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Looking beyond Mau Mau

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Looking beyond Mau Mau: Archiving Violence in the Era of  
Decolonization

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CAROLINE ELKINS

WHEN ASKED TO REFLECT UPON the era of British decolonization and the archives that document it, I am drawn to images of ash and fragments, and the ability of post-imperial landscapes and those who till them to conceal as much as they reveal. From India to Kenya, a dark cloud literally hung over Britain's imperial retreat. The smoke from burning documents threatened to interrupt Independence Day ceremonies and betray the hastened Anglo efforts to sanitize the past and lay claim to the future. When the smoke disappeared, it was thought, so too would history, at least that which had been rendered to ash. Gaping holes became an imperial legacy in postcolonial archives. Later, some historians would wrestle with their absence: Were documents lost, misfiled, uncatalogued? Or had they never been transferred to the independent regimes at the end of empire, but rather destroyed or spirited back to London? For decades after the smoke had receded and the ashes of documents had been scattered, verifying their destruction—or whether some had ever existed at all—became partly an exercise in historical imagination. In time, fragmentary evidence and incomplete sets of files would come to reflect the seeming disorder of the postcolony and its archival inefficiencies, rather than any kind of Orwellian fantasy of state-directed purging at the time of colonial retreat.

In contrast, orderliness and authenticity pervade Britain's National Archives at Kew. The doors of its imposing, sterile structure give way to an uncluttered interior governed by a hyper-monitoring system, identification cards, assigned seats, routinized systems for ordering and holding documents, proficient archivists, and security checkpoints. One cannot help but marvel at its benign efficiency, or the rigor with which its rules are enforced. The warehouse for Britain's end-of-empire files reflects and reinforces the contents of the documents themselves. From the carefully managed files, a sense emerges of a coherent decolonization process, and one that adhered to and imparted the rule of law, just as the colonial administrators and archivists in London adhered, and still adhere, to the rules of document preservation.

I am indebted to Jordanna Bailkin, Jean Comaroff, John Comaroff, Richard Drayton, Achille Mbembe, Martha Minow, Ingrid Monson, Sarah Stein, Kirsten Weld, Lucie White, the outside reviewers for the *AHR*, and the journal's editors for their careful reading of and critical feedback on this essay. I am also indebted to the Radcliffe Institute for Advanced Study and the Hutchins Center for African and African American Research at Harvard University.

In recent years, however, some historians have begun to question the British colonial telos unfolding from these pages.

Archives are loaded sites that produce realities as much as they document them.<sup>1</sup> The colonial files, and the space that they inhabit at Kew, are no exception. The National Archives, like other repositories, is a political site where power is contested and confirmed. Kew's playing field is weighted toward the historical winners rather than the losers, who together are overdetermined through the archival process of selection and exclusion of documents that was a hallmark of British colonial retreat and the subsequent maintenance of Britain's records. In turn, these same archives lend themselves to the re-creation of a carefully tended past.<sup>2</sup> Yet, curiously, the vast historiography on the end of the British Empire has been largely devoid of archival skepticism. This absence is all the more notable when one considers the vast literature on archival science and the power of the archive across time, space, and the disciplines. From studies on sixteenth-century France to the nineteenth-century British Empire, archives are no longer viewed simply as a place from which historians extract—that is, a means to an end—but are rather viewed as subjects unto themselves.<sup>3</sup>

The interrogation of an archive as a subject, however, presupposes a skepticism that cuts to the heart of a century-old historiography on the British Empire. At its late-nineteenth-century inception, imperial British history was intimately bound to the Whig narrative of the nation. John Seely, Reginald Coupland, and Hugh Egerton, among other historians, scripted narratives of Anglo-Saxon trusteeship and the fairness, if not humility, with which the White Man's Burden brought humanity and civilization to the lesser races. Such moral claims have largely disappeared from the literature, at least in academic circles.<sup>4</sup> As Richard Drayton has pointed out, beginning in the 1950s the “anti-ideological turn” of Ronald Robinson and John Gallagher and their disciples offered new interpretations that reoriented the field toward multiple levels of politics, the interplay between the elites at home and in the empire, and with it the “official mind” of imperial expansion and retreat. Yet the Robinson and Gallagher school and its “anti-ideological turn” scarcely questioned the contents of the archive, in part, as Drayton points out, because “this post-1950 anti-ideological moment was itself a kind of ideological position. For if the story no longer made

<sup>1</sup> There is a large literature on archive as subject, some of which will be referenced within this essay. For an important genealogy on this literature, and the theoretical concepts informing it, see Ann Laura Stoler, “Colonial Archives and the Arts of Governance,” *Archival Science* 2, no. 1/2 (2002): 87–109.

<sup>2</sup> Joan M. Schwartz and Terry Cook, “Archives, Records, and Power: The Making of Modern Memory,” *Archival Science* 2, no. 1/2 (2002): 1–19, here 4.

<sup>3</sup> I am indebted to Kirsten Weld's reflections here in conversation and in *Paper Cadavers: The Archives of Dictatorship in Guatemala* (Durham, N.C., 2014). For a genealogy of archive as subject, see Michel Foucault, *The Archaeology of Knowledge and the Discourse of Language*, trans. A. M. Sheridan Smith (New York, 1972); and Jacques Derrida, *Archive Fever: A Freudian Impression*, trans. Eric Prenowitz (Chicago, 1996). Predating Derrida are Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* (Stanford, Calif., 1987); Thomas Richards, *The Imperial Archive: Knowledge and the Fantasy of Empire* (London, 1993); and Roberto González Echevarría, *Myth and the Archive: A Theory of Latin American Narrative* (Cambridge, 1990).

<sup>4</sup> The work of conservative historians such as Niall Ferguson and Andrew Roberts continues the Whiggish tradition of imperial triumph, garnering the attention and adoration of large public audiences. See Ferguson, *Empire: The Rise and Demise of the British World Order and the Lessons for Global Power* (New York, 2003); and Roberts, *A History of the English-Speaking Peoples since 1900* (New York, 2007).

Britain its hero, it was still skeptical and often mocking of the claims of anti-colonial nationalism, while still evasive of the question of British violence, of economic exploitation, racism and their consequences. It was the perfect form of Imperial history for a British nation no longer so confident of its imperial role.”<sup>5</sup>

Ultimately, the focus of responsibility shifted, and the neutrality of the official archives at Kew was crucial to the school’s revised story. It was an imperial story, in Drayton’s words, that allowed Britain “to escape the scene of the crime.”<sup>6</sup> An authenticity underscored the documents that militated against skepticism and reinforced an aperture that relegated other ways of viewing the imperial past to a gray margin. British colonial violence, both to personhood and to objects at the end of empire, occasionally made its way into offhand references, footnotes, and short codas to essays.<sup>7</sup> Historians left the compilation and creation of the archives uninterrogated—a process that archivist Brien Brothman calls “a peculiar form of disciplinary repression or blindness.”<sup>8</sup> The power of the archive shaped the ways in which the future understood the British imperial past for decades; indeed, the “official mind” reflected that which the archives beckoned us not only to remember, but also to forget.

