

**EX-MAU MAU FIGHTERS AND LAND ISSUES IN KENYA: THE CASE OF NDEFFO,  
1968-2013**

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**A Thesis Submitted to the Board of Postgraduate Studies in Partial Fulfilment of the  
Requirements for the Award of the Master of Arts Degree in History of Egerton University**

**EGERTON UNIVERSITY**

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## DECLARATION AND APPROVAL

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## **DEDICATION**

To the Kanyingi family, my lovely wife Peris, and our son Elvis

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## ABSTRACT

One of the objective of the Mau Mau fighters was to reclaim land that had been lost to white settlers through land alienation. After independence, however, the government of Kenya was reluctant to give the ex-Mau Mau fighters and other landless people free land. Landless Kikuyu therefore formed land-buying companies such as *Ngwataniro*, *Nyakinyua* and the Nakuru District Ex-freedom Fighters Organisation (NDEFFO). NDEFFO, a land-buying company exclusively for former Mau Mau fighters owned three farms: Marwa, Engashura and Lusiru farm. However, the self-help activities of NDEFFO have not been subjected to critical analysis. This study was guided by the following objectives; to examine government's efforts in addressing landlessness among the Mau Mau Veterans, to analyse the reasons for the formation of NDEFFO and the extent to which the organisation achieved its objectives. The study was based on both primary and secondary data. Archival data were obtained from the Kenya National Archives in Nairobi while oral data was collected from informants in the three NDEFFO farms in Nakuru County. The informants comprised 47 men and 32 women, mainly ex-Mau Mau fighters. Secondary sources included books, journal articles, dissertations/theses, and conference papers. Selected secondary sources informed the theory and while others complimented data from the primary sources. Data was interpreted and presented as per the objectives above. The postcolonial theory, which critically examines both the colonial and post-colonial experience of the Third World societies, guided the study. In addition, the theory demonstrates how post-independence elites that emerged out of the colonial situation are reproduced in the postcolonial society. The research found out that NDEFFO was formed for the well-being of its members and that the postcolonial government neglected the Mau Mau veterans' plea for land. The agitation for land by Mau Mau veterans is a generational problem enacted in the lives by their children. The study adds knowledge as well as contributing on existing literature on peasantry struggles. It also provides information that will contribute towards the creation of national land policy as envisioned in Kenya's Vision 2030.

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## ABBREVIATIONS /ACRONYMS

<b>ADC</b>	Agricultural Development Corporation
<b>AFC</b>	Agricultural Finance Corporation
<b>ALDEV</b>	African Land Development (programme)
<b>EAA</b>	East African Association
<b>DEMO</b>	Democratic Movement
<b>DC</b>	District Commissioner
<b>DO</b>	District Officer
<b>DP</b>	Democratic Party
<b>EAP</b>	East Africa Protectorate
<b>FGD</b>	Focus Group Discussion
<b>GEMA</b>	Gikuyu Embu Meru Association
<b>GMR</b>	Guaranteed Minimum Return
<b>KANU</b>	Kenya African National Union
<b>KAU</b>	Kenya African Union
<b>KCA</b>	Kikuyu Central Association
<b>KKM</b>	Kiama Kia Muingi
<b>KLFA</b>	Kenya Land and Freedom Army
<b>KPU</b>	Kenya People's Union
<b>LDSB</b>	Land Development and Settlement Board
<b>LR</b>	Land Registration
<b>MMWVA</b>	Mau Mau War Veterans Association
<b>MP</b>	Member of Parliament
<b>NARC</b>	National Rainbow Coalition
<b>NDEFFO</b>	Nakuru District Ex-Freedom Fighters Organisation
<b>NMK</b>	National Museums of Kenya
<b>OCS</b>	Officer Commanding Police Station
<b>OCPD</b>	Officer Commanding Police Division
<b>OI</b>	Oral Interview
<b>PC</b>	Provincial Commissioner
<b>TJRC</b>	Truth, Justice and Reconciliation Commission
<b>VOK</b>	Voice of Kenya
<b>YKA</b>	Young Kikuyu Association

## GLOSSARY OF TERMS

1. <i>Ahoi</i>	Tenants
2. <i>Aka a JM</i>	JM's wives
3. <i>Anake a forty</i>	Young men of the 1940s
4. <i>Askari</i>	Police
5. <i>Batuni</i>	Killing Oath
6. <i>Ciana cia Mau Mau</i>	Children of Mau Mau
7. <i>Hakuna cha Bure</i>	There is nothing for free
8. <i>Hema ya Ngai wi Mwoyo</i>	Tent of living God
9. <i>Ithaka</i>	Land
10. <i>Kembo (Muma)</i>	Oath
11. <i>Kiama Kia Muingi</i>	Party of the masses
12. <i>Ngai</i>	God
13. <i>Thimo</i>	Proverbs
14. <i>Thuna cia Mau Mau</i>	Offshoots of Mau Mau
15. <i>Uthamaki</i>	Presidency
16. <i>Uthamaki ndukanaume nyumba ya Mumbi</i>	Presidency should never leave the house of Mumbi
17. <i>Weyathi</i>	Freedom

## CHAPTER ONE

### INTRODUCTION

#### 1.1 Background to the Study

Land issues have been at the centre of Kenya's national life since the beginning of colonial rule. The creation of the East Africa Protectorate (EAP) in 1895 allowed the British Foreign Office to promote white settlement in the territory. 'Unoccupied and waste' land was put under the Crown, which enabled the colonial government to lease the land to white farmers for periods up to 999 years.<sup>1</sup> Land in the territory was therefore, divided into native reserves and European settlement areas. The state created the reserves in areas deemed unsuitable for European settlement. The Crown Land Ordinance of 1902 stated that any empty land or any land vacated by a native could be sold or rented to Europeans. It also stated that the land should be developed or else be forfeited. In 1915, the Crown Land Ordinance declared all land in EAP as Crown Land. As a result, Africans were restricted from cultivating in the White Highlands. In addition, insecurity over land increased when Africans became tenants at will of the Crown in the reserves. The effects of land alienation, in Kikuyu areas of central Kenya, made the Kikuyu to migrate to the Rift Valley. The overpopulation in the reserves led to political unrest and economic crises leading to the emergence of political organisations such as East African Association (EAA) and Kikuyu Central Association (KCA) formed in early 1920s. The two organisations were radical factions that needed complete revolutionisation of the colonial economies and political relations.

In response to African agitations highlighted by EAA and KCA, the colonial government in 1932, the Secretary of State for Colonies established a commission. The native in EAP, were concerned with land alienation and they mandated the Commission to make recommendations for the settlement of land issues-raised.<sup>2</sup> Jomo Kenyatta who was their spokesperson raised the voice of dissatisfaction on the committee composition. He was of the view that the committee did not include African representation, therefore, did not enjoy Africans confidence. In 1940

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<sup>1</sup> S. Konjo and S. Moyo, *Land and Sustainable Development in Africa* (London: Zed Books, 2008), pp. 100-102.

<sup>2</sup> M. Coray, "The Kenya Land Commission and the Kikuyu of Kiambu." *Agricultural History*, Vol. 52, No. 1 (1978), pp. 179-193.

*Anake a Forty*, a more militant group was formed. This group carried out assassinations of government chiefs and carried out robberies. To curb political unrest, African Land Development (ALDEV) programme was set up in 1946 by the British government.<sup>3</sup> Its main objective was settlement of Africans; however, it ended up emphasizing African land development. It concentrated on curbing overpopulation, overgrazing and lack of water, but did not solve population problem. Failure to address landlessness amongst Africans led to an insurgent by the name Mau Mau that was formed by the Kikuyu peasants. It waged armed struggle against the white settlers with an aim to reclaim back lost land and freedom. Its activities led to the declaration of a state of emergency by the government. The declaration of a state of emergency did not deter Africans this is because from 1952, there was massive recruitments to the insurgent course.<sup>4</sup>

In 1954, ‘Operation Anvil’ was put in place by the colonial government with the aim of putting more Africans in detention camps. In the same year new state policies like Lidbury Report, Lyttelton constitution, the Swynnerton Plan of 1954 were put in place as a structural changes in Kenya’s political economy.<sup>5</sup> Swynnerton Plan of 1954 emphasized that Africans could own land privately. Privatisation became a vital part in the intensification and expansion of agricultural production in Kenya. The Plan recommended that all high quality African land belonging to the Kikuyu, Meru and Embu be surveyed and enclosed. Through the process, Mau Mau fighters in the forest lost land to people considered loyal to the colonial system. Through this approach, Mau Mau fighters in detention lost their land rights and user rights in the former communal land to chiefs and loyalists. The plan did not address the issue of land alienation and inequality in ownership. The Swynnerton plan was highly politicized and created a class in central Province of Kenya that linked land access to loyalism. Kikuyuland was made a model of agricultural production where loyalists were living on large and fertile parcels of land.<sup>6</sup> The colonialists were in charge of demarcation committees for land consolidation made of loyalists.

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<sup>3</sup> S. Hongo, *Studies in East African Geography and Development* (Berkeley and Los Angeles: University of California Press, 1971), pp.166-169.

<sup>4</sup> B. Maughan. *Land, Freedom and Fiction*. (London: Zed Books), p.36.

<sup>5</sup> B. A. Ogot, “The Decisive Years 1956-63,” *In Decolonization and Independence in Kenya 1940 -93*, ed. B.A. Ogot and W.R. Ochieng ( Nairobi: East African Educational Publishers, 1996), pp.47-48.

<sup>6</sup> C. Elkins, *Imperial Reckoning: The Untold Story of British Gulag in Kenya* (New York: Henry Holt and Company, 2005), pp. 265-270.

In early 1961, when the British government conceded that Kenya would become independent, the colonial government formed the Land Development and Settlement Board (LDSB). The Board was mandated to buy out European farms in the White Highlands and distribute the land to Africans. The LDSB's obligation was to resettle middle class Africans and not landless peasants. The LDSB was to accommodate Yeomen (assisted owners) and peasants who were knowledgeable of farming and had a capital requirement of Shs.10, 000 and Shs.1000 respectively.<sup>7</sup> After takeover by the board, the land was to be subdivided into two types of holdings: a "yeoman" or "assisted owner" farm of about 50 acres, and "peasant" holdings of approximately 15 acres. The LDSB aimed to settle 1,800 yeomen and 6,000 peasants on 180,000 acres of land by September 1963. The Yeoman and Peasant schemes favoured African middle class. However, LDSB failed with its initial scheme, arguing that they could not find suitable land and suitable settlers. The settlers to be wanted land adjacent to their ethnic groups, hence tribalism was the problem.

In 1962, the Million Acre Settlement Scheme, financed by the British Government, was initiated. It was meant to ensure that the land was transferred to landless Africans who were either unemployed, under-employed or lacked resources of their own. This was contrary to the Yeoman and the peasant schemes of 1961 that were meant to resettle Africans with resources.<sup>8</sup> The Million Acre scheme managed to resettle some of the landless peasants. However, this was a loan to the Jomo Kenyatta government and those who got land through the scheme did so on credit. Since the land was not free, loyalists in government, civil servants from non-Kikuyu ethnic groups benefited from the scheme.<sup>9</sup> The scheme conditions were harsh to freedom fighters. Anybody suspected to have been involved in Kenya Land Freedom Army (KLFA) activities and being a member of underground movements was locked out of getting land. Since the Million Acre Scheme was a five-year plan, those who did not get land in 1962 and 1963 were

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<sup>7</sup> C. Leo, "Who Benefited from the Million-Acre Scheme? Toward a Class Analysis of Kenya's Transition to Independence." *Canadian Journal of African Studies*. Vol.15, No. 2 (1981), pp. 201-222.

<sup>8</sup> J. Harbeson, "Land Reforms and Politics in Kenya 1954-70," *Journal of Modern African Studies*, Vol. 9, No. 2 (1971), pp. 231-249.

<sup>9</sup> M. Wanyumbari, *Mau Mau and Kenya; An Analysis of a Peasant Revolt* (Bloomington: Indiana University Press, 1998), p.164.

optimistic of getting it in subsequent years. However, the isolation of former members of KLFA left many ex-Mau Mau fighters without land.

In 1963, when KANU won the election and formed the government, they inherited a land policy that never preferred special treatment of Mau Mau veterans. With many Kikuyu not having access to land, land-buying companies were formed such as *Ngwataniro* and *Nyakinyua* that bought large tracts of land in the Rift Valley. Kihika Kimani founded the *Ngwataniro* Company Limited in 1967. By 1975, *Ngwataniro* had about 20,000 shareholders and assets worth about Ksh.27million. The company provided land for landless Kikuyu in the Rift Valley.<sup>10</sup> Its shares were used to buy more land for the landless Kikuyu. Kihika Kimani influenced voting in Nakuru for many years due to his position as a director and this made *Ngwataniro* very famous.<sup>11</sup> Urban poor Kikuyu women formed *Nyakinyua* Land-Buying Company. *Nyakinyua*'s perceived as close to the President Jomo Kenyatta had an upper hand in purchasing of land and acquisition of property in Nakuru.<sup>12</sup> Ondego has argued that *Nyakinyua* was given money and plots in their desired location due to singing for President Jomo Kenyatta.<sup>13</sup> In 1968, the Jomo Kenyatta government allowed former Mau Mau fighters under Nakuru District Ex- freedom Fighters Organisation (NDEFFO) to purchase land in Nakuru after a long struggle to be registered as a land-buying company. Any company associated with freedom fighters was perceived by the postcolonial government as a threat to national security and therefore its activities were carefully monitored. NDEFFO as a company was different in that all members were vetted to ensure they were genuine freedom fighters unlike others who were open to any landless Kikuyu.

In recent studies on abuses done to the Mau Mau, Elkins delivers an analysis of how the Kikuyu lost over 60,000 acres of prime land to white settlers and in subsequent decades, most of them were coerced to work for low wages on settler farms.<sup>14</sup> The loss experienced by ex-Mau Mau in Kenya has intensified their campaigns for land and compensation.<sup>15</sup> In 2004, public

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<sup>10</sup> P. Ahluwalia, *Post colonialism and Politics in Kenya* (New York: Nova Science Publishers, 1996), p.19.

