and Freedom," the defining slogan of Mau Mau did not encapsulate two discrete concepts. Instead, freedom could only be achieved when one's economic sustenance was assured by land, and land could only mean anything if the householder was free to possess and farm in the manner they desired. This could not be squared with the developmental planning of the colonial state, which sought ought precisely the desolate landscape of the Coast to transform. Exile, like other schemes of high-modernist late-colonial developmentalism therefore need to be considered as projects that were, more than anything else, shaped, and contested from below.

The story of exile on the Tana River reveals that late-colonial exile never reduced its victims to totalizing "bare life." However, Agamben's thanatopolitics is still relevant. By adding to earlier concepts of colonial exile the notion of permanence, exiles were to be made politically dead while they could have productive economic lives tilling the newly fertile land of the Tana. The seemingly endless correspondence which piled up in the offices of Kenya's Administration regarding the exile schemes is viscerally biopolitical. Bodies are constantly shifted between the camps, legal instructions for discipling those bodies are received, while "casuistic" excuses for torture and murders, such as the beating of Gabelene Kariuki, flow out. Kenya's whole "Pipeline" scheme was the apotheosis of a system of biopolitical management that combined medical and penal logics to rehabilitate an entire ethnic group for the sake of continued colonial rule. Exile was the corollary of this process, necessary for the irreconcilable "hardcore" that could upset the project of liberal colonialism. In 1959 British rule was still assumed to last till 1975 in East Africa, and therefore the exiles would have to be removed for decades. 192 However, when this scheme sundered, a core colonial logic would be inherited by the post-colonial state. This logic was the old royal prerogative, transposed from Governor to President, which allowed the suspension of the judicial order by executive fiat when the political order was deemed to be threatened. This power accumulated in the spaces set aside from public view and the margins of society. The legislation which was introduced at the twilight of colonialism would remain on the statute books for the post-colonial state, belying the claim that Britain's proudest legacy was the "rule of law" which it supposedly left upon its formal departure. Removing dissidents from the body politic would continue across its former patrimony, and this penal repertoire remains a tragic legacy of the British Empire to this day.

#### **Endnotes**

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- 1. The National Archives, London [hereafter TNA] FCO/141/6287, Njeroge s/o Njogu to DC Lamu (4/8/1957). FCO/141 files are the so-called Migrated Archive housed at the British National Archives at Kew in London.
- 2. TNA/FCO/141/6287, Medical Officer, Lamu Hospital to DC Lamu (4/13/1957).
- 3. Emphasis in original; TNA/FCO/141/6287, Report of enquiry into the alleged striking of detainee Gabalene Kabuki Nganga by Mr W.D. Northcott at Mkowe Camp on or about April 8, 1957 (4/24/1957).
- 4. TNA/FCO/141/6320, Kenya Secretary of Defense to Provincial Commissioner (PC) Coast Province (6/21/1956).

- 5. TNA/FCO/141/6268, Note by Secretary to Kenya Official Committee on Resettlement (4/6/1955).
- 6. TNA/FCO/141/6287, Enquiry into the alleged striking (4/24/1957).
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- 9. James Parker, "A 'Juggernaut of Progress'? Irrigation and Statecraft in Late-Colonial Kenya," *International Journal of African Historical Studies* 53 (2020), 339.
- 10. John Lonsdale, "The Moral Economy of Mau Mau: Wealth, Poverty & Civic Virtue in Kikuyu Political Thought," in *Unhappy Valley: Conflict in Kenya and Africa*, eds. Bruce Berman and John Lonsdale (London, 1992), 315–461.
- 11. For examples see: Caroline Elkins, *Britain's Gulag: The Brutal End of Empire in Kenya* (London, 2005); Derek R. Peterson, "The Intellectual Lives of Mau Mau Detainees," *The Journal of African History* 49 (2008): 73–91; A.R Baggallay, "Myths of Mau Mau Expanded: Rehabilitation in Kenya's Detention Camps, 1954–60," *Journal of Eastern African Studies* 5 (2011): 553–78; Erin Bell, "'A Most Horrifying Maturity in Crime': Age, Gender and Juvenile Delinquency in Colonial Kenya During the Mau Mau Uprising," *Atlantic Studies* 11 (2014): 473–90; Katherine Bruce-Lockhart, "Unsound' Minds and Broken Bodies: The Detention of 'Hardcore' Mau Mau Women at Kamiti and Gitamayu Detention Camps in Kenya, 1954–1960," *Journal of Eastern African Studies* 8 (2014): 590–608.
- 12. Estimates say as many as ninety percent of the Gikuyu, Embu and Meru ethnic groups took the oath Daniel Branch, *Defeating Mau Mau*, *Creating Kenya: Counterinsurgency*, *Civil War*, *and Decolonization* (Cambridge, 2009): 50.
- 13. The figure of 80,000 was used officially by the colonial state, but a recent estimate by Aoife Duffy, based on the Hanslope Disclosure, estimates it may be as high as 150,000, which does not include the hundreds of thousands more who were confined in Emergency Villages; Aoife Duffy, "Legacies of British Colonial Violence: Viewing Kenyan Detention Camps through the Hanslope Disclosure," *Law and History Review* 33 (2015): 489–542.
- 14. Inge Brinkman, "Confinement and Beyond: Space, Mobility, and Connections in Two Mau Mau Detention Memoirs," *Journal of the African Literature Association* (2022): 5.
- 15. David M. Anderson, "British Abuse and Torture in Kenya's Counter-Insurgency, 1952–1960," Small Wars & Insurgencies 23 (2012): 701.
- 16. Parker, "A "Juggernaut of Progress": 350.
- 17. Thanatopolitics is Georgio Agamben's term, meaning the politics of death; the manner by which modern states' sovereignty is defined by the capacity to control life and death; Catherine Mills, Biopolitics (Routledge, 2018): 4.
- 18. Mills, Biopolitics, 2; See for example: Marcelo Svirsky and Simone Bignall, eds., Agamben and Colonialism (Edinburgh, 2012).
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- 23. Giorgio Agamben, The Omnibus Homo Sacer (Stanford, 2017): 10.
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