RECENT INTERROGATIONS INTO THE ugly business of the end of empire have interrupted the muse of forgetting and forced a once-evasive field to confront colonial violence in ways that have been discomfiting. A barometer of discomfort can be found in the sometimes hostile reception of the 2005 publication of two complementary books, my own *Imperial Reckoning* and David Anderson’s *Histories of the Hanged*.<sup>9</sup> The former offered the first comprehensive account of the Mau Mau detention camps, prisons, and emergency villages in Kenya, the state-directed use of systematic violence and forced labor in these sites, and the cover-up of these policies, as well as the resulting tortures and deaths, at the highest levels of British governance; the latter examined for the first time the extrajudicial hangings and abrogation of justice in the colony’s court system. Graphic accounts of torture, rape, and murder, together with the role of the colonial state in the execution of systematic violence, broke the field’s code of silence. It was not only the empirical evidence that discomfited, but also the questioned authenticity of the colonial archive.

The discomfort felt by some in the academy was matched—and perhaps surpassed—by that of the British government when five claimants filed suit against their

<sup>5</sup> Richard Drayton, “Where Does the World Historian Write From? Objectivity, Moral Conscience and the Past and Present of Imperialism,” *Journal of Contemporary History* 46, no. 3 (2011): 671–685, here 678.

<sup>6</sup> Ibid.

<sup>7</sup> For example, A. J. Stockwell, “British Decolonisation: The Record and the Records,” *Contemporary European History* 15, no. 4 (2006): 573–583, here 583.

<sup>8</sup> Brien Brothman, as quoted in Terry Cook, “Remembering the Future: Appraisal of Records and the Role of Archives in Constructing Social Memory,” in Francis X. Blouin and William G. Rosenberg, eds., *Archives, Documentation, and Institutions of Social Memory: Essays from the Sawyer Seminar* (Ann Arbor, Mich., 2006), 169–181, here 171.

<sup>9</sup> Caroline Elkins, *Imperial Reckoning: The Untold Story of Britain’s Gulag in Kenya* (New York, 2005); David Anderson, *Histories of the Hanged: The Dirty War in Kenya and the End of Empire* (New York, 2005).





FIGURE 1: Mau Mau claimants on the steps of London's High Court, April 2011.

former colonizer alleging systematic torture and abuse at the hands of British colonial agents in the detention and screening camps and emergency villages of Kenya from 1954 to 1960. *Imperial Reckoning* and *Histories of the Hanged* served as the basis for this unprecedented civil suit when it was filed in London's High Court in 2009. Not unlike other reparations cases, the "juridification of the past" put history on trial.<sup>10</sup> As with other cases of restorative justice over the last several decades, rules of disclosure produced considerable new historical evidence. In this instance, legal discovery brought to light thousands of new end-of-empire documents that will drive a new era of research on British decolonization and compel the field to examine closely the ways in which the British colonial archive is derivative and reflective of the colonial state itself, and a means by which the state—both at the time of empire and thereafter—exercised its power and affirmed its fictions.<sup>11</sup>

In filing their case, the five elderly claimants from Kenya's rural highlands managed to stir the strategic amnesia of the British colonial government and its archives,

<sup>10</sup> John Comaroff, "Reflections on the Rise of Legal Theology: Law and Religion in the 21st Century," *Social Analysis* 53, no. 1 (2009): 193–216. See also Jean Comaroff and John L. Comaroff, *Theory from the South; or, How Euro-America Is Evolving toward Africa* (Boulder, Colo., 2012), chap. 6; and Deborah Posel and Graeme Simpson, eds., *Commissioning the Past: Understanding South Africa's Truth and Reconciliation Commission* (Johannesburg, 2002).

<sup>11</sup> Caroline Elkins, "Alchemy of Evidence: Mau Mau, the British Empire, and the High Court of Justice," *Journal of Imperial and Commonwealth History* 39, no. 5 (2011): 731–748. See also Patrick Harries, "From Public History to Private Enterprise: The Politics of Memory in the New South Africa," in Mamadou Diawara, Bernard Latagan, and Jörn Rüsen, eds., *Historical Memory in Africa: Dealing with the Past, Reaching for the Future in an Intercultural Context* (New York, 2010), 121–143; and Michael Lambek, "The Past Imperfect: Remembering as Moral Practice," in Paul Antze and Michael Lambek, eds., *Tense Past: Cultural Essays in Trauma and Memory* (London, 1996), 235–254.

rendering the courtroom an arbiter of the past and an uncomfortable Nietzschean “gravedigger of the present.”<sup>12</sup> The claimants alleged that their abuse was part of a larger system of mistreatment established in the course of British counterinsurgency operations during the Mau Mau Emergency (1952–1960).<sup>13</sup> The Foreign and Commonwealth Office (FCO), as the named defendant for the British government, twice sought to strike out the case. In both instances, the Honourable Mr. Justice McCombe, the justice presiding in the High Court, ruled in favor of the claimants. The first strikeout attempt centered on the question of liability and state succession. The FCO argued that all legal liability was transferred to the independent Kenyan government in December 1963, and therefore the current British government was not responsible for events that took place during the colonial period. Justice McCombe dismissed this argument, calling it “dishonourable.” Again in July 2012, the FCO sought to strike out the claimants’ case, this time arguing that the claims long exceeded the statute of limitations. Here again, Justice McCombe ruled in the claimants’ favor, and also stated that there was sufficient evidence for a fair trial.<sup>14</sup> While the FCO vowed to appeal the limitations ruling, it instead opted to settle the case in June 2013, with Foreign Secretary William Hague stating on the floor of the House of Commons: “Kenyans were subject to torture and other forms of ill treatment at the hands of the colonial administration. The British Government sincerely regret that these abuses took place and that they marred Kenya’s progress towards independence.” He went on to announce a nearly £20 million payout in damages, together with the British government’s financial commitment to build a memorial in Nairobi to commemorate “the victims of torture and ill treatment during the colonial era in Kenya.”<sup>15</sup>

The London law firm of Leigh Day, with the support of the Kenya Human Rights Commission, represented the five Kenyan claimants. Their case hinged largely on the historical evidence in *Imperial Reckoning* and *Histories of the Hanged*, as well as Huw Bennett’s doctoral dissertation on the British army in Kenya.<sup>16</sup> As the case evolved, each revisionist historian joined as a historical expert: I did so in 2008, a year before the filing of the claim, followed by Anderson and Bennett in late 2010 and early 2011, respectively. Individually, we brought particular specializations to bear on the case: Anderson’s work focused on the capital cases and the forest war; Bennett’s on the role of the British military in the counterinsurgency operations during the Mau Mau Emergency; and mine on the system of detention and villagization, or the civilian

<sup>12</sup> Friedrich Nietzsche, *The Use and Abuse of History*, trans. Adrian Collins, 2nd ed. (New York, 1957).