<sup>11</sup> A. Kwamena, *The Politics of Property Rights Institutions in Africa* (New York: Cambridge press, 2010), pp.21-6

<sup>12</sup> S. Macdonald, et al., *Images of Women in Peace and War: Cross Cultural and Historical perspectives* (Wisconsin: University of Wisconsin press, 1988), p.91.

<sup>13</sup> E. Ondego, *The life of Mzee Ondego* (Nairobi: Kwanini Publishers, 2008), pp.8-12.

<sup>14</sup> Elkins, *Imperial Reckoning*, pp. 155-189.

debate on payment of reparations to the Mau Mau veterans and calls for their official recognition was unprecedented.<sup>16</sup>

## **1.2 Statement of the Problem**

Land alienation by the colonialists left many Kenyans landless. As a result, Mau Mau freedom fighters waged war to expel the colonialists. After the war, the postcolonial government failed to resettle the landless Mau Mau veterans. The Mau Mau veterans pooled resources together and formed NDEFFO, a land-buying company. Despite its formation, and a pledge for assistance by the government, NDEFFO members are still agitating for land. This study examines the experiences of ex-freedom fighters in relation to the land question.

## **1.3 Objectives of the Study**

The broad objective of the study was to outline the history of NDEFFO. The specific objectives were:

- i. To examine government's efforts in addressing landlessness among Mau Mau veterans from 1968-2013.
- ii. To analyse the reasons for the formation of NDEFFO.
- iii. To assess the failures and successes of NDEFFO.

## **1.4 Research Questions**

The study seeks to answer the following questions:

- i. How has the government responded to landlessness among Mau Mau veterans from 1968-2013?
- ii. What necessitated the formation of NDEFFO in 1968?
- iii. How successful has NDEFFO been?

## **1.5 Significance of the Study**

As Kenya celebrated 50 years of independence in 2013, there existed a knowledge gap concerning the contribution of land buying companies in solving landlessness among the Kikuyu community. There existed different land buying companies, for instance *Ngwataniro*, *Mutukanio*, *Kangei* and *Nyakinyua*. NDEFFO Company, however, was unique in its composition and

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<sup>16</sup> Ibid, pp. 156-189.



frequently appeared in the media in the 1960s and 1970s. NDEFFO Company was established for the ex-Mau Mau. The relevance of the study is demonstrated in the fact that the Mau Mau for a long time has been secretive in their activities hence very little is known about NDEFFO.

The study, aimed at outlining the history of NDEFFO and its role in resettling landless Mau Mau veterans. The findings will provide new knowledge relating to NDEFFO and issues of landlessness in Kenya. Kenya Vision 2030 strives for the finalisation of the National Land Policy that will facilitate land administration, hence faster resolutions of the land issues. This study therefore will be helpful in achieving the expectations of Kenya Vision 2030 and understanding the dynamics in Kenya peasantry struggles.

### **1.6 Scope and Limitations of the Study**

The study focussed on farms bought by NDEFFO in Nakuru County. The farms are Marwa in Molo, Engashura in Bahati, and Lusiru in Njoro. The three farms were selected because they were meant to settle former Mau Mau fighters. The study covered the period between 1968 to 2013, 1968 is the period that NDEFFO was formed, the 2013 is relevant to capture up to date information regarding the study. Since NDEFFO is a private entity, there was a challenge in accessing all relevant archival materials, secondly NDEFFO members tended to conceal some information concerning it, as they perceived their organisation as secret group. Additionally, most of the past directors left with company files seemingly to cover up issues of illegal land distribution and mismanagement of the company's property. To overcome these challenges, the researcher referred to files and minutes of meetings regarding NDEFFO farms in the Ministry of Lands offices in Nakuru, and in DCs offices' in Bahati and Njoro. In Kenya, land issues tend to be serious, secretive, and emotive hence the researcher faced the challenge in creating a rapport with members of NDEFFO community. The researcher used government representatives, namely chiefs and sub-chiefs to address the challenges in the farms. Apart from the government representatives, the researcher sought permission from General Matejagwo (Mau Mau War Veterans Association leader in the Rift Valley) to collect data from members.

## 1.7 Definition of Terms

**Alienated land:** Land set aside for European settlers during the colonial period.

**Freedom fighters:** Kenyans who sought to liberate Kenya from British rule.

**Harambee:** Kenya strategy for social-economic development that entailed communal participation in development.

**Home guard:** Also referred to as Loyalist, a nickname given to Kikuyu who were anti-Mau Mau.

**House of Mumbi and Gikuyu:** A term referring to the Agikuyu, generated from the story of their origin, roots, culture and heritage.

**Johnnies:** A nickname that the Mau Mau collectively bestowed upon members of the British army.

**Kikuyu Elite:** A group of the Kikuyu community that was close to Europeans and were able to amass wealth and power due to the connections they had in the colonial system, e.g. chiefs, teachers.

**Mau Mau:** Kenyans in the Mount Kenya region who participated in the liberation struggles directly or indirectly.

**Million-acre scheme:** A settlement scheme established by the Kenya Government through a loan from the British Government to buy land and resettle landless Kenyans.

**Mungiki:** A Kikuyu word meaning “a united people.”

**Ngwataniro:** A Kikuyu word meaning “unity” for a specific purpose.

**Nyakinyua:** A Kikuyu word meaning mature women who used to entertain the late Mzee Jomo Kenyatta.

**Shamba:** Swahili word for land. Land had been at the centre of Kenyan politics since the onset of colonial rule.

**Squatters:** Landless people living on the white farms as tenants during the colonial period.

## 1.8 Literature Review

Among the Kikuyu and other African people, land is of vital importance because it symbolises the residence of each ethnic group and is their main source of wealth. After the establishment of the White Highlands, the East African Association (EEA), Kikuyu Central Association (KCA) emerged with a purpose of representing the Kikuyu in their land claims. Other organisations that emerged included Kikuyu Association (KA) and Young Kikuyu Association (YKA) that also raised the land question in Kenya. The Mau Mau Movement emerged later with an objective of getting back land that held family and the community together. Land that they regarded as *Ithaka* and a foundation of their culture made them to wage war against the British colonial government. Mau Mau fighters believed that after independence, they would realise comfort and economic gain. However, in most cases their expectations were never realised. Most ex-Mau Mau fighters are still waiting for resettlement by the government. The government of Kenya and other African governments in countries that had white settlers have not taken land reforms seriously. Land reform was perceived as a sound policy for development. To access land and the provision of support service by the government were the best economic and social cushion that landless poor Africans needed.<sup>17</sup> This chapter reviewed the literature related to land and Mau Mau.

Krishna has argued that in Venezuela,<sup>18</sup> the newly democratically elected government initiated land reforms in the 1960s. Before the reforms, there were peasant organisations that were protesting leading to the collapse of the regime. With the new land reforms, landless poor were allocated ten hectares each. The land allocated came from expropriated large estates and from state-owned lands. To minimise opposition the government granted compensation to the owners of the large expropriated estates. The compensation was higher than the market price. Had the state adopted the Venezuela approach, the landless Kenyans, especially Mau Mau who lost chunks of land in central Province, agitations would be minimal. The role of the state was crucial in land reforms and sometimes it was diverted to benefit other groups rather than the landless poor. Although Krishna's study focuses on Venezuela, similar recommendations can be applied in Kenyan situation. In Kenya, the post-independent government was against landless

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<sup>17</sup> B. Krishna, *Land Reform and Peasant Livelihoods: The Social Dynamics of Rural Poverty and Agrarian Reforms in Developing Countries* (North Yorkshire: The Cromwell Press Ltd, 2001), pp. 5- 10.

<sup>18</sup> *Ibid*, pp. 11-22.

organisations that were understood as a threat to the national security. Therefore, Mau Mau urge to participate in land reforms was curtailed.

Charema in his study on the freedom fighters in Gweru Zimbabwe, observed that the resettlement that was planned to take place between 1990 and 1995 never happened. Charema observed that every Zimbabwean was optimistic for a better life.<sup>19</sup> However, he noted that some Zimbabweans living in Gweru who had fought in the liberation war were promised resettlement, counselled and then reintegrated into the society from the land reforms initiated by government in 1980. Though the freedom fighters had not been allocated land by 1995, they were still optimistic that their expectations of land would be met. The Zimbabwean government led by President Robert Mugabe, was more interested in the formation of a strong political party. To achieve this objective, the regime used the land redistribution programme to award their cronies (party supporters and government officials). Even after many years, like in Kenya, freedom fighters in Zimbabwe are optimistic to be allocated land. Charema studies dealing with freedom fighters in Zimbabwe can help understand the experiences of ex-Mau Mau fighters in Kenya in relation to land.

Kojo and Moyo argue that Africans in the Republic of South Africa were evicted from their lands under colonialism and apartheid.<sup>20</sup> Colonial and apartheid policies brought about deprivation of land, side-lining them in economic growth. This resulted in poverty among the majority of blacks in South Africa. Land became a medium of exploitation and domination in the country. Little has been achieved in South Africa in terms of implementations of land reforms. Today the democratic government is addressing landlessness issue, although slowly. The power of the majority government in 1994, promised to address historical issues by placing equitable and pro-poor policies on the land reform agenda. However, like in Kenya, the South African government programme of land reforms has faced many failures. Majority of black South Africans are poverty-stricken and continue to stay in their former homelands leading to overpopulation. Although the right to land reform is enshrined in the South African constitution and Kenya constitution, land reforms have not brought about just and equitable transformations.

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<sup>19</sup> J. Charema. *An Exploratory Study into the Rehabilitation of Ex-freedom Fighters in Gweru, Zimbabwe from 1990 to 1995* (South Africa: Mandela Metropolitan University Press, 2010), pp. 10-16.

<sup>20</sup> S. Konjo and S. Moyo, *Land and Sustainable Development in Africa* (London: Zed Books, 2008), pp. 33-51.

The land reforms have not touched on inequality on land holdings. The poor in South Africa like former freedom fighters in Kenya have not been fully involved in the implementation of land reforms.

As Kenya African National Union (KANU) won the general election and Jomo Kenyatta formed the government, Furedi argues that independence was identified in the popular consciousness with free land to the landless Kikuyu whose shared aspiration was land and freedom.<sup>21</sup> KANU espoused a land policy of willing seller/willing buyer, which was contrary to the expectations of freedom fighters. The post-independence government declared that there would be no free land; hence, the landless freedom fighters were supposed to buy land contrary to their expectations that land was going to be given for free. Kanogo asserts that peasantisation of the White Highlands after independence was not meant to resettle the landless.<sup>22</sup> The *shambas* were not meant to be given freely. Jomo Kenyatta was categorical that nothing was free,<sup>23</sup> and he was ready to crush the freedom fighters whom he termed as “hooligans”.

Jomo Kenyatta imposed willing seller/willing buyer policy that locked out most of ex-freedom fighters from accessing land. The government went further to ratify titles of the colonial settlers as absolute owners of appropriated land. In addition, land ownership in Kenya was associated with political processes that in turn created people with and without land rights. The people with political goodwill received as much land as they wished while the voiceless like freedom fighters still struggled for land. Free access to land, which was the main aspiration of Mau Mau was never implemented.<sup>24</sup> Although both Furedi and Maia mention the formation of NDEFFO, they do not shed light on the reasons behind its formation, hence a gap that the current study intends to fill.

Tarus elucidates that families of those Mau Mau fighters were targeted for punishment by the colonial government.<sup>25</sup> They were required to pay taxes on behalf of those suspected to be in the forest fighting. In addition, land belonging to detainees and those known to be in the forest

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<sup>21</sup> F. Furedi, *The Mau Mau War in Perspective* (Nairobi: East African Educational Publishers, 1989), p. 177.

<sup>22</sup> T. Kanogo, *Squatters and the Roots of Mau Mau* (Nairobi: East Africa Educational Press, 1987), p. 174.

<sup>23</sup> M. Kinyati, *Mau Mau: A Revolution Betrayed* (London: Vita Books, 1992), p. 65.

<sup>24</sup> G. Maia., “Mau Mau Oathing Rituals and Political Ideology in Kenya: A Re-Analysis.” *Journal of the International African Institute*, Vol. 60, No. 1 (1990), pp. 69-87.

<sup>25</sup> I. Tarus, *A History of the Direct Taxation of the African People of Kenya, 1895-1995*. PhD Thesis, Rhodes University, 2004, pp. 223-224.

was confiscated as a way to make them pay more for their own suppression. The families of freedom fighters were economically drained due to the punitive measures placed on them. The Kikuyu who supported the government were exempted from paying taxes. Defaulters were put in detention without considerations of their status. Due to measures put in place by colonial government, some Mau Mau fighters were left penniless and landless. The policy of willing seller and willing buyer benefited the loyalists. Tarus further shows that after independence, the post-colonial government did not consider the well-being of former Mau Mau fighters. Tarus observed that the post-independence government continued with the policies of the colonialist regardless of Mau Mau fighter's expectations. The colonial punitive taxation adopted by post-independence government was so exploiting and oppressive for the former Mau Mau fighters that had made sacrifices for independence. They were highly taxed and were not allocated land as they had expected. The government failed to meet its obligations resulting in members forming self-help projects like NDEFFO. Tarus' work gives an overview of how families of freedom fighters were drained economically, and how the post-independence government failed to cater the needs of the ex-Mau Mau fighters. Tarus does not show if government failure to meet the needs of ex-Mau Mau pushed them to form a land buying company, hence the study was done to fill the gap.

