

SUBMISSIONS TO THE TASK FORCE ON TRUTH, JUSTICE AND RECONCILIATION COMMISSION

Submission by

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Submission

I submit that my basic human rights have been violated by the Kanu Government under former President Daniel arap Moi.

Background

I worked as a librarian at the University of Nairobi from 1968 until 1984 when I was forced to flee the country following threats and intimidation by the Kenya Special Branch because of an article I had written on the life of Pio Gama Pinto. The article was published in the Standard on 17-18 September, 1984.

After the publication of the article, 7 or 8 Special Branch Officers came to my office at the University of Nairobi and took me for questioning to the Nyayo House. At the interview I was forced to write details of my life and give names and details of members of my family. I was also asked to write the names of everybody I knew at the University.

I was asked why I was writing the history of Pinto, and not about Kenyatta. I was told that even historians were not allowed to write about the history of Kenya, so why was I, a “mere librarian” doing so. I was asked why I kept a beard, why I carried a red bag – was I a “communist”? I was not told which law in Kenya prevented people from writing articles on the history of Kenya, nor which sections prohibited keeping beards or carrying red bags. I was told at the interview that some very senior people in the Government were offended by my articles on the life of Pio Gama Pinto.

I was asked if I had submitted any other articles to the “Standard”. I told them that my next article, in 3 parts, was on Kimaathi and the history of Mau Mau. It was made clear to me, with thinly veiled threats, that I should stop the publication of these articles. I was asked why I was not writing about President Moi, who was also a “worker”. On being released from Nyayo House, I rang the Standard and asked them not to publish the article on Kimaathi. I subsequently put the material I had in the form of a small book which was published in London: “Kimaathi, Mau Mau’s First Prime Minister of Kenya” (1986, London, Vita Books).

I was asked by the Special Branch officers to report for another “interview” the following week and asked to take with me all the books and articles which I had used as references for the article on Pinto. This interview was more threatening than the first one. I was told that I would not escape “justice” just because I was an Indian. I was also “reminded” that I had 2 small children – the implication being that they would not be safe if I did not “co-operate”.

After the 2nd interview, I was asked to go for a third “visit” to Nyayo House. This time I was to go with copies of all the articles I had published and was to explain why I had written them. Throughout these interviews, I was expected to prove my “innocence” from “crimes” which were never explained to me. These interviews were extremely threatening to me. Indirect threats were also made about members of my family. It was obvious (as was the case with so many other people at the time) that I would face physical torture or detention if I return for the third interview. I was therefore forced by these circumstances to flee the country and to seek asylum in Britain. I was subsequently granted refugee status in the UK.

Loss and damage I suffered

- I lost the right to live in my country
- I lost my employment at the University of Nairobi.
- I lost my pension entitlement
- My family was similarly forced to flee Kenya
- I arrived in Britain without any means of economic survival.
- I could not attend funerals of close members of my family.
- My freedom of expression and academic freedom were violated. I lost the opportunity to go on sabbatical leave which I was planning to take from January, 1985.
- The psychological damage that I and my family suffered as a result of being forced into exile cannot be measured in monetary terms alone.

What I expect to be done

- I expect an independent investigation of the incidents surrounding my having to flee Kenya. I would particularly like those in the Government who were offended by my article to be investigated and truth established as to why they were offended by my articles and their role in violating my rights. Those guilty of breaking any laws should be charged in the court of law.
- I would like those involved in interrogating me at Nyayo House to be investigated and charged with breaking the laws of Kenya.
- I would like an official apology from the Government of Kenya for the illegal treatment I received at the hands of Government officials and for the violation of my human rights.
- I should be offered a chance to return to my employment (at the University of Nairobi) which was terminated because of the illegal State action against me.
- My full pension rights should be respected and restored in full with interest.

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