<sup>13</sup> The five original claimants were Ndiku Mutua, Paulo Mzili, Wambugu wa Nyingi, Jane Muthoni Mara, and Susan Ngondi. For the original particulars of the claim, see Richard Hermer and Phillippa Kaufmann, *Ndiku Mutua and 4 Others and the Foreign and Commonwealth Office: Particulars of Claim*, Case No. HQ09X02666 (London, Royal Courts of Justice, 2009); and The Hon. Mr. Justice McCombe, *Ndiku Mutua and 4 Others and the Foreign and Commonwealth Office: Approved Judgment*, Case No. HQ09X02666 (London, Royal Courts of Justice, 2011).

<sup>14</sup> McCombe, *Ndiku Mutua and 4 Others: Approved Judgment* (2011); and The Hon. Mr. Justice McCombe, *Ndiku Mutua and 4 Others and the Foreign and Commonwealth Office: Approved Judgment*, Case No. HQ09X02666 (London, Royal Courts of Justice, 2012).

<sup>15</sup> *Hansard*, House of Commons Debates, June 6, 2013, vol. 563, cols. 1692–1693.

<sup>16</sup> Huw Bennett, “British Army Counterinsurgency and the Use of Force in Kenya, 1952–56” (Ph.D. thesis, University of Wales, Aberystwyth, 2007).

side of the war. Together, this collective knowledge provided the full range of historical expertise necessary for the claimants' case.<sup>17</sup>

The role of the historian as expert was intensive and time-consuming. In preparation for the April 2011 strikeout hearing, we each prepared witness statements based upon our previous revisionist research. Our submissions were to reference all archival documentation relevant to the claimants' case, though they were to be devoid of explicit interpretation.<sup>18</sup> My first witness statement was thus an exercise in embedded argument; it pointed to hundreds of archival documents from Britain and Kenya that were relevant for the Court, as well as possible witnesses for the claimants. It did not include any oral transcripts, though I referenced for the Court my work with oral testimonies and the role they played in my revisionist reading of long-titled evidence. Nearly eighty pages in length, notwithstanding exhibits, the witness statement was a trimmed-down version of *Imperial Reckoning*.<sup>19</sup> Ultimately, Justice McCombe ruled on this revisionist historical evidence: "The materials evidencing the continuing abuses in detention camps in subsequent years [1954–1955] are substantial, as is the evidence of the knowledge of both governments that they were happening and of the failure to take effective action to stop them."<sup>20</sup> In effect, the Court's positivist lens examined the remaining archival fragments, arranged in my witness statement through the implicit use of oral evidence, and suggested that revisionist interpretations of long-existing archival evidence were substantial.

The production of historical evidence in the Mau Mau case was a two-way street. Just months prior to the 2011 strikeout hearing, the FCO made an important announcement. As a result of the claimants' persistent requests for disclosure, the British government discovered an enormous cache of files in Hanslope Park, the fortress-like warehouse for top-secret government files, including those from MI5 and MI6. Located in bucolic Buckinghamshire, Hanslope Park is also known as "spook central." The FCO's discovery in spook central's bowels amounted to 300 boxes of documents containing some 1,500 files removed from Kenya on the eve of Britain's decolonization. The FCO also disclosed that alongside the Kenya boxes, there were some 8,800 files from 36 other former British colonies that had been spirited away at the time of decolonization. It is still searching for 170 top-secret boxes of files, 13 of which pertain to Kenya. These files were separated from the other

<sup>17</sup> Elkins, *Imperial Reckoning*; Anderson, *Histories of the Hanged*; Bennett, "British Army Counter-insurgency and the Use of Force in Kenya." See also Richard Hermer, Phillippa Kaufmann, et al., Claimants' Skeleton Argument, *Ndiku Mutua and 4 Others*, Case No. HQ09X02666 (London, Royal Courts of Justice, 2011), paras. 18–20, pp. 10–12.

<sup>18</sup> Earlier in the case, the Court defined the legal limitations of our work for the claimants when Justice McCombe referred to my role in producing evidence, stating, "She [Elkins] had written one of the seminal texts in 2005. [The Court] accepted that her evidence was relevant in identifying documents or other material, but should not be admitted as expert evidence (that is evidence of opinion) as to what was to be inferred from those documents taken as a whole. Because of her familiarity with documents, she is thus able to identify documents which are likely to be of greatest interest in the arguments of the respective parties." These same restrictions would apply to Anderson and Bennett when they joined the case. See McCombe, *Ndiku Mutua and 4 Others: Approved Judgment* (2011), para. 35.

<sup>19</sup> Witness Statement of Caroline Macy Elkins, *Ndiku Mutua and 4 Others and the Foreign and Commonwealth Office*, Claim No. HQ09X02666 (London, Royal Courts of Justice, February 20, 2011).

<sup>20</sup> McCombe, *Ndiku Mutua and 4 Others: Approved Judgment* (2011).

boxes in the 1990s and have since gone missing. There is little expectation that they will come to light.<sup>21</sup>

A first glimpse into the Hanslope discovery's contents and significance was gleaned in the context of the Mau Mau case. In preparation for the July 2012 hearing, the claimants' historical experts spent more than a year excavating the Hanslope Disclosure. I, along with Anderson and Bennett, had privileged access to a searchable database that contained all of the Hanslope Disclosure documents that the FCO had released to the Court, some 30,000 pages in all. Importantly, the FCO first culled the files and released to the Court those that it believed to be relevant to the case. Consequently, an ongoing struggle ensued, with the historians demanding the release of relevant files not contained in the database, and the FCO being slow to respond—and then, when it finally did, releasing them in a piecemeal fashion. Ultimately, the FCO settled the case before all of our document requests were satisfied.