Clough contends that with the formation of the Jomo Kenyatta government,<sup>26</sup> there was a perception that despite it being a democratic government, Mau Mau would play a considerable part in the government by serving as soldiers if they were needed to protect their "Uhuru". This was a way of guaranteeing all freedom fighters who had fought and suffered in detention camps and forests a form of compensation. It had initially been agreed amongst themselves that those who suffered adversely were supposed to be compensated well. However, Clough indicates that the government allowed former Mau Mau fighters to form organisations not to benefit the fighters but to manipulate them. For instance, NDEFFO was used to outflank Kenya People's Union (KPU) popularity in the Rift Valley. Neutralization of KPU meant containment of ex-Mau Mau since it expressed grievances of landless freedom fighters. KPU led by Oginga Odinga propagated an equitable distribution of land among Kenyans. He argued that peasants and former Mau Mau fighters did not benefit from independence. The government failed to recognise the

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<sup>26</sup> M. Clough, *Mau Mau MeDaniel Moirs: History, Memory and Politics* (London: Lynne Rienner Publishers inc, 1998), p. 216.

poverty of former Mau Mau fighters. Oginga Odinga lamented the fact that by 1966, former Mau Mau fighters had no access to land and the gap between the rich and the poor was widening. In 1971, NDEFFO members were used by the government for political interests to argue that they needed no revolution in the country. Clough's view is that the Jomo Kenyatta government allowed freedom fighters to form NDEFFO with the sole purpose of political manipulation. However, he does not state the founders' aims of forming the land-buying company; hence, the study was done to understand in totality what really necessitated its formation and whether it achieved its goals.

Boone contends that where high in-migration was under state sponsorship, there was competition and political expression was high therefore, indigenous groups felt threatened.<sup>27</sup> NDEFFO tried to register as an organisation in 1964 but registration was denied. However, in 1968 it was registered. NDEFFO was officially recognised, while many others were rejected since they were perceived as dangerous. The organisation operated as a land company in 1968. It is estimated that 5500 shareholders raised capital to purchase land. NDEFFO members were advised to pool their resources together to buy three farms by Kimunya Kamana and other founders. The farms included Marwa, Engashura and Lusiru farm. Lusiru farm retained the name NDEFFO. For one to purchase land in NDEFFO, the requirement was that one was supposed to be a Mau Mau veterans or their children. By 1971, NDEFFO owned 7500 acres of land. Boone shows how NDEFFO was purely a freedom fighters organisation; he stated that initially NDEFFO was denied registration. He does not give the reason behind this rejection and why the government was reluctant to register it. In addition, Boone does not show whether after its formation, it continued to fight for the interests of former Mau Mau fighters and whether it achieved its goals therefore, this necessitated the study on NDEFFO.

Boone argues that with population increase, the issue of land has become a problem; competition for agricultural and grazing land is evident.<sup>28</sup> Since most Mau Mau fighters were not awarded land, their sons are seeking redress, agitating for land while their fathers are agitating for recognition and compensation. From 1964, the issue of land in the Rift Valley is highly

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<sup>27</sup> C. Boone, "Land Regimes and the Structure of Politics: Patterns of Land- Related Conflict," *Africa* Vol. 83, No.1, 2013, pp. 195-197.

<sup>28</sup> C. Boone, "Land Conflict and Distributive Politics in Kenya," *African Studies Review*, Vol. 55, No.1, 2012, pp. 77-79.

politicised and bitterly contested creating winners and losers. Incumbent government aiming to capture state power creates Major land disputes. Mwangi perceives KPU's repression as containment of Mau Mau.<sup>29</sup> KPU strongly agitated for the rights of landless squatters. The resurrection of agitation is manifest among members of Mungiki, whose hymns focuses on land issues. Mungiki is perceived as a reincarnation of the Mau Mau struggle for 'land and freedom'. This group supports the struggles of the poor and the landless. Both Boone and Mwangi appreciate the politics of land; where Mwangi highlights the reincarnation of Mungiki as sons of Mau Mau. The study seeks to assess failures and successes of NDEFFO and to understand why there is reincarnation of Mungiki in NDEFFO farms.

According to a 1996 Kenya National Assembly Report, there was a debate on how NDEFFO company land was being allocated to individuals without the knowledge of directors chosen by the people.<sup>30</sup> Bishop Kimani posed a question to the assistant minister Elijah Sumbeiywo about the issue of NDEFFO-Engashura farms, whereby the farm was supposed to be subdivided to its members. The NDEFFO members were to be awarded one and a half acres in Engashura, but some members did not receive any land as some areas were left out. In addition, the Ministry of Lands and Settlement subdivided the land; some even encroached on land reserved for the cemetery for company members. The report did not conclusively indicate whether the members were later awarded land and whether the cemetery land was returned to the original owners. The Kenya National Assembly report does not show clearly, why the Ministry of Land and Settlement was engaging in NDEFFO land issues despite it being a private entity. The Kenya National Assembly report raised questions that need further research to determine whether NDEFFO achieved its objectives in the face of interference in company operations by the government's Ministry of land.

Furedi argues that settlement schemes were given to prosperous Africans.<sup>31</sup> Collaborators were to oversee the transition to independence. The government policy was to ensure that all settlement schemes had a stable influence under the collaborators and civil servants were to be allocated plots for political stability and leadership. NDEFFO directors, for instance, Wanyoike

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<sup>29</sup> J. Mwangi, "We Are the True Sons of Mau Mau! Re-Assessing the Historiography of Resistance in Kenya, 1924-2008." *Africa Zamani*, No.17, 2009, pp. 293-301.

<sup>30</sup> Kenya National Assembly, *Hansard Report*, 1 August 1996.

<sup>31</sup> F. Furedi, *The Mau Mau War in Perspectives* (Nairobi: East African Educational Publishers, 1989), p.199.



wa Thungu, the aide-de-camp of Jomo Kenyatta considered as elite was appointed to head the organisation against the wishes of former Mau Mau fighters. Furedi does not reveal if all the shareholders were allotted land, nor whether or not all the directors were the elites. Furedi also does not shed light on whether the beneficiaries of NDEFFO were freedom fighters, and if the directors were former Mau Mau fighters and what made the shareholders reject them. Despite NDEFFO being headed by Kikuyu elites, it was able to acquire three farms. Although Furedi's work appreciates the formation of NDEFFO, his study was carried in 1989. The study has not captured the current condition of NDEFFO members, hence the study.

Ogot asserts that the land of white settlers that was supposed to be sub- divided amongst the landless was transferred to wealthy Africans.<sup>32</sup> Land policies were based on class, ignoring the majority who had no land where some received small parcels that could not accommodate them. Land policies in Kenya catered for upper class leading to the subjugation of lower class. Land buying companies led by elites were less concerned with the lives of landless. Afterward NDEFFO ended bankrupt and therefore, its dissolution before settling members. Most former Mau Mau fighters were tricked this way. Ogot asserts that the land-buying companies did not fulfil the expectations of all freedom fighters since they closed prematurely. Ogot, however, does not explain what really happened to the landless freedom fighters, hence the study was done to examine their current conditions of life.

Koigi Wamwere is of the view that NDEFFO members were cheated;<sup>33</sup> they won neither freedom nor land and their blood was shed in vain. The Mau Mau veterans denied themselves of food to raise money for land, but the land was awarded to others. Koigi Wamwere argues that the land ex-Mau Mau shed blood for was taken by others. Wamwere's view is that ex-Mau Mau fighters got title deeds, but did not get the land. Wamwere does not reveal who were the beneficiaries of NDEFFO, hence a need for this study to reveal why former Mau Mau fighters are still seeking to be awarded land 50 years since Kenya's independence.

Leo argues that as the Jomo Kenyatta government embraced Africanisation, there was fear about the ex-Mau Mau who were bounded by the oath.<sup>34</sup> These groups included the KLFA

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<sup>32</sup> B. A. Ogot, "The Decisive Years 1956-63," *In Decolonization and Independence in Kenya 1940-93*, ed. B.A. Ogot and W.R. Ochieng (Nairobi: East African Educational Publishers, 1996), pp. 53-67.

<sup>33</sup> K. Wamwere, *I Refuse to Die: My Journey for Freedom* (New York: Seven Stories Press 2002), p. 165.

<sup>34</sup> C. Leo, *Land and Class in Kenya* (Harare: Nehanda Press, 1989), p. 186.

and Kiama Kia Muingi (KKM). Land was a contentious issue and Africans competed for the White Highlands as Europeans sold their land. Leo notes that land is the single most important political issue in Kenya. He also argues that the influx of white settlers in the White Highlands disrupted the traditional land tenure system. The disruption led to formation of a class of landless peasants. Leo opines that the benefits of the Million-Acre Settlement Scheme in 1962 were unevenly felt. He is of the view that as a means of compensation, Europeans settlers and prosperous Africans gained from the Million-Acre Settlement Scheme. Landless Kenyans, however, never benefited.<sup>35</sup> Leo shows how white settlers transformed traditional societies of herdsmen, cultivators and petty traders into different classes for instance the landless, the peasants, the petite bourgeoisie and haute bourgeoisie. In his survey in the 1971 to 1972 and later in 1983, his finding showed that the land distribution favoured the petite bourgeoisie and haute bourgeoisie who received better quality large tracks of land.

In summary, the literature reviewed has not specifically touched on NDEFFO and how it progressed after its formation. The reasons for its formation are not discussed. It has also not highlighted what really happened after freedom fighters were given a chance to buy the land under the umbrella of land-buying companies. Secondly, not all freedom fighters were lucky to get the land, therefore, a need to study its successes and failures. The question that arises; were those who acquired land got trained on farming methods or empowered by the government they assisted to put in place owing to the fact that NDEFFO farms are rain-fed.

In conclusion, the literature reviewed has only mentioned the formation of NDEFFO as an opportunity to resettle landless ex-Mau Mau Fighter. The literature, however, has not highlighted on the reasons for the formation of NDEFFO and why former Mau Mau fighters are seeking land despite being given an opportunity to buy land under NDEFFO. This therefore justifies the current study.

## **1.9 Theoretical Framework**

The study was informed by postcolonial theory. Postcolonial theory illustrates the consequences of the empires in their former colonies and the experiences that could be related to colonialism. The theory is applicable in areas that have an experience related to colonialism.<sup>36</sup>

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<sup>36</sup> N. partner and S. Foot, *The SAGE Handbook of Historical Theory* (London: Sage publications, 2013), p. 379.

The postcolonial theory seeks to analyse subjectivities of the colonised with their encounters with colonialism.<sup>37</sup> Postcolonial thinking stresses humanity in the making, the humanity that will emerge once the colonial figures of the inhuman and of racial difference have been swept away. Edward Said's work is regarded as the foundation text of postcolonial theory. His work in 1977 is important in understanding colonial discourse. He assesses the attitudes and perspectives of the Orientalists to justify or legitimise colonial aggression.<sup>38</sup> Said's work shows how what passed for European humanism manifested itself in the colonies as duplicity. He noted that the West use their power to misrepresent the Orientals. The West places the Orient on the subservient position where Western culture and education reinforces prejudice on the Orientals and places them in the category of 'others.'

Post-colonial thinking is perceived as an attempt at exploiting the others who are seen as inferior. The historical social struggle of colonised societies is seen as the political strength of postcolonial thought. In this thinking, liberation movements are seen as the only way for subjects to transform the world.<sup>39</sup> For a clear understanding of Kenya's situation, nothing can be reinvented unless one is capable both of glancing backward and looking forward. The philosophy of postcolonial theory declares war on present realities that are due to the consequences of the past. It puts more attention on acts of neo-colonialism such as social, political and economic exploitation in post-independent Kenya.

Postcolonial theory is based on principle of response to colonialism and it criticises colonial encounters. Its main goal is to analyse colonialism in the colonial period. This is based on analysis of Western culture, superiority, and its effects on the locals. The colonised are shown as primitive and desperate for enlightenment.<sup>40</sup> The issue of land alienation in Kenya is a new phenomenon that never existed in pre-colonial times. The urge for social justice by freedom fighters in NDEFFO is due to injustices brought about by white masters and the founding fathers of independent Kenya. Colonialism introduced new classes of people who were not present in the traditional hierarchy of power. The institution of chief was created by colonialism among the

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<sup>37</sup> Ibid, pp. 378-395.

<sup>38</sup> E. Said, *Orientalism* (London: Penguin Books, 1977), pp. 5-9.

<sup>39</sup> A. Mbembe, "What is postcolonial thinking?" *An interview with Mbembe*, Accessed online at [http://www.jwtc.org.za/the\\_salon/volume\\_1/achille\\_mbembe.htm](http://www.jwtc.org.za/the_salon/volume_1/achille_mbembe.htm) on 23/7/2014.

<sup>40</sup> J. Ramone, *Post colonial theory* (New York: Palgrave Macmillan Basingstoke, 2011), p. 4.

Kikuyu. This group of people who not present in the Kikuyu tradition hierarchy amassed a lot of wealth at the expense of the community. The rise of chiefs led to corruption and loss of respect.<sup>41</sup> Western education brought in salaried employees who together with chiefs started individualisation in Kikuyu land that paid little heed to traditional rights. Accumulation of wealth was through corruption and intimidation. Ex-Mau Mau fighters ended up being landless due to politics, a factor that affected land transfers to landless Kenyans. The black leaders who were the custodians of the law were products of the western powers hence the continuation of colonialism in independent Kenya. Land which was supposed to be redistributed was used for political bargain and rewarding cronies.

The second principle is Eurocentrism. Eurocentric modes of reading and writing history create subjectivity and identity of the colonised. The colonised and colonisers do not share a similar culture. In Kenya, the British believed themselves to be superior in culture as compared to the native culture; hence, they upheld cultural discrimination as an accepted behaviour. They perceived their physical traits, technological advancement, political and religious organisation more advanced compared to those of their subjects whom they labelled as primitive. Colonisers defined themselves positively and assigned positive values on their traits and negative characteristics of the groups labelled as 'others.' After the liberation of colonised countries, post-independent African leaders inherited similar traits and values. Mau Mau who had given their all in fighting in forests and some in detention camps felt betrayed by the Jomo Kenyatta government. After their return from forests, they remained landless. The post-independence government frustrated the efforts of the Mau Mau by joining in the attack against KLFA that was the mouthpiece of the voiceless.<sup>42</sup> The White Highlands that were admired by many landless Kenyans became a centre of racial and ethnic controversy that was organised by political elites thus derailing peasantisation of the White Highlands.

Postcolonial theory informed the study in terms of changes that took place. Postcolonial theory focuses on issues such as exploitation and assessed the position of postcolonial subjects. Postcolonial theory portrayed an ongoing process where there was an inferior view of one group. In this situation, one group was subjugated under the domination of another group. In the

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<sup>41</sup> M. Wanyumbari, *Mau Mau and Kenya; An Analysis of a Peasant Revolt* (Bloomington: Indiana University Press, 1998), pp. 27-44.

<sup>42</sup> Kanogo., *Squatters*, pp.172-173.

Kenyan context, colonialism did not end with the colonizers. Its perpetuation is still manifest. There are continued human rights violations and corrupt political regimes, a problem manifested in modern times.<sup>43</sup> There was a rise of ruling indigenous bourgeoisie with clear class interests to replace colonial elites.<sup>44</sup> Independence in Kenya brought a switch from white masters to black domination, a shift from racial to ethnic and economic segregation. Continuity was reflected on exploitation of the ex-Mau Mau, for instance, there were self-centred leaders who created policies meant to benefit them. Anybody who tried to block them was named a sympathiser to colonialists. Indigenous elites had an influence on the ex-Mau Mau and they manipulated them to maximise their economic interests and political control. These ruling groups had white mentality, superiority complex, leading to landless Kenyans dissatisfied with their government. The postcolonial theory illustrated exploitation, oppression and inequality created by privileged few in society at the expense of others. Power and wealth were used to create identity, subjectivity and shape people's behaviours and aspirations. The strength of the theory is that it revealed how what had passed for European values manifested in the colonies as duplicity. The weakness of this theory is that its way of thinking is derived from anti-colonial and anti-imperialist struggles, hence a fragmented way of thinking.

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<sup>43</sup> G. Kinloch, "Changing Racial Attitudes in Zimbabwe: Colonial and Post-Colonial Dynamics." *Journal of Black Studies*, Vol.2, 2013, pp. 250-258.

<sup>44</sup> P. Ahluwalia, *Politics and Postcolonial Theory: African Reflection* (London: Routledge Press, 2001), p. 121.

## **1.10 Methodology**

### **1.11 Introduction**

This chapter describes methods used in carrying out the study. Specifically, it describes the research design, research area, sample size, sampling procedure, ethical consideration, research instruments and data analysis procedures employed in the study.

### **1.12 Research Design**

The Study employed historical research design to investigate activities of NDEFFO from 1968 to 2013. The historical research design was adopted to examine experiences of ex-Mau Mau in NDEFFO farms. It analysed the changes that had occurred since its formation as an organisation to the present. The study employed qualitative method to capture informants' views, experience, and attitudes through the interview. The study explored past events to explain the history of NDEFFO and current issues on land among ex-Mau Mau fighters. Interviews were carried out using the questions devised by the researcher. The questions were pretested and revised during the pilot survey in Lusiru to ensure they were reliable (Appendix I & II).

### **1.13 Area of Study**

The study was carried out within NDEFFO farms in Nakuru District (see Fig 1). Nakuru is situated at an altitude of 1859m above sea level. This land traditionally belonged to the Maasai.<sup>45</sup> Due to land alienation from 1920s in central Province, The Kikuyu formed land-buying companies in 1960s in areas where unoccupied land was available for purchase from the Europeans. During that time, land in the Rift Valley was relatively cheap. NDEFFO farms include Engashura, Lusiru and Marwa, all in Nakuru County. Much focus on NDEFFO and land issues, however, revolved around the Lusiru farm since, it has retained the name of the organisation unlike Marwa and Engashura farms. Secondly, major shareholders of the Lusiru farm (NDEFFO) are owners of more land in Engashura. Thirdly, there were internal conflicts in Lusiru farm where some members lost their lives because of the land. NDEFFO farm, also known as Lusiru is on the eastern edge of the Mau Forest. The climate is favourable for farming and livestock keeping. The average annual rainfall in the area is approximately 1000 mm.

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<sup>45</sup> M. Tiampati, 'The Maasai Land Dispossession', *Partnernews*, 3 (2004), pp. 8–10.

NDEFFO members depend on farming and many households in NDEFFO have extended families land belonging to the first generation with some subdivided to their children. The land is limited forcing most of them to erect small houses of one to three rooms. Others had bought more pieces of land to increase their acreage from 1.6 acres. The numbers of the first generation are dwindling due to old age and poverty; infact during the study three respondents died. Farming in NDEFFO farms is in small scale where farmers plant maize, beans, potatoes and peas. Some farmers plant wheat, though in small scale. According to the demarcation set by the company, each member was supposed to receive 1.6 acres of land irrespective of the size of the family.

#### **1.14 Sampling Procedure**

The study employed non-probability sampling, where the selection of informants was based on the knowledge they possessed about NDEFFO. The target population was ex-Mau Mau fighters living on NDEFFO farms and who possessed specific knowledge about the organisation. The study gathered information from both men and women and employed purposive sampling to identify people knowledgeable about NDEFFO. The researcher adopted the snowball sampling method in the identification of key informants. Of 1200, registered NDEFFO members, 79 respondents were selected and interviewed from Lusiru and Engashura farms. The researcher visited the local chiefs. The chiefs in turn introduced the researcher to NDEFFO members in the area. The association leader introduced the researcher to bona fide members who subscribed as members at the inception of the organisation. The researcher later interviewed members depending on the information they possessed related to this study. Later on the researcher identified persons for Focus Group Discussion who were most knowledgeable about NDEFFO. The Association leader (MMWVA) also introduced the researcher to NDEFFO Company officials.

#### **1.15 Ethical Consideration**

Data gathered from the field was only used for the purpose of the study only. The researcher informed and made the respondents aware that their identity would not be published in the final report unless otherwise agreed. Further, the researcher was committed to making a copy of the thesis available to the respective bodies of the respondents upon request for future reference.

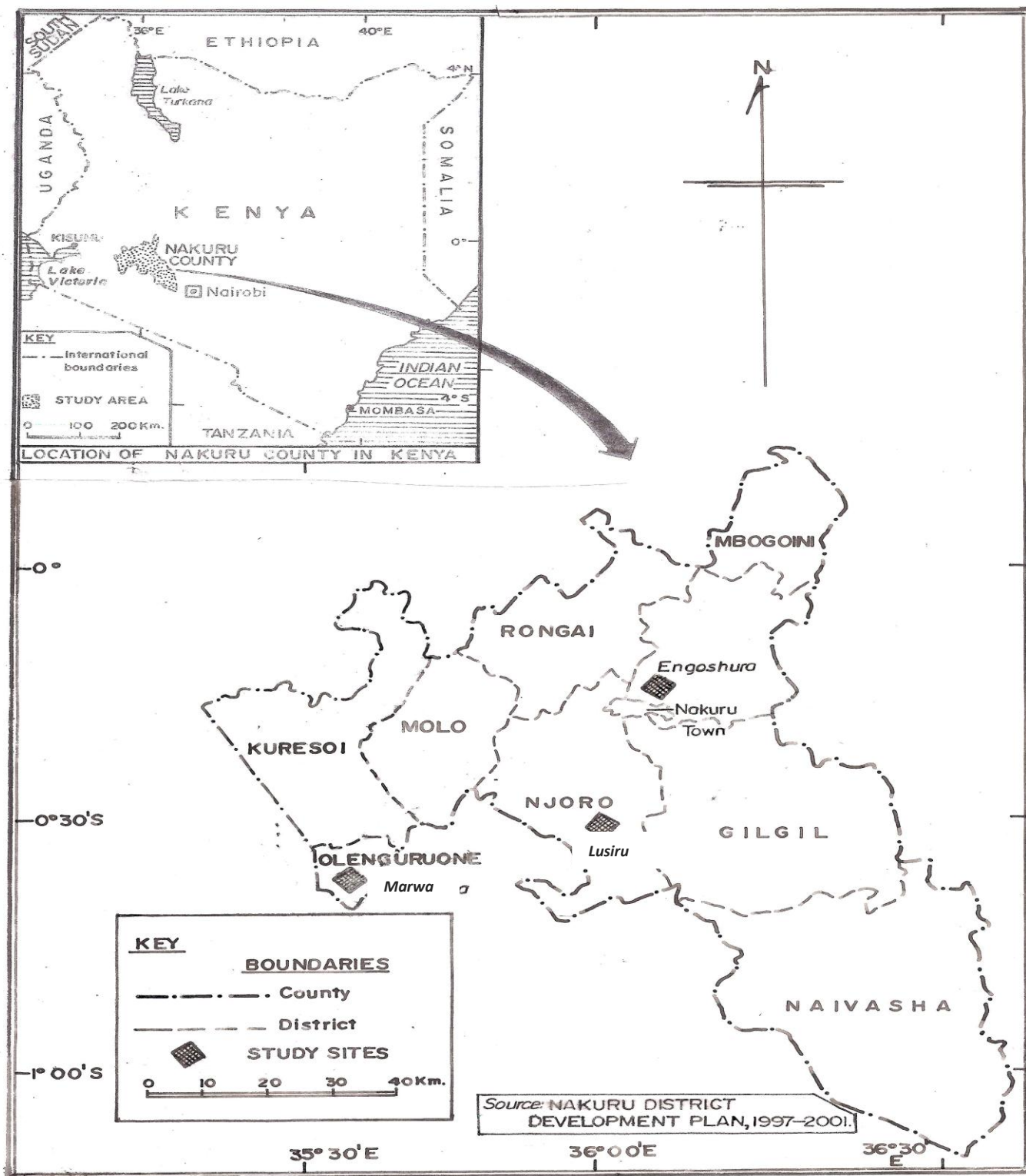


Figure 1: Location of NDEFFO farms in Nakuru County



### **1.16 Research Instruments**

As a way of enhancing reliability of the data collected, the researcher used interview schedules and focus group discussions (FGD). The study used research instrument and approach that provided high accuracy with low cost and maximum management of time. The study employed interview schedule and focus group discussion guide to obtain data from respondents.<sup>46</sup> Interview schedule and focus discussion guide were useful because most of ex-Mau Mau fighters are illiterate.

### **1.17 Data Collection**

The study used both primary and secondary data. Primary data were collected from Kenya National Archives (KNA) Nairobi and Nakuru. Materials obtained from the archives included monthly and annual reports from District and Provincial Commissioners, correspondence letters between the Kenya Government and NDEFFO Company as well as case files. NDEFFO being a private entity, primary data were obtained from the company offices in Engashura. Some primary data was also be obtained from Parliamentary proceedings of the 1960s as well as informants.

The categories of the informants included, former government administrators, current, former NDEFFO company directors as well as Mau Mau freedom fighters in NDEFFO farms. Interviews and Focus Group Discussions were conducted in Kiswahili, Kikuyu and English as deemed appropriate to the informants. Interviews and FGD's were expensive method of data collection based on time and travel expenses but they had advantages of accuracy and uniform approach to the issues at hand. Being the only interviewer, the researcher was able to know whether a question was fully answered gauging from objectives set. In such a situation, follow-up questions were asked. Oral interviews proved to be very vital in the research since secondary data on NDEFFO Company was minimal. The procedure of the interview was as follows; NDEFFO is an area with defined leadership. In the area, chain of command among ex-Mau Mau fighters still existed. The highest in command in the region, General Matenjagwo (leader of Mau Mau in the Rift Valley and vice chairperson of Mau Mau War Veterans Association) was contacted. The researcher was granted permission to conduct the research. After granting the permission, Mau Mau freedom fighters in the area were summoned to a designated area and at

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<sup>46</sup> C. Kothari, *Research Methodology: Methods and Techniques* (New Delhi: New Age Press, 2004), pp. 96-100.

designated time. Mau Mau leaders within that locality confirmed members who were genuine freedom fighters and the researcher interviewed them one by one. After interviewing, a focus group discussion (FGD) was held with a selected few depending on their knowledge on a given topic. The respondents were sometimes interviewed once, some on more occasions depending on the depth of the information they possessed. The Mau Mau War Veteran Association (MMWVA) leaders and company officials were the main respondents along with the ones the researcher felt had accurate information on a particular topic. The information provided as well as review of available literature was used to formulate questions for follow-ups, capturing of the detailed accounts on each objective under study. Recording of information was done using a tablet, in addition, research notes were also taken as there was room to ask informal questions that emanated from the responses.

Secondary data were sourced from journals, magazines, weekly reviews, newspapers books and conference papers. These sources were obtained from Egerton University libraries and other resource centres such as the Kenya National library Services in Nakuru Town. Secondary data offered information relevant on NDEFFO farms, informed the theory, and complimented data from primary sources. Since there was minimal secondary data, the researcher chose the information relevant to the study. Apart from government papers on the settlement of squatters in the Rift Valley, the researcher also relied on publications on Mau Mau and land issues, Parliamentary records and NDEFFO records.

### **1.18 Data Analysis and Interpretation**

The primary and secondary data collected were analysed in relation to research objectives. Three analytical frames were used to analyse data. These included theoretical reflections, content analysis and documentary reviews. Theoretical analysis involved using a selected theoretical framework to analyse data. Documentary review and content analysis involved corroborating documentary data with oral data as a way of internal criticism. The data collected was interpreted and checked to answer research questions. It was thereafter used to write the thesis. The secondary data was analysed, and together with the archival data used to draw conclusions and recommendations on the Mau Mau and the land issues. Out of the conclusions, recommendations were made to help in adding new knowledge on Mau Mau struggle for land in post-colonial Kenya.

## **CHAPTER TWO**

### **2.0 ORIGINS OF NDEFFO (1968)**

#### **2.1 Overview**

The Mau Mau were dispossessed of their land by Europeans and even after independence, the postcolonial government initial approaches of development were not inclusive of all, especially poor Kenyans. Mau Mau had anticipated that, since they fought for land and freedom they would get huge chunks of land. Contrary to their expectation, President Jomo Kenyatta stated categorically that there would be no free land. Jomo Kenyatta's stance on the land issue left many ex-Mau Mau fighters astonished in different parts of Kenya. True to his word, the President maintained his stand and these forced Mau Mau veterans to form an organisation to buy land. The idea to form an organisation was faced with controversies from government officials, but eventually it was formed. This chapter demonstrates how NDEFFO members who played critical roles as oath administrators, assassins, ordinary foot soldiers, recruiting sergeants and food carriers formed it. The need to study the experiences of freedom fighters after independence will highlight the struggles they underwent to form an organisation and understand the origins as well as the reasons for the formation of NDEFFO. Due to their position in the movement, experiences in relation to land were not fully captured. Hence, there was need to understand the reason that led to the formation of NDEFFO, as it will be discussed in the chapter.