The witness statements that each historian filed based upon the Hanslope Disclosure run a combined hundreds of pages in length and point to thousands of pages of relevant new documents. They at once validate our previous revisionist findings and offer new insights into the nature of British colonial violence and the degree to which the colonial state and the British military were involved in its formulation, systematization, and execution. They also interrogate several end-of-empire questions that were relevant to the Court, and which have also long vexed historians. For example, the Court sought to evoke further evidence to understand whether or not the “official mind” of the state oversaw the creation and implementation of structures of systematized violence in Kenya, and to what degree the state was complicit in destroying and removing evidence at the time of decolonization. Moreover, in its efforts to determine liability, the Court also sought to parse out which colonial state—that in London and “acting in right of Britain,” or that in Nairobi and “acting in right of Kenya”—was issuing orders and overseeing the systematized violence and document destruction in Kenya. Indeed, this was one of the key interrelated issues at the heart of the Mau Mau case. That is, to what degree were abuse and destruction, to life and property, part of a calculated and systematic British counterinsurgency policy in Kenya, and to what degree were colonial officials in London, “acting in right of Britain,” implicated in these acts? It is here that the documents contained in the Hanslope Disclosure shed important light onto not only the nature of systematic violence at the end of empire, but also the degree to which the colonial state in London—including, though not limited to, the Colonial Office—has been complicit in the selective process of how the past has been documented and remembered.

SEVERAL FINDINGS EMERGED IN London's High Court that were significant not only to the Mau Mau case, but also to the future of historical writing on the British Empire. This includes new evidence pertaining to the “dilution technique,” the logic and

<sup>21</sup> *Hansard*, House of Lords, vol. 726, pt. no. 138, col. WS145, Public Records: Colonial Documents, April 5, 2011; *Hansard*, House of Lords, vol. 729, pt. no. 188, col. WA432, Public Records: Colonial Documents, August 11, 2011; Anthony Cary, “The Migrated Archives: What Went Wrong and What Lessons Should We Draw?,” Foreign and Commonwealth Office, February 24, 2011; Anthony Badger, “Historians, a Legacy of Suspicion and the ‘Migrated Archives,’” *Small Wars & Insurgencies* 23, no. 4–5 (2012): 799–807, here 805.



process of document destruction, and the relationship between the two. Importantly, it is not only the evidence contained in the new documents that is of significance, but also the processes through which this evidence was first removed from Kenya, subsequently hidden, and then later disclosed through legal discovery that is of great relevance to how we as historians think about British decolonization and the relationship between the state and the construction of its archives.<sup>22</sup>

In the context of the Mau Mau case, the dilution technique was central to the question of state-directed, systematized violence in the detention camps of colonial Kenya. In early 1957, Terence Gavaghan and John Cowan—two British colonial officials in Kenya—devised a plan to force detainee cooperation using tactics that would result in the torture and murder of detainees. The plan was then sent to the Colonial Office, by way of Kenya's Governor Baring, for approval. Termed the dilution technique, their method called for the isolation of small numbers of recalcitrant detainees who were then manhandled, forced to labor, and otherwise “harangued without respite,” according to Cowan, in order to compel their denunciation of Mau Mau and cooperation with detention camp personnel.<sup>23</sup> At the time, colonial officials in Nairobi and London knew of the “violent shock” associated with the dilution technique, as well as the fact that detainees were dying as a result. The Colonial Office nevertheless approved its use, and continued to do so in the face of knowledge that detainees continued to die as a consequence, while scores of others suffered abuse. Ultimately, the Colonial Office commended Gavaghan, and he was awarded an Order of the British Empire for his efforts.

Terence Gavaghan and the dilution technique are well documented in *Imperial Reckoning*.<sup>24</sup> Fragments of evidence pertaining to Gavaghan, the dilution technique, and systematic violence have been available to historians for some time. Yet neither the dilution technique nor its chief protagonist was analyzed in the end-of-empire literature prior to *Imperial Reckoning*, despite two somewhat incriminating autobiographies that Gavaghan penned.<sup>25</sup> Another key piece of evidence linking Gavaghan to the dilution technique is a June 1957 secret memorandum that existed in the Colonial Office files in Kew long before the Hanslope discovery.<sup>26</sup> My interpretation of this document was contingent upon the extensive interviews I conducted with Gavaghan, Cowan, and several former detainees who underwent dilution in the 1950s. Without the oral evidence, my understanding of this crucial document would have been limited. So, too, would have been my analysis of the other fragments of evidence in Kew that, when read together with interview testimonies, told a cumulative story of systematized violence, as well as officials' efforts in London and Nai-

<sup>22</sup> Witness Statement of Caroline Macy Elkins, *Ndiku Mutua and 4 Others and Foreign and Commonwealth Office*, Claim No. HQ09X02666 (London, Royal Courts of Justice, May 25, 2012).

<sup>23</sup> John Cowan, “The Mwea Camps and Hola,” n.d. (seen courtesy of Cowan); Kenya National Archives, Nairobi, AH 9/21/215, J. Cowan to J. H. Lewis, “Transfer of Detainees Ex Manyani,” December 7, 1956.

<sup>24</sup> Elkins, *Imperial Reckoning*, 318–330.

<sup>25</sup> Terence Gavaghan, *Of Lions and Dung Beetles: A “Man in the Middle” of Colonial Administration in Kenya* (Ilfracombe, 1999); Rhodes House Library [hereafter RH], Oxford, Mss. Afr. S. 2095, Terence Gavaghan, *Corridors of Wire: A Saga of Colonial Power and Preventive Detention in Kenya* (1994).

<sup>26</sup> The National Archives, Kew [hereafter TNA], Colonial Office [hereafter CO] 822/1251/1, secret letter from Baring to Secretary of State for the Colonies, June 25, 1957; TNA, CO 822/1251/E/1, memorandum from Eric Griffith-Jones, “‘Dilution’ Detention Camps—Use of Force in Enforcing Discipline,” June 1957.

robi to cover up mounting allegations of wrongdoing.<sup>27</sup> These public allegations culminated in February 1959, when some two hundred MPs, or nearly the entire Labour Party, signed a motion urging an independent investigation into the Mau Mau prisons and detention camps.<sup>28</sup>

The Hanslope Disclosure provides more documentation on the dilution technique and the high level of communications between the governor and the colonial secretary about the abuses and deaths resulting from its deployment. With this new evidence, we can also correlate in greater detail when communications were taking place relative to Colonial Secretary Alan Lennox-Boyd's repeated denials of abuse in the House of Commons and elsewhere. This detailed information was not disclosed to Parliament at the time.<sup>29</sup> Ultimately, the 1959 motion for an independent investigation was a bitter partisan fight, and split along party lines, with 232 in favor and 288 opposed. The motion received heavy press coverage, though it was the *Economist* that offered the most prescient reflection of all: "All the same, the one overriding consideration in treating any present-day colonial question must be what last memories of the British way of doing things are to be left behind before connections with Westminster are severed."<sup>30</sup>

The issues of independent investigations and colonial legacy are as germane today as they were during the waning hours of empire in Kenya. Just as the documents in the Hanslope Disclosure have elaborated on the dilution technique, so, too, do they help us understand the processes by which the British colonial government destroyed and removed documents. The Hanslope files reveal in extensive detail the degree to which the British colonial government directed and orchestrated—at home and in Kenya—the purging of evidence pertaining to the formulation and use of systematized violence, the *ex post facto* attempts at providing legal coverage for abuses committed by British colonial agents, and the manipulations of investigations into these abuses and derogations of law at the time. The information on document destruction and removal is, in my opinion, the most important new evidence found in the Hanslope Disclosure.

The document-purging process was by no means a haphazard one. Instead, it reflected the bureaucratization of social control that was increasingly characteristic of Britain's counterinsurgency efforts, as directed by officials in London and Nairobi. In the case of Kenya, five years prior to decolonization, the process of downgrading and destroying documents was already underway, and included the creation of a secret mail office to receive materials, lockboxes, and safe rooms, as well as a matrix outlining all the files to be destroyed. In total, it was estimated that some 3.5 tons of documents were slated for the incinerator.<sup>31</sup>

<sup>27</sup> See Elkins, *Imperial Reckoning*, particularly chap. 9.

<sup>28</sup> *Hansard*, House of Commons Debates, Prisons and Detention Camps in Kenya, vol. 600, cols. 1019–1078, February 24, 1959.

<sup>29</sup> For example, the Hanslope documents reveal that at the same time that Lennox-Boyd was fighting against the February 1959 motion for an independent investigation, he was well aware of an ongoing case against a rehabilitation officer in Kenya, Samuel Githu, and the brutalities that he and others inflicted upon detainees while deploying forms of the dilution technique. See Witness Statement of Elkins (May 25, 2012), paras. 31–44, and Exhibit CE1, paras. 21–24.

<sup>30</sup> "Fair Play for Mau Mau," *The Economist*, February 28, 1959, 768.

<sup>31</sup> Hanslope Disclosure [hereafter HD], CS 10/2/4, Bates 013173–013175, Kenya Intelligence Committee, "Down Grading and Destruction of Classified Materials," October 6, 1958; HD, CS 10/2/4, Bates

Two key Hanslope Disclosure documents underscore the systematized, state-directed nature of the destruction and removal process. The first, a colonial secretary dispatch from 1961, directs that no documents were to be passed on to the independent government that:

- (a) might embarrass Her Majesty's Government or other governments;
- (b) might embarrass members of the Police, military forces, public servants or others (such as Police agents or informers);
- (c) might compromise sources of intelligence;
- (d) might be used unethically by Ministers in the successor government.<sup>32</sup>

The second document, circulated ten days later by Kenya's secretary for defense, outlined the implementation process for the colonial secretary's directive. Under what was known as the "Watch" system, all documents in every Kenyan ministry and department were to be divided into two categories: "Watch" and "Legacy." Those documents to be designated as "Watch" were papers that would either be destroyed or be sent to Britain; those constituting "Legacy" material were documents that would be handed over to the independent government in Kenya. Colonial officials were to hand-stamp every page of a "Watch" document with a "W," a "purging" process that was noteworthy for its tedious and time-consuming nature, and that, according to one official, "may well cause you to tear your hair out."<sup>33</sup>

The orchestration of the "Watch" system was also very much under the purview of the Colonial Office. Hanslope Disclosure documents reveal the minutiae in which the colonial secretary and his office were involved, including checklists of which papers were being burned, who precisely was hand-carrying documents back to the UK and on which flight, and which Royal Air Force planes contained which materials.<sup>34</sup> Moreover, overseeing the whole operation on the ground was a hand-selected group of the government's most trusted officers. This included Terence Ga-

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013178, "Destruction of Classified Waste," September 24, 1959; HD, CS 10/2/4, Bates 013179, "Method of Destroyed Classified Documents," September 24, 1959; HD, CS 10/2/4, Bates 0131782–0131783, "Routine Destruction." Within the Hanslope Disclosure, the entire Rec. #488, 1943/17/B, "Security of Instructions for Handling Classified Documents, Released with Hanslope Disclosure," and Rec. #487, CS 10/2 Vol. II, "Security of Documents Including Those in Transit to and from Government House," provide further details of the summary of removal and destruction of documents in Kenya that follows here. In addition, see the newly released "Migrated Archives" at Kew. For example, TNA, Foreign and Commonwealth Office [hereafter FCO] 141/6957, "Kenya: Security of Official Correspondence," March 1960–January 1962; TNA, FCO 141/6958, "Kenya: Security of Official Correspondence," March 1962–April 1963.

<sup>32</sup> This document, contained in the Hanslope Disclosure, was also released in April 2012 to the TNA. See TNA, FCO 141/6957, Secretary of State for the Colonies, "Disposal of Classified Record and Accountable Documents," May 3, 1961.

<sup>33</sup> HD, I&S.137/O2(S), Bates 013042, Letter from the Ministry of Defence to Various Departmental Heads, Provincial Commissioners and Permanent Secretaries, May 13, 1961; HD, GO/DS3, Bates 012888–012889, Internal Memorandum, April 8, 1963; HD, 1943/17/B, Bates 024222, Ross to Weeks, Secret Registry, December 6, 1961; HD, 1943/17/B, Bates 024215, "Transfer of Watch Files to the Governor's Office," March 23, 1962; HD, 1943/17/B, Bates 024216, "Transfer of 'Watch' Files to the Governor's Office," March 16, 1962.

<sup>34</sup> HD, 1943/17/B, Bates 024198–0241200, Colonial Office, "Protection and Disposal of Classified and Accountable Documents and Records Generally," September 1962; HD, 1943/17/B, Bates 024193, Telegram from Governor to Secretary of State, "Intel and Guidance Papers from Foreign Office," November 23, 1963; HD, 1943/17/B, Bates 0241935, Telegram from Secretary of State to Governor, "Disposal of Records," May 10, 1963.

vaghan, the chief architect of the dilution technique.<sup>35</sup> Known for implementing the systematic destruction of bodies and minds in Kenya's detention camps, Gavaghan was now rendering documents to ash in colonial incinerators, while ensuring that others would be permanently held under lock and key. The British colonial government's chief torturer in Kenya became one of its chief archivists in the final days of rule.