#### **2.2 Mau Mau and Land Issues**

Land question was a crucial issue after the arrival of the European settlers who reserved 7.5 million acres of land in the White Highlands, denying Africans the right to use land. After the end of colonialism, ownership of White Highlands was unclear. Therefore, the landless Kenyans were eager to possess these lands. Specifically the Mau Mau felt it was their right to have these lands more than other communities in Kenya were because they were at the forefront in spearheading the transition of power from colonialists to African government. The White Highlands were highly coveted because they were fertile and guaranteed the continuation of the economy if well managed by the post-independent government. To ensure the continuity of agriculture, the government sought to promote a class of middle-level African farmers who could

maintain the previous standards. In so doing, hunger for land amongst the poor Africans was not tackled.<sup>1</sup> In this regard, there was movement of landless people in search of abandoned or unmanaged farms, resulting to land rush in the Rift Valley. The Kikuyu were convinced that if other ethnic group claimed the Rift Valley they would have little to claim. To establish themselves in the Rift Valley, the Kikuyu adopted a system of private property as the only hope to survive. Some Kikuyu therefore preferred land to be transferred to those who could afford to purchase rather than being freely distributed.<sup>2</sup> The preference by some Kikuyu was not all-inclusive considering the situation of the Mau Mau, who had by then come out of detention camps, prisons and concentration camps.

Most scholars on the history of decolonization have tended to situate the central Province as their centre of argument when it comes to addressing the issue of Mau Mau and their sufferings. This has sidelined the Mau Mau from other regions of Kenya, specifically, the Mau Mau of the Rift Valley. The Mau Mau in the Rift Valley moved to this area in 1920s due to the colonial policies of land alienation, acts of corrupt chiefs and landed gentry, therefore they were much affected like the Kikuyu in the central Province.<sup>3</sup> According to Kanogo, before Kenya became independent, the number of Mau Mau in the Rift Valley in response to British expropriation of their land was 26% of all Africans population in the region. This is a clear illustration that there were many Kikuyu as compared to other communities as illustrated by 1948 census.<sup>4</sup> Most of the Kikuyu in the Rift Valley were agriculturalists and land alienation had a great impact on their ways of life. With social relations, land was used as a measure of one's status in the community, for instance, adult within the society.<sup>5</sup> The British further destabilised the Kikuyu through the establishment of White Highlands where the Kikuyu became squatters.<sup>6</sup>

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<sup>1</sup> G. Wasserman., *Politics of Decolonization: Kenya Europeans and the Land Issues 1960-1965* (London: Cambridge University Press, 1976), pp. 18-20.

<sup>2</sup> C. Leys., *Under-development in Kenya: The Political Economy of the Neo-Colonialism (1964-1974)*. (London: Heinemann, 1975), pp.57-60.

<sup>3</sup> O. Maloba, Kenya: Mau Mau Revolt, in K, Shillington, *Encyclopedia of African History 3-Volume Set* (New York: Taylor & Francis, 2005), pp. 752-758.

<sup>4</sup> Kanogo, Squatters, pp. 153-158.

<sup>5</sup> Elkins, *Imperial Reckoning*, pp. 13-14.

<sup>6</sup> E. Paige, *From Freedom Fighters to Terrorists: Women and Political Violence*, (Hampshire: Ashgate Publishing, 2008), pp. 94-98.

Without land one was not 'fit' in a society, resulting to the Kikuyu to re-organising themselves to secure their lost land under Mau Mau.

The coining of the word Mau Mau by the colonialists was a way of portraying this organisation as baseless and with no ideology. Europeans did this with an aim to exonerate themselves from the guilt of having created social, economic and political frustrations in Kenya. Through this, other Africans who were non-Kikuyu would perceive the organisation as baseless. The organisation was portrayed as a movement of the Kikuyu losing its national statue. According to Furley, "Mau Mau was tribalistic outbreak led by ambitious Kikuyu..."<sup>7</sup> With such claims, British government succeeded in its endeavours to demonise the organisation. Some communities did not join though they were inspired by them. According to P. E. D Wilson, Senior Labour Officer in Rift Valley, the Mau Mau movement was entirely a Kikuyu affair whose objectives were against European settlers. To him, the Mau Mau activities were bound to emerge as long as Africans were working away from home. He was of the view on creation of community centres in Nakuru and Dondori so that Africans could amuse themselves rather than have imaginary grievances.<sup>8</sup> It was therefore, believed by some Europeans and post-colonial leaders that African grievances were imaginary because they liked being idle thus, former Mau Mau fighters were forgotten in the sharing of national privileges as they had expected.

There were contrasting views about the name Mau Mau. According to NDEFFO members, the initial name was Kenya Land Freedom Army (KLFA) which clearly showed that the group went into the forest to fight for land and freedom. The name Mau Mau was used by Europeans to hide their agitation and make other communities feel that Mau Mau did not have an agenda to fight the British.<sup>9</sup> According to Paige, there was no consensus on the etymology of the term Mau Mau. From the Mau Mau she interviewed, the name did not have a meaning.<sup>10</sup> According to Caroline Elkin, the term appeared in British colonial sources in 1948. The main objective of the Mau Mau were land and freedom; they went to war with the British to reclaim their seized land and their freedom.

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<sup>7</sup> W. Furley, 'The Historiography of Mau Mau, in B.A, Ogot, *Politics and Nationalism in Colonial Kenya* (Nairobi: East Africa publishers, 1992), pp. 103-105.

<sup>8</sup> Rongai Valley Farmers Association, Archival file, Gen. 5, folio 34.

<sup>9</sup> Gathiani, OI, (Mau Mau Brigadier) held on 28/03/2014 at Lusiru farm.

<sup>10</sup> E. Paige, "*From Freedom Fighters to Terrorists: Women and Political Violence*," pp. 96-99.

In the fight for land and freedom, solidarity was necessary among the Mau Mau fighters. Mau Mau fighters took oaths that were meant to unite them in fighting the white man. The oaths bound the community together, with some going to the forest while others were left in the villages. Those left in the villages narrated how they were mistreated while those who were leaders in the forest like Brigadier Gathiani and Major Wanyeki recalled how they had to withstand the cold conditions. The death of their fellow Mau Mau fighters acted as a strength to intensify their quest and withstand the harsh conditions in the forests.<sup>11</sup> The Mau Mau were determined to ensure that the white man relinquished the land they took and freedom to the Africans. In so doing, Mau Mau had high expectations that at the end of the war, they would get back a reasonable share of the recovered land. The British government likened the Kikuyu oathing to witchcraft. They considered the items, method of preparation of oathing and its administration as barbaric. The aspects of the ceremony made the British create a lot of propaganda, portraying Mau Mau as evil and uncivilised.

The oathing was performed on women and men to ensure they worked as a team, representing a deep loyalty and commitment to the course. After taking the oath, the administrator cautioned the oath taker on the effects of acting contrary to that oath and if broken, one was supposed to face the wrath of *Ngai* (God).<sup>12</sup> The researcher investigated the interviewees if they took the oath and oathing seriously. According to their responses, the process itself instilled fear and even after fifty years of independence, they still had fear in revealing Mau Mau ordeals. NDEFFO members believed deeply in the power of the oath. During the interviews, they were worrying of fatal consequence of divulging the oathing secrets. NDEFFO members, both women and men remembered how they took oath and swore to fight for *Ithaka*. They also narrated how their colleagues died while holding the soil as a symbol that they died fighting for that soil.<sup>13</sup> Oath taking was an ongoing process, and some recall how they had taken more than one oath. The more oaths one took the more he/she was committed to the course of the organisation. Some had taken to up to the seventh oath, *Batuni*. Brigadier Gathiani

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<sup>11</sup> Gathiani, OI, (Mau Mau Brigadier) and Major Wanyeki held on 28/03/2014, 24/04/2014 at Lusiru farm and Engashura farm respectively.

<sup>12</sup> Elkins, *Imperial Reckoning*, p. 27.

<sup>13</sup> FGD, held on 28/03/2014 at Lusiru farm; members freely discussed their experiences before and during the period of emergency.

and Major Wanyeki had taken this seventh oath since they were forest fighters.<sup>14</sup> Sometimes oath taking was by forceful means and those who refused to take it were viewed as British loyalists, and at times, the Mau Mau would kill them for refusing to take the oath. In October 1952, for instance, Senior Chief Waruhiu was assassinated for collaborating with the British. According to oral testimonies, collaborators were killed and their bodies sliced into tiny parts to conceal the act. The killing of the Waruhiu made the Colonial Office to declare a state of emergency in the colony.

In order for the struggle for land and freedom to be successful, men, women and children had to work hand in hand. Peter Kanji one of the interviewee narrated how, as a small boy, he was used to monitor the movements of British soldiers and then report to Mau Mau adherents. Apart from monitoring British soldier's movement, children were used for spying amongst the Kikuyu and Europeans.<sup>15</sup> Women, on the other hand, narrated how they provided food, medical supplies, ammunition and intelligence to forest fighters. In addition, they were the custodians of the family where they were supposed to provide for them. Initially the British saw women as passive, but with time, they discovered that women were as dangerous as men. The women interviewed (Appendix IV) remembered how their lives were hard under the villagisation programme and camps. Some recall how the "Johnnies" mishandled them. During Mau Mau revolt, some women were more violent than men. Some forced their husband to join the course, and this made the British intelligence realise that women were no exception. When a woman was caught infringing the emergency laws, she was subjected to the same harsh treatment as men.<sup>16</sup>

To frustrate the movement operations, The British forces burnt down the Kikuyu grass thatched houses and confiscated livestock. They also introduced villages where for one to leave the village he/she was supposed to go through a highly guarded gate. Outside the gate, there were houses for loyalists. Any person suspected of feeding the Mau Mau was brought to the centre of the village and shot dead or at times beaten to death with a club. Bodies of the dead Mau Mau fighters were brought to the villages and women were forced to carry them, a sign that anybody

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<sup>14</sup> Gathiani and Wanyeki, OI, (Mau Mau Brigadier and Major) held on 28/03/2014, 24/04/2014 at Lusiru farm and Engashura farm respectively.

<sup>15</sup> Kanji, OI, held on NDEFFO Farm on June 26, 2014.

<sup>16</sup> G. Chuku, "Women under colonial rule" in T. Falola, *The End of Colonial Rule: Nationalism and Decolonization, Volume 4 of Africa* (Durham: Carolina Academic Press, 2002), pp. 124-126.

who was against the British would serve as an example to others. The British government was more than determined to eradicate Mau Mau. As a way of starving the Kikuyu, they created the Community Development Department that later established the women's club. The women's club was supposed to offer food to women who were not sympathisers to the Mau Mau. If a woman was sympathetic to Mau Mau, she lost such privileges therefore hard life for her family. The Mau Mau war was further exacerbated by the famine of 1955-1956, which made many Kikuyu women renounce the Mau Mau.<sup>17</sup> According to one FGD, it was also hard for women to venture out of the village. Some recalled how they met with "Johnnies" on their way from farms and how some were beaten while others were raped.<sup>18</sup> Despite all the atrocities women went through, they were instrumental in the functioning and sustainability of the movement, therefore NDEFFO as an organisation registered them as members. The women had hope of getting government support, this support never materialised.

Governor Evelyn Baring was relentless in his efforts to incapacitate the Mau Mau leadership, resulting in the arrest of supposed Mau Mau leaders- including Jomo Kenyatta. The arrest of the leaders exacerbated the situation with the violence of the Mau Mau increasing. Major Gathiani who by then was in the concentration camp described how hard-core Mau Mau were brought in from the forest and how they planned to start rioting but Governor Baring instructed their transfer immediately to another camp.<sup>19</sup> The state of emergency was lifted in 1960. According to oral testimonies, it is wrong to state that Mau Mau achieved their goal of reclaiming back the land. This is because by the time Kenya attained her independence, British sympathisers and Home Guards had already taken the land that Mau Mau fighters had left. This was supported by oral testimonies where NDEFFO members who had land in central Province found that their land had been taken over, making them to move to other places in Kenya in search of land.<sup>20</sup> NDEFFO members were hopeful to get huge chunks of land for their role in the liberation struggle. Land to the Kikuyu in general meant way of livelihood and a measure of

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<sup>17</sup> A. Presley, *Kikuyu Women, the Mau Mau Rebellion, and Social Change in Kenya* (San Francisco: Westview Press, 1992), pp. 165-166.

<sup>18</sup> FGD, NDEFFO Members held on 28/03/2014 at Lusiru farm; members freely discussed their experiences before and during the period of emergency.

<sup>19</sup> Gathiani, OI, (Mau Mau Brigadier) held on 28/03/2014 at Lusiru farm.

<sup>20</sup> Muthua, Njoroge, Ndiritu, OI, and others freedom fighters interviewed recount how they found their land in central Province taken away after coming from the forest by Home Guards (3/04/2014).



adulthood. Land was depicted as a resource and is still portrayed as such. For any NDEFFO member to prosper, they needed land since they were not educated as such. Irrespective of gender, land was important because it was the source of livelihood. NDEFFO members felt betrayed by post-independence government because until 2013 they complained bitterly about land. NDEFFO members are still requesting the government to remember and allocate them land because they fought for it. Their agitation for land and freedom represented their future hopes in post-colonial Kenya.