Kenya was scarcely the only colony in which the process of document destruction and removal was unfolding. The Hanslope Disclosure reveals that the colonial secretary issued the same directives to multiple other colonies.<sup>36</sup> While the Hanslope files are revelatory in many ways, they confirm the existence of at least one document that has long been held in Kew. Pertaining to the disposal of files at the time of decolonization in India and Malaya, the document is buried in the Nigeria file series. It reflects a similar secretive choreographing of massive document destruction in Malaya, as well as an effort to avoid in Kuala Lumpur another "pall of smoke" similar to that which had hung over Independence Day in New Delhi as a result of "the wholesale destruction of British archives."<sup>37</sup> Furthermore, in Malaya, as in Kenya and elsewhere, colonial officials were to fill out destruction certificates for each document destroyed; in Kenya, officials complied with Rule 3 (iv) of Colonial Office Secret Circular Dispatch No. 1282/59. According to this procedure, copies of all destruction certificates were to be sent to the Colonial Office, where they were to be part of a permanent record.<sup>38</sup> To my knowledge, not a single destruction certificate existed in the archives at Kew until the release of the Hanslope Disclosure.<sup>39</sup>

The destruction certificates and the lack of full transparency on the part of the FCO in the context of the High Court case should give us pause. This concern is heightened when we consider the thousands of other files that were "irregularly held," in the words of Lord Howell of Guildford, alongside the Kenya files in Hanslope Park. The "discovery" of these documents in their collective was the subject of parliamentary concern beginning in April 2011; subsequently, Foreign Secretary William Hague assured the public that the British government would release all of the "irregularly held" files, subject to sensitivity review, as quickly as possible.<sup>40</sup>

<sup>35</sup> For example, HD, 1943/17/B, Bates 024217–024220, T. J. F. Gavaghan, "Transfer of Functions to the Governor's Office," March 2, 1962. See also TNA, FCO 141/6958, Terence Gavaghan, Acting Permanent Secretary, to the Governor's Office, "Protective Security in Headquarters Offices in Nairobi," March 6, 1962.

<sup>36</sup> For example, TNA, FCO 141/6957, Secretary of State for the Colonies, "Disposal of Classified Record and Accountable Documents," May 3, 1961; TNA, FCO 141/6957, Governor of Uganda to Secretary of State for the Colonies, "Constitutional Development and the Archives," March 22, 1961. This is further confirmed by multiple other Colonial Office telegrams in the Hanslope Disclosure addressed to governments in Uganda, Tanganyika, and Zanzibar—all of which outline consistent policies for document destruction. These telegrams—sent between 1961 and 1962—reference earlier collective telegrams dating as far back as December 1948 for the destruction and removal of materials. Finally, in March 1963, a memorandum outlining the "Watch" system—nearly identical to that which had been implemented in Kenya—was also circulated in Zanzibar.

<sup>37</sup> TNA, Dominions Office [hereafter DO] 186/17, A. J. Brown, High Commission in the Federation of Malaya, to R. W. Newsham, Commonwealth Relations Office, October 17, 1957.

<sup>38</sup> HD, 1943/17/B, Bates 024198–0241200, Colonial Office, "Protection and Disposal of Classified and Accountable Documents and Records Generally," September 1962.

<sup>39</sup> TNA, FCO 141/6957, "Destruction Certificate," December 22, 1960.

<sup>40</sup> See *Hansard*, House of Lords, vol. 726, pt. no. 138, col. WS145, Public Records: Colonial Documents, April 5, 2011; Ben Macintyre, "Hague Lifts the Lid on Britain's Secret Past," *The Times*, April 9, 2011, 1. See also Mandy Banton, "Destroy? 'Migrate'? Conceal? British Strategies for the Disposal

In the meantime, the government sought to reassure the public about its commitment to transparency and appointed Anthony Cary, a one-time diplomat, to conduct an internal investigation into the “misplaced” files. His report was completed in February 2011, and its charge and findings were, in various ways, reminiscent of the internal investigations that took place into accusations of abuses and deaths in the Mau Mau detention camps in the 1950s.<sup>41</sup> Indeed, the similarities are striking. The colonial government’s internal inquiries, for example, did not always deny abuses in the camps; rather, they stopped short of apportioning accountability due to the mitigating circumstances of the emergency itself and the lack of evidence tying any one individual to the actual perpetration of abuse. Similarly, the Cary Report cites the archival management system’s underfunding and understaffing as the root cause of the Hanslope debacle, together with an inability to apportion responsibility to any one individual due to the notable collective amnesia of those involved with the handling of the “misplaced” files. Despite the unaddressed red flags in his report, Cary concludes that the documents at Hanslope Park were indeed “misplaced,” though due to a set of unfortunate circumstances rather than to malice on anyone’s part.<sup>42</sup>

If Cary’s investigation was evidence of the British government’s transparency, so, too, was the FCO’s appointment of Professor Anthony Badger to oversee the selection and release process for the Hanslope documents to be transferred to the British National Archives. Now referred to in their collectivity as the “Migrated Archives,” the files from all thirty-seven colonies found at Hanslope Park were released, after sensitivity culling, to the National Archives in six tranches, with the last release taking place in November 2013.<sup>43</sup> Badger worked assiduously in his oversight capacity, and has noted the overall lack of “smoking guns” in the Migrated Archives. Instead, he views the extensive documentation on the day-to-day administrative functioning in the colonies—the “banality of bureaucracy”—as the significance of the new documents.<sup>44</sup>

Caution must be exercised in assessing the contents of the Migrated Archives. The watershed moment that we are encountering is not necessarily one of unprecedented state transparency with regard to acts of violence and brutality long concealed. Rather, the documents in the Migrated Archives that shed light on the long and carefully orchestrated process of file destruction and removal—directed as it was from the highest levels of British governance—reflected, and continue to reflect, a culture of control and concealment that was deeply embedded in the state itself. This empowering culture has been reproduced and strengthened over the last several decades with each denial of the Hanslope Disclosure’s existence.<sup>45</sup> More recently,

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of Sensitive Records at Independence,” *Journal of Imperial and Commonwealth History* 40, no. 2 (2012): 321–335; and David M. Anderson, “Mau Mau in the High Court and the ‘Lost’ British Empire Archives: Colonial Conspiracy or Bureaucratic Bungle?,” *Journal of Imperial and Commonwealth History* 39, no. 5 (2011): 699–716.

<sup>41</sup> Cary, “The Migrated Archives”; and, for example, Elkins, *Imperial Reckoning*, 339–340.

<sup>42</sup> Cary, “The Migrated Archives.”

<sup>43</sup> *Hansard*, House of Commons, Public Records: Colonial Documents, vol. 530, col. 67WS, June 30, 2011.

<sup>44</sup> Badger, “Historians, a Legacy of Suspicion and the ‘Migrated Archives,’” 803–804.

<sup>45</sup> For instance, the Kenyan government was aware of the existence of its files and asked for their



it would have been a destabilizing rupture for the British government to hand over, uncensored, nearly 9,000 previously undisclosed files on the end of empire. Moreover, numerous potential claims against the present British government from other formerly colonized populations—particularly Malaya and Cyprus—loom on the horizon, and much as in the Mau Mau case, potential evidence rests in the files found at Hanslope Park.

IN REFLECTING UPON THE HANSLOPE DISCLOSURE and the future of writing on British decolonization, I recognize that continuities exist between past and present state practices and the contents and exclusions in the official archives. I can see four separate, though interrelated, possible ways forward for future research and writing on Britain's end of empire. The first is rather self-evident. The Migrated Archives offers a large volume of new evidence, though it is highly culled at various points. Turning to another example of state archival control can shed further light on skepticism surrounding the Migrated Archives' contents. The work of historians on British intelligence suggests that "airbrushing" and "positive information control" were both hallmarks of the British government's attempts to control the production of knowledge on the topic of wartime intelligence. With the end of the Cold War, sensitivity around official documents waned, although as Richard Aldrich intones, "the era of 'Glasnost' announced in London, Washington and Moscow in the 1990s had an ambiguous quality."<sup>46</sup> He goes on to caution historians against imputing a newfound transparency to state motives, and argues that the declassification of thousands of new documents could just as easily have "cloaked a more sophisticated programme of information management."<sup>47</sup> Just as Aldrich cautions historians sidetracked by the "new releases" to be wary of underlying state agendas, so too must historians of empire be cautious not to allow the flood of new Migrated Archives data to obscure our interrogation of that which is missing.

This brings me to the next way I believe that historical research and writing can move forward. Historians of British intelligence, aware of the limitations of the official archives, have sought alternative sources. Memoirs, private papers, and oral interviews have all been part of their evidentiary arsenal.<sup>48</sup> While some recent end-of-empire publications have expanded evidentiary frames, they are still limited and rely exclusively upon sources from Britain.<sup>49</sup> The lessons learned from the revisionist works on Kenya suggest that our evidentiary nets must be cast more widely. This means significant investment in time and resources, not to mention training in lan-

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return in 1967, 1974, and again in the early 1980s; in each instance, the British government refused the request. See Elkins, "Alchemy of Evidence," 742.

<sup>46</sup> Richard J. Aldrich, "Policing the Past: Official History, Secrecy and British Intelligence since 1945," *English Historical Review* 119, no. 483 (2004): 922–953, here 951.

<sup>47</sup> *Ibid.*, 951–952.

<sup>48</sup> Wesley K. Wark, "In Never-Never Land? The British Archives on Intelligence," *Historical Journal* 35, no. 1 (1992): 195–203.

<sup>49</sup> David French, *The British Way in Counter-Insurgency, 1945–1967* (Oxford, 2011); Calder Walton, *Empire of Secrets: British Intelligence, the Cold War, and the Twilight of Empire* (London, 2014); Benjamin Grob-Fitzgibbon, *Imperial Endgame: Britain's Dirty Wars and the End of Empire* (New York, 2011). For a discussion of the latter, see "Round-Tables," *Britain and the World* 4, no. 2 (2011): 303–344.

guage skills and navigating local terrains, to excavate official and unofficial archives in remote parts of the world. In the case of Kenya, for example, it was not possible to understand the meanings of the fragments in Kew or the Hanslope Disclosure without reading them together with hundreds of oral interviews, as well as detainee letters that had been smuggled out of the camps in the 1950s and remarkably escaped the archival purges on the eve of decolonization. Today these letters are some of the most significant fragments of archival evidence remaining in Kenya.<sup>50</sup> To engage the power of the official archives, we must interrogate various forms of evidence from the former empire itself; without it, the dialectic of decolonization is overlooked, and our histories run the risk of reinforcing a centrist, overdetermined narrative.

Of course, postcolonial archives also have their own politics. Decolonization wars divided local populations, leaving legacies of civil violence and complex factionalism. Postcolonial archives often reflect the interests of ruling elites who are invested in a particular version of the past—a version typically devoid of the messiness of end-of-empire violence. Postcolonial archives have also been deliberately censored and destroyed. I was reminded of this during my own work in Malaysia, where countless files relevant to colonial detention camps were indexed but remained indefinitely closed in the National Archives of Malaysia in Kuala Lumpur; in Penang, I was asked to leave the official archive after requesting detention camp and other emergency-era files. Nonetheless, crucial documentation on the Malayan Emergency is open to researchers in Kuala Lumpur, as well as in Singapore—evidence that is not available elsewhere.

The need for a global and expansive evidentiary toolkit brings me to my third point. We now know with some certainty the scale of archival erasure on the eve of decolonization in Kenya, and we can reasonably assume a similar scale of erasure throughout the empire at the time of British colonial retreat. In addition, the Hanslope Disclosure suggests that the archives at Kew have also been expunged. For example, not a single file on document destruction exists in the East African Series at the British National Archives, despite the countless communications found in the Hanslope documents between the Colonial Office and the Kenyan government orchestrating the “Watch” system; nor did a single destruction certificate emerge until the Hanslope Disclosure. For certain, document destruction is part of the archival compilation process. Yet the complete absence of certain documents—all of which undermine a carefully tended British imperial fiction—raises significant questions. It also problematizes the Robinson and Gallagher school’s positionality, including that which is reproduced in the volumes the Institute of Commonwealth Studies at the University of London’s School of Advanced Study compiled as part of the British Documents at the End of Empire Project (BDEEP). BDEEP brought to publication hundreds of Colonial Office files chronicling the end of empire and will have significance and value to generations of historians to come. Yet this series, in its efforts to create through original documents “the phrenology of the official mind of decolonization,” did not problematize the colonial archive. Instead, BDEEP reproduced its fictions and silences without interrogating the fact that “the archives of

<sup>50</sup> Two separate files containing hundreds of detainee letters or letters smuggled out of the camps and posted to the governor, the Queen of England, Barbara Castle, and others are located in the Kenya National Archives. See file series KNA, JZ 7/4 and AH 9/17.

modern government . . . may conceal almost as much as they reveal,” a point made by one of the project’s own editors.<sup>51</sup>

How, then, do we address large-scale archival erasure? I would suggest that we look to the Hanslope Disclosure as an object of study unto itself, and read the Disclosure documents as they relate to the broader context of the court case in which they were produced, as well as in the larger landscape of what exists in the British National Archives, and ultimately in the *longue durée* of carefully cultivated end-of-empire histories that stretch back to the 1950s. We must consider interrogating the ways in which the production of the British colonial archive reflected the nature of the colonial state itself.