Desperation among freedom fighters continued after independence. Debates on who was a Mau Mau began questioning whether their course was of benefit to all. The statement by the President Jomo Kenyatta that, “I hear that some people claim that we fought and died for freedom, I do not want to hear this rubbish...”<sup>21</sup> A statement that astonished freedom fighters. The issue of whether Mau Mau was a national movement or merely a Kikuyu affair was a way of deviating from the truth that certain people suffered more than others.<sup>22</sup> The fact that the majority of former Mau Mau fighters came from the Kikuyu, Embu, Kamba and Meru communities does not mean that other communities did not participate, they had political aspirations exemplified by the Mau Mau movement. The aim of the movement was to ensure political freedom and the return of land to Africans. NDEFFO members were of the opinion that Kenyans suffered, the same idea was held by Robert Buijtenhuijs that “the struggle was national in nature since all the communities needed land and freedom... also tribalism serving the nation...”<sup>23</sup> As tribalism was serving the nation, it forced the British government to institute political and economic reforms. Through such reforms, it was possible for trade unions and political elites to have a ground to ask for further reforms in Kenya; however, scholars and newly elected political elites downplayed the role of Mau Mau thus sidelining them.<sup>24</sup>

Jomo Kenyatta’s ascendancy to power made former Mau Mau fighters assume that they would get jobs in government, but the government criterion for employment was education. Paul Ngei, in 1963, brought a motion in Parliament that sought members’ approval to have a

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<sup>21</sup> R. Buijtenhuijs, *Mau Mau: Twenty Years after the Myth and the Survivors* (The Hague: Mouton, 1973), p.59.

<sup>22</sup> Ishita, Muthua, Kanina and Mwathi, OI, held on 3/04/2014 and 16/04/2014 at Engashura farm Nakuru.

<sup>23</sup> Buijtenhuijs, *Mau Mau: Twenty Years after*. p. 84.

<sup>24</sup> Karungu and Rong’o, OI, NDEFFO company chairperson and Secretary held on 15/04/2014 and 18/04/2014 at heshima offices.

programme of assisting ex-detainees fit into the country's economy and employment.<sup>25</sup> However, members amended the motion, asking the government to investigate and take measures to assist the children and widows who were left destitute due to imprisonment and the state of emergency in 1952. According to one FGD held in NDEFFO and Engashura, members saw Pau Ngei as their saviour when he presented the motion in 1963. However, after the motion was amended it lost its main aim of assisting the ex-Mau Mau fighters, they saw it would no longer influence their lives. The land question and other packages for Mau Mau raised in Parliament ended prematurely, therefore Mau Mau needs were not put into consideration. The suffering that Mau Mau felt, they were being perpetuated to their children and their grandchildren who were denied access to proper education.<sup>26</sup>

After denying Mau Mau veterans' land and other material gains, the government adopted the “policy of amnesia.” The government policies of amnesia (forgive and forget) was a blow to the former Mau Mau fighters. Most of them were forgotten and left penniless after the war. According to NDEFFO members, they became beggars in their country because the government abandoned them after freedom was realised. The Government forgot them as soon the emergent political elite were elected. They believe they had a right to be compensated through being given land and other material gains since they shed blood for this nation.<sup>27</sup> By 1968, most of them were staying in their relatives' homes. Others were living as *Ahoi* on different farms in Kenya. According to Wanjage Kimani, the sons of former loyalists assumed different offices since at the height of the war; they went to school, thus reaping the benefit of independence. On the other hand, Mau Mau children were struggling to get daily meals.<sup>28</sup>

The Mau Mau veterans felt betrayed by the government, they had assisted put in place in the liberation struggle. Jomo Kenyatta used their name to maintain his status quo and in turn took a bigger share of the national cake disregarding the poor and landless former Mau Mau fighters.<sup>29</sup> NDEFFO members recount how they were made to take an oath at Gatundu in 1969.

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<sup>25</sup> Kenya National Assembly, *Hansard Report*, 29/11/1963, 23/07/ 1979.

<sup>26</sup> FGD held at Lusiru Farm on 28/03/2014.

<sup>27</sup> Gitege and Lingoli, OI, held on 24/04/2014 and 16/05/2014 at Engashura farm.

<sup>28</sup> FGD held on 28/03/2014 at Lusiru Farm.

<sup>29</sup> FGD, held on 28/03/2014 at Lusiru Farm and Engashura farm on 3/04/2014 respectively with selected NDEFFO Members.

They were made to believe that other ethnic groups were a threat to them. In order to marshal ethnic loyalty for power and prestige, “NDEFFO members were left desperate and poor,” Kimunya recounts (Appendix IV). Buijtenhuijs argued that ex-freedom fighters were collecting “crumbs falling from the loaded tables of the Kikuyu elites.”<sup>30</sup> In addition, Buijtenhuijs and Kanogo argued that the government did something for some of them. The Mau Mau were encouraged to form a company such as NDEFFO, and they had political backing.<sup>31</sup> Although the membership in the company was open to Kenyans, the Mau Mau were privileged to have the President involved in their affairs, Mark Mwithaga recalls. By joining NDEFFO, members were optimistic that their lives would change positively.

Different views on the Mau Mau amongst scholars gave Mau Mau a new face and led to an urge for research. This urge led to the rekindling of Mau Mau memory. Due to public debates and political confrontation on different issues, the few Mau Mau in Nakuru saw a need to use the chance to ask for the formation of NDEFFO to rebuild their lives after coming out of hardships in detention camps. Although the Jomo Kenyatta government was against the Mau Mau association, the then Nakuru MP, Honourable Mark Mwithaga was relentless in ensuring that the freedom fighters were allowed to buy land in the Rift Valley.<sup>32</sup> He drafted and presented a motion in Parliament to ensure Mau Mau under NDEFFO, got the government approval to buy the land they were seeking. Some scholars like Kanogo, Furedi and Clough hold that the waning popularity of Jomo Kenyatta made him to play the godfather to the Mau Mau. He did it to attract Kikuyu support; therefore, his first approach was to use Mau Mau and turned it to the bulwark of Kikuyu nationalism. He made the house of *Mumbi* and *Gikuyu* feel threatened by other communities, especially on the issue of land.<sup>33</sup> Through such political games of give and take, NDEFFO was formed. Kanogo’s approach was perceived as propaganda to downplay their determination and hard work to acquire these lands.<sup>34</sup>

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<sup>30</sup> Buijtenhuijs, *Mau Mau*, P.111.

<sup>31</sup>T. Kanogo., Review Article, *Kenya Historical Review*, 5 No.2 (1977), p. 400.

<sup>32</sup> Mwithaga, OI, held on 23/7/2014 in Nakuru Town.

<sup>33</sup> J. Ogunde. “The Nation and Narration, ‘The truth of the Nation and the changing Image of Mau Mau in Kenyan Literature.” in E. S. Atieno and J. Lonsdale in *Mau Mau and Nationhood* (Oxford: James Currey Ltd, 2003), pp. 276-278.

<sup>34</sup> Kagechu, Gacheru and Njenga Njoroge, OI, held at Engashura farm on 20/06/2014.

In separate researches by Anderson and Elkin, Kenya is portrayed as a site of systematic torture against Mau Mau fighters by British military agents. This happened with the knowledge of the colonial office in Britain. The Kenyan government tried in vain to retrieve files of the colonial special branch and intelligence.<sup>35</sup> The British government, however, refused to hand over the reports even after three pleas in 1967, 1974 and 1980s. Caroline Elkins gives a full account of the institutions, structures and personnel that gave rise to detention camps and villagisation during the Mau Mau era. The work describes systematic abuses that NDEFFO members and Mau Mau in general went through, supported by oral discussions. NDEFFO members narrated and showed the scars of injuries they got during the colonial period. Where some injuries incapacitated them, majority unable to provide fully for their basic needs. According to FGDs in NDEFFO farms, most of them were physically and psychologically hurt.<sup>36</sup> In 2013 case in Britain, ex-Mau Mau fighters were able to prove with imperial wrongs against them. The evidence they provided included letters written by detainees during the emergency, chronicling how they were abused and how colonial officials were aware of the abuses and death of the detainee.<sup>37</sup> Both Anderson and Elkin conclude that Mau Mau was a violent episode in Kenyan history. This study asserted that NDEFFO members were injured in various detention camps in Kenya, others in forests, in villages and concentration camps. Since most of them joined the Mau Mau at a tender age, they never went to school. While those with children, failing to take them to school. Apart from lack of education, they had injuries inflicted on them. According to Wanjiru wa Gitahi one of the respondent, a bottle was inserted in her private parts. Together with other women of her age, she was raped. Gathoni wa Waweru lost her teeth when she was hit with stoke of a gun. Brigadier Gathiani, Major Wanyeki and others have scars from bullet wound and other beatings they experienced in fighting for the nation (Appendix IV). Others even narrated how more than three white men raped them for days.<sup>38</sup> The ex-Mau Mau

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<sup>35</sup> C. Elkins, "Alchemy of Evidence: Mau Mau, the British Empire, and the High Court of Justice." *The Journal of Imperial and Commonwealth History*, 39:5 (2011), pp. 741-42; D. Anderson, *Histories of the Hanged: The Dirty War in Kenya and the End of Empire* (New York: W.W. Norton & Company Inc, 2005), pp. 403-408.

<sup>36</sup> FGD, Members freely told their ordeals, some had gun wounds, some women narrated how they were raped, and some narrated how objects were inserted into their genitals.

<sup>37</sup> Elkins, p.734; Anderson, pp. 406- 409.

<sup>38</sup> FGD, with NDEFFO members held on 28/03/2014 at Lusiru farm; members freely discussed their experiences before and during the period of emergency.

having gone through such ordeals are bitter when the government failed to allocate them land considering their ordeals.

The government from 1961 to 1962 adopted the approach of distributing land based on what one had in terms of skills and money. In so doing, the government wanted to maintain its financial stability and ability to repay its debts to the World Bank and the British Government. By 1971, roughly 29,000 families were settled on high- density and low-density plots therefore, the area covered by the settlement schemes was 1 ½ million acres amounting to a fifth of the White Highlands. High and low density land was redistributed to persons who were able to pay Ksh.5000 per acre which to ex-Mau Mau fighters found hard to get.<sup>39</sup> The Development plan of 1966-1970 stated that the main aim of the settlement schemes had been largely attained and that the pressure of the landless had been contained and no more settlement was to be provided. The Development plan failed to realise that landlessness was inevitably growing, considering that the poor who had no money were not considered. The main aim of the settlement schemes according to the government was to ensure that it generated revenue to service the loans to realise economic development, but not to ensure that all landless people were settled. This meant that the Mau Mau were never given any special considerations.

It became apparent to the landless Kikuyu that the government settlement scheme programmes were not going to accommodate most of them. They began to form co-operatives to pool resources together so that they could make down payments to purchase the European farms. By 1965, 349 co-operatives had been registered. The aim of the co-operatives was to acquire land and work on it co-operatively rather than subdivide them into plots.<sup>40</sup> Many landless Kenyans were flocking to Land offices in Nakuru and this made the government officials to encourage landless Kenyans thronging Nakuru offices to form co-operatives to buy land. The co-operatives were the easiest way to deal with the settlers. Secondly, they could access loans from the Land Bank/Agricultural Finance Corporation (AFC). The 1966-1970 Development Plan reported that,

....Most of the companies devoted nearly all their savings to purchase farms that were left with little capital to run the farms efficiently. A

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<sup>39</sup> Ng'ang'a, OI, He experienced the demarcation of Nyandarua low and high density farms, though he never got land there because they were asking for Ksh.5000 per acre an interview held at Lusiru farm on 3/04/2014.

<sup>40</sup> C. Leys, *Under-development in Kenya; The Political Economy of the Neo-Colonialism*, pp. 90-92.

number of farmers who have gone heavily into debts to purchase both farms and loose assets such as machinery and cattle still lacked sufficient working capital to generate loan repayment, and were forced to sell loose assets in order to meet mortgage repayments.... Very few of them had the skills and experience required for the complex task of running mixed farming...<sup>41</sup>

### **2.3 Challenges in Formation of NDEFFO**

The Mau Mau were not pleased with the way they were treated by the post-independence government. As a last resort, they planned to form a Company with the hope of being recognised by the government. Mau Mau history has not been inclusive much of it is centred in the central Province and what is much acclaimed in central Province is the names of generals. Some of them have been recognised as heroes, these include Waruihiu Itote, Dedan Kimathi and Stanley Mathenge however, the histories of the subalterns of the movement like NDEFFO people have been neglected.

According to James Ogunde, the period from 1965 to 1975 was a period that Kenyan leadership tried to erase any memory of the Mau Mau.<sup>42</sup> President Jomo Kenyatta himself dismissed Mau Mau as a disease that needed to be eradicated and never to be remembered. Such a statement puzzled the Mau Mau veterans since they felt betrayed by the man whom they regarded as their 'father' in the liberation struggle. There were fears that Mau Mau was planning to regroup and return to the forests, but to build national unity, Jomo Kenyatta was ready to crush them. To downplay Mau Mau, the euphoria and popularity of Jomo Kenyatta were orchestrated by the state. Songs in his praise for bringing *Uhuru* were composed and continuously played on the radio. In the following years up to 1978, the war for freedom was made a one-man show, where Jomo Kenyatta used his position to exploit the country for his benefit. Jomo Kenyatta was celebrated to the point of making him the centre of national struggles from 1920 to 1963, undermining other participants. Jomo Kenyatta's government did not make serious efforts to compensate ex- Mau Mau fighters, failed to redistribute land to them, and did not recruit them to work in different government services as they had expected. Brigadier

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<sup>41</sup> *Development Plan 1966-1970*, pp. 54-55.

<sup>42</sup> Ogunde. *The Nation and Narration*, pp. 270-272.

Kingori Gathiani and Major Wanyeki recall how they were paraded at Kasarani for jobs (Appendix IV). However, some ex-Mau Mau fighters were given menial jobs such as Municipal Council Askaris contrary to their expectations. The Mau Mau had expected that on coming out of the forests, the government was going to welcome them as heroes and receive jobs in the government since they had shed blood for Kenya. The Jomo Kenyatta government neglected their efforts even to form an organisation. The government feared that such organisation would turn political, thus suppressing their initial plea to form an organisation.

According to a FGD held at NDEFFO farm, the government only recognised Mau Mau when they served a specific purpose.<sup>43</sup> For example, the people whose activities Jomo Kenyatta criminalised were his ‘friends.’ Due to changes in politics in the country especially the KPU popularity, the President was left with no option but to turn to his tribesmen. Although NDEFFO members argued that, there was no time they regrouped in Nakuru town to show dissatisfaction with Oginga Odinga. This statement is contrary to Clough, Furedi and Kanogo who say that NDEFFO members were awarded land in the Rift Valley to counteract KPU popularity in the region. According to oral interviews in NDEFFO, there were many groups masquerading as Mau Mau and were manipulated for political reasons. This is because in the 1960s and 1970s, other ethnic groups feared Mau Mau. The Mau Mau were perceived as a dangerous group that could kill without mercy. As a result, politicians used them to create fear among Kenyans during Jomo Kenyatta era.

From 1966, the relationship between the President and the Kikuyu was cordial as illustrated by President Jomo Kenyatta’s action in 1969 of inviting the Kikuyu community to take ‘tea’ in his Gatundu home.<sup>44</sup> By taking the ‘tea with mzee’, they swore loyalty to him and that *Uthamaki ndukanaume nyumba ya Mumbi* meaning that the leadership should never leave the house of *Mumbi*.<sup>45</sup> By uniting through such oathing, the Kikuyu were free to approach ‘Mzee’ as a community. As the Kikuyu enjoyed political good will from the President, elite Mau

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<sup>43</sup> FGD, held at Lusiru Farm on 28/03/2014 and Engashura farm on 3/04/2014 respectively with selected NDEFFO Members.

<sup>44</sup> B. A. Ogot, *My Footprints on the Sands of Time: An Autobiography* (Canada: Trafford Publishing, 2006), pp. 232-233.

<sup>45</sup> FGD, through personal testimonies, members recalled how they were taken to Gatundu in 1969 to take oath of allegiance to the community. The oath was administered to Kikuyu community.

Mau in Nakuru began to think of how to resettle ‘their people’ who were in the Rift Valley. Apart from the Mau Mau freedom fighters in the Rift Valley, there were others coming from central Province after they found European government and Home Guards had confiscated their ancestral land in central Province while they were fighting in the forests.

The idea of forming an organisation was mooted by Kimunya Kamana while working with the Nakuru Municipal Council as a Deputy Officer of housing in 1966 (Appendix IV). He narrated that the idea emanated from the President's speech when he said that there was no free land. From such utterance from the President, Kimunya decided to invite ex-Mau Mau fighters who were in places like Njoro, Gilgil, Naivasha and Nakuru Town to form the organisation. Kimunya sought help from famous people within the localities. For instance, in Njoro, he found Kariuki Kabuba and Boro Gicheru who offered to bring together ex-Mau Mau fighters from all over and share with them the idea. To reach more people, the pioneers devised proformas to be filled by members who had taken the oaths. For one’s name to be written on the form, he/she had to pay a registration fee of Ksh.20. The money collected was deposited in Kenya Commercial Bank and copies of the bank slips sent to the District Commissioner, Kimani. By 1966, the idea of forming organisations to buy land had gained popularity, Kimunya recalls how groups from central Province were asking people to register with them to buy land in central Province. According to Kimunya, there was plenty of land in the Rift Valley. Since Kimunya was working in the Municipal Council of Nakuru, he was able to manoeuvre his ways in the Jomo Kenyatta government. After agreeing with the idea and collecting registration fees from Mau Mau Veterans, Kimunya went to the State House (Nakuru) to seek permission to form NDEFFO. Later on, Kimunya presented the idea to Mzee at the Nakuru State House. Mbiyu Koinange a close ally of Jomo Kenyatta who was present disagreed with the idea because he feared the Mau Mau veterans.<sup>46</sup> According to Oral discussion, Mbiyu Koinange a son of a colonial chief was rich and did not favour the Mau Mau because he never participated directly in the liberation struggle.

After the President Jomo Kenyatta refusal, NDEFFO members had to try another approach in convincing the President. The plan to meet the President to convince him of their need for land remained futile for many months. As the freedom fighters were seeking Presidential approval, they were collecting money and electing leaders to head the formation of

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<sup>46</sup> Kamana, OI, held in Nakuru town on 26<sup>th</sup> July 2014.



an organisation. Kamana Kimunya, a respondent narrated how they made Kabachia wa Mutitu the chair. He qualified for that position because of his experience as former freedom fighter, had leadership qualities to lead their course to recruit freedom fighters. In this regard, all members accepted his leadership. The Late Kabachia and others as figure II (Appendix V) shows such as Kimunya Kamana, Late Kariuki Kabuba, Late Githae, Late Karuri, Late Gatura, Late Gitau wa Githenga planned to meet Mwithaga, the then MP for Nakuru Town to seek his help to meet the President at his Gatundu Home.<sup>47</sup> Officials had to inquire secretly for European farm numbers and then convince Nakuru MP, Mark Mwithaga, to arrange a meeting with the head of state. They also planned to perform a concert before the President. The concert was intended to remind the President how they suffered and how their land was taken by Home Guards and were left with nothing the liberation struggle.<sup>48</sup> The plan to meet the President was strongly opposed by some prominent people like Peter Jomo Kenyatta and Charles Njonjo who were interested in acquiring Engashura farm, Mark Mwithaga recalls, how they were bitter with him for associating with paupers.<sup>49</sup> Mwithaga's request with that of selected few freedom fighters to go meet the President at Gatundu was accepted. On reaching Gatundu, Kabachia wa Wamutitu team performed at a concert to show Jomo Kenyatta how Mau Mau were fighting in the forest; they made long hairs, tattered clothes, wooden swords, fireworks and wooden guns. During the concert, they used Kikuyu *Thimo* (proverbs) that resonated with the President a lot; making him shed tears as informants recalled. Mark Mwithaga was instrumental in facilitating meeting between NDEFFO leaders and the President as figure III shows (Appendix V).<sup>50</sup> At Gatundu, they found Rift Valley elites headed by Joseph Kuria, Wilson Ndolo and others who were interested in buying vacated European land in the Rift Valley. The financially endowed group had brought goats, honey and other presents for Jomo Kenyatta, aiming to persuade him to allow them buy land in the Rift Valley. By letting them buy land, they argued that, they would create jobs for the landless Kikuyu. The President declined their request. He told them that Kenya was

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<sup>47</sup> The picture presented to the researcher by Kimunya Kamana on 26/7/2014 in Nakuru County.

<sup>48</sup> Muthua, Njoroje, Ndiritu, OI, and others freedom fighters recounts how they found their land in central Province taken away after coming from the forest by Home Guards (3/04/2014).

<sup>49</sup> Mwithaga, OI, with former MP of Nakuru from 1966, held on 23/7/2014 at Nakuru Town.

<sup>50</sup> The picture presented to the researcher by Kimunya Kamana on 26/7/2014 in Nakuru County.

not as small as a ‘palm of hand’. He directed them to search for land elsewhere since Engashura was for Mau Mau veterans.<sup>51</sup>

The Kabachia wa Wamutitu team were uneducated; therefore, they chose Kimunya Kamana as their spokesperson since he was educated and working with the Nakuru county council.<sup>52</sup> According to Ochieng, Mau Mau could not have brought *Uhuru* since they were not led by the University or high school graduates. This made the former Mau Mau fighters to chose educated persons to head their agitations.<sup>53</sup> Although the number of educated ex-Mau Mau fighters was small, there were some like Kimunya Kamana, Karari Njama, Kahono Githii who were educated. By the time NDEFFO members were meeting the President, they had raised some Ksh.800, 000 that was under the custody of the PC Simeon Nyachae and DC D. Kimani. The President was surprised and he told his Vice President Daniel Moi, “*Tumundu tutu twina mbia nyingi muno*” to mean that these people have a lot of money.<sup>54</sup> Therefore, he told organisation leaders to go to the slopes of Menengai which until today is part of NDEFFO farm and erect temporary houses. On their journey back, the leaders agreed amongst themselves that all they wanted was land, despite being offered a place to erect houses by the President

Due to the desperation of the landless Kikuyu, especially the ex-Mau Mau they joined NDEFFO as their only hope since the government was not showing signs of allocating land to them. The idea of Mau Mau veterans coming together to buy land was because they accepted the government stand that there was nothing for free. Members chose to call their company NDEFFO, hoping to receive assistance in their quest for land from the President. The President did not help them financially, but he shielded them from competition from powerful government officials who were similiary interested in the same land. Jomo Kenyatta was fascinated by the idea of ex- Mau Mau fighters forming an organisation, feeling his stand that “there was nothing free” was honoured and working because ex-Mau Mau were able to organise themselves and raise money.

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<sup>51</sup> Kamana, OI, held in Nakuru town on 26<sup>th</sup> July 2014: *Hansard* records 25/4/1996, Mr. Wamalwa responded to Mr. Sunkuli that NDEFFO a group of landless Mau Mau were shielded by Jomo Kenyatta in acquiring land.

<sup>52</sup> MMWVA members. OI, held at Engashura farm on 24/04/2014.

<sup>53</sup> M. Wanyumbari, *Mau Mau and Kenya; An Analysis of a Peasant Revolt* (Bloomington: Indiana University Press, 1998), pp.16-172.

<sup>54</sup> Kimunya, OI, held in Nakuru town on 26<sup>th</sup> July 2014.

One of the terms to be a member of the governing council of NDEFFO was that one had to have joined the Mau Mau movement when married.<sup>55</sup> This was to ensure that people who had experiences in managing families and were old headed the organisation. Major Wanyeki was not made a member of the governing council of NDEFFO because he joined the Mau Mau movement unmarried. The leaders had now to search for land, and used a worker in a settler farm by the name Geoffrey Githae, who later got the plot number of the Engashura farm. The governing council gave the farm number to Mwithaga who later gave it to Jomo Kenyatta. Jomo Kenyatta agreed to help them. Kabachia wa Wamutitu died in a road accident near Stem hotel even before NDEFFO members bought the land. His death did not deter their determination to purchase land to resettle over five thousand Mau Mau veterans. Afterwards, Jomo Kenyatta promised to get more involved with NDEFFO issues. The educated Kimunya Kamana hired 18 tractors to plough Joe Alberhozar farm. This is because the white settler, Alberhozar had refused to sell the land to ex-Mau Mau in NDEFFO farms. The ploughing of a European farm without permission was published in the media “Mau Mau were taking over European farms.” “African Communist” fourth quarterly published the news.<sup>56</sup> This sparked off heated debate with mixed reactions. Mwithaga was well conversant with what was happening and hurriedly asked the then speaker Humphrey Slade to allow him table a motion in Parliament as a matter of national importance to address the issue of Mau Mau invading European farms. The President sent the Minister for Lands, Jackson Angaine, and the minister of co-operative and social services, Ronald Ngala, to solve the situation.<sup>57</sup>

## **2.4 Reasons for the Formation of NDEFFO**

NDEFFO objectives were business-oriented and the company wanted to detach itself from politics. NDEFFO in its certificate of incorporation was to carry out trade and business on behalf of farmers. Secondly, NDEFFO was also to take on lease or purchase, acquire, manage and/or develop any resource and then account for any resources acquired. Thirdly, NDEFFO was mandated to lend money to its members on terms that shareholders and the company would

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<sup>55</sup> FGD held on 28/03/2014 at on Lusiru Farm.

<sup>56</sup> J. Jabulani, Africa: Notes and comments in South African Communist Party, “African Communist,” Number 35, *Fourth Quarterly*, 1968, pp. 59-61.

<sup>57</sup> Mwithaga, OI, held at Nakuru Town on 23/7/2014.

benefit. From the objectives aforementioned, the company was profit oriented for the sole benefit of its members who, according to the clause from the NDEFFO certificate of incorporation “those who had any dealings with the company.” The company was mandated to build, enlarge, alter or pull down any building, machinery, fences and to clear sites for its benefit. It was to protect the inventions of its members by patenting them. It was also to expend money on experiments aimed at improving any patents the company acquired or proposed to acquire.<sup>58</sup> They were optimistic that NDEFFO would be changed to an agricultural economic enterprise able to have international linkages in agriculture for the benefits of members.<sup>59</sup> However, Daniel Moi’s government hindered NDEFFO aspirations.<sup>60</sup>

At its inception, the subscribers were allowed to buy only one share each, but there were cases where people were reported to have had more shares.<sup>61</sup> On 4 March 1968, Karanja Ndune, an internal auditor at the Municipal Council of Nakuru witnessed the signing of the numbers of shares agreed by members. According to the Article of Association, Clause (7), members allotted any shares were allowed to pay in instalment. If any member failed to pay, the shares were forfeited by a resolution of the directors. The company gave the directors power to sell, re-allot or otherwise dispose the forfeited shares at their will. When a member surrendered his/her share, according to Article of Association Clause 25, he or she ceased to be a member.<sup>62</sup> Any person who joined as a member received a certificate freely after six days of the allotment. Giving shares to members was a way of empowering them economically since a member could use her/his shares as collateral for a loan. Therefore, main aim of NDEFFO Company was for ex-detainees and ex-Mau Mau fighters to be empowered economically. The approach of acquiring land was attractive to the ex-Mau Mau fighters. By mobilising them, it meant that members could buy land at a low price. Members were only asked to pay Ksh.20 as registration. They were to pay the other amount over a period of time. Through self-helps, members who could not pay were assisted, for example, Jane Waweru a Mau Mau veteran working for Lord Egerton

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<sup>58</sup> NDEFFO Certificate of Incorporation, No.12/68, pp.1-2.

<sup>59</sup> R. Buijtenhuij, *Mau Mau: Twenty Years After, The Myth and the Survivors* (Paris and The Hague: Mouton Press, 1973), pp. 134-139.

<sup>60</sup> Mwithaga, OI, held in Nakuru Town on 23/7/2014.

<sup>61</sup> Waithanji and Karungu, OI, (NDEFFO Company officials held on 15/04/2014 and 18/04/2014 in Njoro and Heshima respectively.

<sup>62</sup> NDEFFO Certificate of Incorporation, No.12/68, pp. 8-9.