Archivist Terry Cook reminds us that the most important historical interpretation occurs “when archivists fill the boxes, by implication destroying the 98 percent of records that do not make it into those or any other archival boxes. This is the great silence between archivists and historians.”<sup>52</sup> We can take Cook’s point one step further. The first archivists of the late empire were not those selecting and destroying at Kew, but rather colonial officials themselves. Does that, then, suggest that the “great silence” has also been between us as historians and colonial administrators who sought to create a particular kind of fiction that shaped and validated the colonial project in the past, present, and future? In what ways is the orchestration of systematic violence to personhood and documents connected to the morphing of individuals such as Terence Gavaghan from chief torturer to decorated archivist? Are there connections between the Colonial Office’s manipulation of internal investigations into detention camp abuses and the nature of the recent Cary Report, and the concerted efforts to delegitimize colonial-era critics such as Member of Parliament and Labour Party politician Barbara Castle and the FCO’s initial efforts to invalidate the experiences of the Mau Mau claimants? And what of the government’s repeated attempts to disguise the wolf of colonial violence in the sheep’s clothing of state transparency and archival authenticity? I would suggest that there are profound connections between these processes, and only by turning to the colonial archive as a subject unto itself can we begin to untangle them.<sup>53</sup>

Finally, end-of-empire historians cannot walk the journey alone when writing histories of British imperial retreat. Instead, we must turn to disciplines outside of history, a point that constitutes the fourth way by which historical research and writing can move forward. Empiricism, the lifeblood of our profession, cannot resurrect that which colonial incinerators have left to the historical imagination. Critical theorists and anthropologists have long informed the recovery of histories in the face of colonial archives that shape their own versions of the past. Recovering consciousness and memory, probing the classification and collection of colonial knowledge, and destabilizing colonial boundaries and control using the lens of mimicry ques-

<sup>51</sup> Stockwell, “British Decolonisation,” 583.

<sup>52</sup> Cook, “Remembering the Future,” 170–171.

<sup>53</sup> Several excellent historical and ethnographic works will help us in this endeavor. For example, Antoinette Burton, ed., *Archive Stories: Facts, Fictions and the Writing of History* (Durham, N.C., 2005); Ann Laura Stoler, *Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense* (Princeton, N.J., 2009); Carolyn Hamilton, Verne Harris, Michèle Pickover, Graeme Reid, Razia Saleh, and Jane Taylor, eds., *Refiguring the Archive* (Dordrecht, 2002); Nicholas B. Dirks, “Annals of the Archive: Ethnographic Notes on the Sources of History,” in Brian Keith Axel, ed., *From the Margins: Historical Anthropology and Its Futures* (Durham, N.C., 2002), 47–65.

tioned colonial power and its structures while simultaneously critiquing them.<sup>54</sup> There are also more recent trends in this literature, such as the work of Achille Mbembe, that speak to the displaced power of the archive, and the potential self-awareness that historians must have when we venture into the territory of document destruction.<sup>55</sup> Similarly, Jean and John Comaroff challenge scholars of all varieties to interrogate closely the contemporary connections between “memory, evidence, and the forensic production of the past.”<sup>56</sup> Like Mbembe, they raise a series of questions that end-of-empire historians must consider when excavating the new evidence contained in the Hanslope Disclosure. “But what are the consequences of the coupling of law and history?” the Comaroffs ask. “What becomes of historiography when it is hitched directly to restorative justice, to forensic means of producing the truth, to establishing guilt and amnesty, to repairing injury and restoring democracy?”<sup>57</sup> Applying these inquiries to the recent end-of-empire evidence, we must ask ourselves in what ways the context in which the Hanslope Disclosure came to light affects the nature of the evidence itself. For certain transparency issues are at stake in the light of past, and potential future, litigation. Of equal importance is questioning the nature of the claims—brought by five elderly Kenyans who sought restorative justice—and their explicit subversion of long-held power structures that can lend themselves to Orwellian fantasies that forget the nuances of the past, and are conducive to present-day projections.

I would also suggest that, together, political theorists and institutional historians have a role to play in our reading of the archives and its ashes. To begin, a deeper interrogation of the colonial state is crucial to our enterprise. In the Mau Mau case, the paradox of the colonial state did not lend itself to a Court seeking a clear delineation of authorities of rule. The colonial state in Kenya was simultaneously a state and not a state. Its semi-autonomous relationship to metropolitan rule generated official actors in Nairobi and London whose authority waxed and waned depending on the circumstances. Put another way, there was a relationship of both separation and unity between London and Nairobi, and each was strategically played up or down by both sides depending upon the context. Unquestionably, High Court debates reflect, in part, the difficulties that historians have encountered in defining the colonial state, its kaleidoscopic processes, and the lines of responsibility during crises.

Reexamining the British colonial state within the history of twentieth-century conflicts, and political theorists’ understanding of them, will help us parse further the paradoxes of governance in the empire.<sup>58</sup> We will need more nuanced analyses of what, precisely, we mean by the state and its constituent parts in Britain’s far-flung

<sup>54</sup> For a useful analysis of the dialogue between historians, anthropologists, and literary studies, see Frederick Cooper, “Conflict and Connection: Rethinking Colonial African History,” *American Historical Review* 99, no. 5 (December 1994): 1516–1545.

<sup>55</sup> Achille Mbembe, “The Power of the Archive and Its Limits,” in Hamilton et al., *Refiguring the Archive*, 19–27, here 23–24.

<sup>56</sup> Comaroff and Comaroff, *Theory from the South*, 135.

<sup>57</sup> *Ibid.*, 138.

<sup>58</sup> See, for example, Charles S. Maier, “Consigning the Twentieth Century to History: Alternative Narratives for the Modern Era,” *American Historical Review* 105, no. 3 (June 2000): 807–831. For political theorists, see, for example, Jennifer Pitts, “Political Theory of Empire and Imperialism,” *Annual Review of Political Science* 13 (2010): 211–235; and Hannah Arendt, *The Origins of Totalitarianism* (New York, 1951).

empire, at what points the semi-autonomy of colonial governments in Nairobi and elsewhere diminished and expanded, and what liberal ideologies were informing the colonial state's deployment of systematic violence. Moreover, as Mark Mazower has pointed out, "we need to ask *who* organized the violence and how they fitted into what passed for a state apparatus."<sup>59</sup> On the one hand, the colonial officials in London to varying degrees organized and legally enabled processes of destruction in the empire that bore similarities to each other. On the other hand, as Mazower notes, "who organized the violence"—including colonial officials such as Terence Gavigan—matters greatly; and we must caution against "an overtly state-dominated understanding of mass violence" and further understand how weak states and their actors responded to violent insurgencies.<sup>60</sup> With a reassessment of the colonial state and its variants of liberalism, along with an expanded arsenal of methodological and theoretical devices, we can begin to make better sense of the ashes and fragments that have recently been laid bare, as well as the logics, actors, and processes of British colonial violence at the end of empire.

<sup>59</sup> Mark Mazower, "Violence and the State in the Twentieth Century," *American Historical Review* 107, no. 4 (October 2002): 1158–1178, here 1164.

<sup>60</sup> *Ibid.*, 1177.

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