(Ngata) was assisted to pay Ksh.120 and later given time to Ksh.800 that the company requested members to pay.<sup>63</sup> By contributing the amount, she became a member of NDEFFO. Through this approach, NDEFFO was formed to ease the problems of former Mau Mau fighters by acquiring land cheaply. The company also employed some ex- Mau Mau to work on the company farms and later given shares as remuneration.<sup>64</sup>

According to NDEFFO Company allocation of individual farm dated 1984; there were three farms which were meant for resettlement. Marwa farm, plot no. L.R No.7813/2 in Nakuru was the one for members to be resettled. It was 1098 acres, where different social amenity plots were left out during demarcation process.<sup>65</sup> The social amenities included one public purpose plots of 50-acres, an 8-acres cemetery, 1-acre cattle deep, and a 2-acre nursery school. Out of 1098 acres, 61-acres were set aside for social amenities and 1037 acres was set aside. Out of 1037 acres, 10% of 1037 was used for access roads. The acreage left for members to share was 933.3. Each member was supposed to get 1.6-acres. Plots allotted in Marwa farm were 583 plots, hosting 583 members.

NDEFFO also owned plot No. L.R. No. 9955, Lusiru, which was 2,820 acres. In it, there was one public plot of 50 acres (trading centre and primary schools), a 40- acres secondary school, a 5-acres nursery school and a 1-acre cattle dip. In total, the land set aside social amenities was 96 acres. In the remaining 2,724 acres, 10% was left for access roads. The land left for members was therefore 2,451.6 acres. Each member was supposed to receive 1.6 acres; therefore, Lusiru farm had 1,532 plots accommodating 1,532 ex-Mau Mau fighters. However, some of the plots were demarcated but were later claimed by the directors.<sup>66</sup>

The last farm NDEFFO owned was Engashura/Menengai farm. This farm had a total 7,718. In the Company form, the company set aside 24-acres of land to Kagoto and Kabatini primary school and 40-acres to two trading centres. NDEFFO also set aside 45-acres reserved for the plantation of gum trees, 20-acres of the cemetery and quarry combined, 1 acre of cattle dip

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<sup>63</sup> Jane wa Waweru, OI, held on Lusiru Farm on 28/03/2014.

<sup>64</sup> *The weekly Review* by Stellascope Ltd, 12 December 1977.

<sup>65</sup> The proformas were handed to the researcher by the Company Secretary Mzee Rong'o for perusal on 15/04/2014 at Heshima Office.

<sup>66</sup> Kabua and Wanja, OI, at Engashura farm on 20/06/2014; Waithanji Company secretary shared the same ideas to me.

and 5 acres for nursery school. 80-acres were reserved for Engashura primary school while 745-acres were reserved for a quarry. The number of plots left to members was 3440 accommodating 3440 members, each acquiring 1.6-acres.

After Kenya attained independence, most Mau Mau had dispersed; therefore, the formation of NDEFFO was a way of bringing the ex-Mau Mau fighters together. Living together in NDEFFO was a way of sharing their previous experiences; embrace each other to heal and live in harmony. Njeri goes further to narrate how Jomo Kenyatta, by giving an analogy of a donkey had asked the Mau Mau if they could withstand the kicks while he held the neck. Jomo Kenyatta meant that he was going to present the Kikuyu land case abroad, if their demands were not met.<sup>67</sup> In addition, if the demand for land and freedom were not met, the Mau Mau were to fight for the fulfilment of such demands.<sup>68</sup> After Kenya attained her independence, Jomo Kenyatta told NDEFFO members that they had given him political roots. He promised to help them acquire land in Nakuru that were controlled by whites, but NDEFFO members were of the view that the assistance they had received from Jomo Kenyatta was not enough. NDEFFO Company was allowed to buy land, some ex-Mau Mau members saw it as a gratitude from the President Jomo Kenyatta to Mau Mau members for their strong support. While some ex-Mau Mau fighters were of the view that it was their right to unite and buy land. The Jomo Kenyatta government was quiet when NDEFFO members invaded Edith Saunders farm known as (Lusiru) and took the properties. This was done when NDEFFO leaders incited members by telling them that Saunders had named his cows after prominent Kenyan politicians, for instance, one cow was named Jomo Kenyatta and another Tom Mboya. This made members angry and they attacked him, but he escaped leaving his properties behind.<sup>69</sup>

A close analysis of the analogy of a ‘donkey being likened to a white man,’ The Mau Mau were more felt hurt as opposed to Jomo Kenyatta who was holding the head. This is because they were to ‘hold the legs,’ meaning that they received more pains in detention camps, loss of their land and even death. After independence, they were criminalised and Kenyatta’s son Peter who had an interest in Engashura farm was telling Mau Mau, “Home Guards would rule

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<sup>67</sup> Nyeri, OI, held at Lusiru farm on 28/3/2014.

<sup>68</sup> M. Walter, “Friends Visits Jomo Kenyatta at Maralal,” *Quaker History*, Vol. 99, No.1, (2010), pp. 4-46.

<sup>69</sup> Kimunya Kamana narrated how they tricked members to evict the British farmer and they reacted.

them and this country forever.”<sup>70</sup> When Mwithaga relentlessly sought the President's consent to allow Mau Mau under NDEFFO to buy land, Peter Kenyatta was against it since he wanted the rich to buy those farms and not paupers. At Lokitaung, Jomo Kenyatta refused to work with Bildad Kaggia team because their ideology was anti-European and anti-loyalists. Jomo Kenyatta may have done this because his son Peter Muigai Kenyatta was among the screening team at Athi River Camp. NDEFFO members recall seeing him doing the interrogation in different pipelines, where he brutalised fellow Africans and according to Ogot, Peter regularly visited his father to inform him of screening activities.<sup>71</sup> To assure Mau Mau cohesiveness, in a meeting with NDEFFO at Nakuru State House, Jomo Kenyatta told NDEFFO members that the Engashura farm was for the ex-Mau Mau. He instructed then PC Mathenge to ensure no other group secured or relocated to that land. By showing them land and letting it be named NDEFFO, which connoted freedom fighters, Jomo Kenyatta wanted the generations to come, to treat land and its occupants as special.<sup>72</sup> The land therefore belonged to Kenyan heroes who played a critical role in country's liberation war. According to Brigadier Gathiani, chairperson of Mau Mau War Veterans Association NDEFFO, “If you go to NDEFFO you find Mau Mau veterans...”<sup>73</sup>

Kimani Ng'ang'a one of the respondent recalls that NDEFFO was formed to ensure consolidation of like-minded people to buy land and stay together.<sup>74</sup> It was broadcasted through national radio that ex-Mau Mau fighters who needed land should join NDEFFO. Ng'ang'a recalls how he paid Ksh.20 in Dondori for registration. For one to join the company, he was required to pay Ksh.20, which, according to him was a lot of money by then since most of them were jobless. The NDEFFO Company's main office was in Nakuru and had branches in Naivasha, Njoro and Dondori. People from central Province who wanted to become members had to travel to the Nakuru office; this may have hindered some from joining because of the

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<sup>70</sup> FGD held in Lusiru Farm on 15/6/2014.

<sup>71</sup> B.A. Ogot, “Britain's Gulag Histories of the Hanged: Britain's Dirty War in Kenya and the End of Empire by David Anderson; Britain's Gulag: The Brutal End of Empire in Kenya by Caroline Elkins,” (Review), *The Journal of African History*, Vol. 46, No. 3 (2005), pp. 503-505.

<sup>72</sup> Ruoho, Kibiriti, Major Wanyeki, Gathoni and Kimunya, OI, Similar views were shared by NDEFFO members who were present at State House meeting.

<sup>73</sup> FGD held at Lusiru farm on 28<sup>th</sup> March 2014 and 11/04/2014.

<sup>74</sup> Ng'ang'a, OI, held on 28/03/2014 at Lusiru Farm.

distance. It was observed that ex-detainees had no other place to go since loyalists had taken their lands. Between 1965 and 1968, most ex-detainees were living in government forest and concentrated villages in different farms with no land rights. Such villages were concentrated in the Rift Valley. Due to this, like-minded Kikuyu saw a need to form NDEFFO.<sup>75</sup> The members had hoped that the government would help, but in acquiring land members contributed, therefore the issues of formation of NDEFFO for political reasons were rejected.<sup>76</sup>

## **2.5 Registration of NDEFFO**

The initial name of the organisation in this study was Nakuru District Ex-Freedom Fighter's Organisation without abbreviation. Due to political bickering, Daniel Moi and Charles Njonjo were against formation of NDEFFO. They saw it as a way of Mau Mau regrouping under the umbrella of Nakuru District Ex-freedom Fighters Organisation (NDEFFO). In this regard, Mwithaga held a meeting in Nakuru with Kimunya Kamana and others, changing the name to NDEFFO Company so that it could have an economic face in view of the politicians who were against it. By calling it, "NDEFFO Company Limited" without mentioning what the abbreviation meant, politicians favoured it. The idea to rename it NDEFFO Company was a political decision made by Mark Mwithaga. Later on the pioneers decided to register it under the company law, therefore, becoming economically oriented company. NDEFFO members appreciated Mwithaga's contribution to its formation, therefore they campaigned for him in his political quest in Nakuru.<sup>77</sup> Mwithaga was influential in Nakuru since he was the chairperson of the ruling party branch in Nakuru and a Member of Parliament. In addition, his KANU office had an influence on settlement schemes in the Rift Valley. Mwithaga was driven by what he saw as "the problems of ex-freedom fighters who came either from detentions or from forests with nothing apart from humiliation," and this helped form the organisation with a social and economic motive. Scholars, like Clough and Furedi hold that NDEFFO was formed for political reasons.

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<sup>75</sup> Ishita, Muthua, Kanina and Mwathi, OI, held on 3/04/2014 and 16/04/2014 at Engashura farm Nakuru.

<sup>76</sup> Mwithaga, Njenga and Ngarunya, OI, held in Nakuru on 23/7/2014, 21/01/2015 and 23/01/2015 respectively (Mwithaga was member of Parliament of Nakuru, Joseph Njenga was the senior Chief 1975-1985 who oversaw the demarcation of NDEFFO Farm, Ngarunya Mwai was a Senior Police officer who was sent to quell NDEFFO conflicts.

<sup>77</sup> FGD held at Lusiru Farm on 28/03/2014 and Engashura farm on 3/04/2014 respectively with selected NDEFFO Members.



Nevertheless, Mwithaga argue that they formed NDEFFO for Nakuru Mau Mau veterans. He wanted to maintain a legacy that despite Nakuru being a centre of White Highlands Mau Mau were present as well. This proved otherwise to people who perceived that there were no Mau Mau in Nakuru. NDEFFO was abbreviated with the word ‘Nakuru’ for ease of management, though they hoped other places like Central and Eastern Province would form organisations for the Mau Mau veterans. The Kikuyu community always depended on the land since the pre-colonial period. They saw it as the source of wealth; Mwithaga wanted NDEFFO to be registered for the economic benefits of the members.

NDEFFO was registered as a company on 6 March in 1968, under the Companies Act (Cap.486) by the then Assistant Registrar of Companies, O. M. Sameja. As per its Memorandum of Association, NDEFFO Company had many objectives. After a critical review of the certificate of incorporation, it was evident that the company was created with many and broad objectives, which were not achievable. Also from the findings, it is clear the pioneers had to change its name from NDEFFO as an organisation to company in a hurry.<sup>78</sup> In such a hurry, the company was crafted with many objectives and to some extent to suit few individuals elected to be board of directors. The power vested in the board of directors was questionable because they could give out land without consulting the shareholders. Members complained about the issuance of land title deeds to non- members. On its certificate of incorporation, it did not mention anywhere that it was solely for former Mau Mau fighters, only registered as NDEFFO Company Limited with no explanation on what NDEFFO meant. Members were grilled before they joined the organisation to ascertain if they were members of the Mau Mau.<sup>79</sup> In the three farms (Marwa, Engashura and NDEFFO), the majority were the Kikuyu and one Kalenjin who used to work for a European farm in Engashura. After the departure of the white man, he stayed in Engashura farm and they regarded him and his family as their member.<sup>80</sup> At Lusiru farm, there was one Kamba woman by the name Nduku. It is not clear how and when she joined NDEFFO because none of her family members is alive.

For one to be a director of the company, he was supposed to be a shareholder of the company. The directors had powers to manage the affairs of the company, meaning they had the

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<sup>78</sup> Mwithaga, OI, held in Nakuru town on 23/7/2014.

<sup>79</sup> FGD with NDEFFO Members held on 28/03/2014 and 03/04/2014 at Lusiru and Engashura farm respectively.

<sup>80</sup> Karungu, OI, NDEFFO Company Chairman, Mr.Karungu at Heshima offices on 18/04/2014.

power to transact business on behalf of the company in any manner they deemed fit.<sup>81</sup> Within management, they also had powers to issue cheques, pay dividends, promissory notes, drafts or other transferable instruments. They signed, accepted, and endorsed any matter that was beneficial to the company. According to the Act of Association, a section on Dividends and Reserves, the company was entitled to declare dividends by ordinary resolution to members as a profit accrued from the company's undertakings. This was a clear illustration that the company had a lot of wealth and source of income.

## **2.6 Summary**

The Mau Mau veterans were in a dilemma when the President denounced their plea for free land and materials gains, they felt betrayed by their own government. With the formation of NDEFFO, they felt relieved. The main reason for the formation of NDEFFO according to oral testimonies (Appendix IV) was devising ways to empower the freedom fighters who were challenged economically and psychologically. The company aimed at buying land and settling its members. Thereafter, members could use the title deeds or their shares to acquire loans to develop themselves. The pity the President felt to the ex-Mau Mau was pushed by pioneers' relentless agitation for land. Due to their relentless agitation for land, Kimunya Kamana and Kariuki wa Kabuba were instructed to stay behind after a meeting with NDEFFO people in Nakuru State House. The President Jomo Kenyatta asked, "when did you became the companions of JM to agitate land for the landless." Such utterance did not deter NDEFFO pioneers, as they were agitating for land for the landless Kikuyu as JM Kariuki had done previously. By allowing them to unite, some NDEFFO members felt that they were being repaid for their relentless support for the President. Another reason for the formation of NDEFFO was to resettle former Mau Mau fighters who had become a burden to their kins. The government officials interviewed in this study argued that NDEFFO was meant to unite the ex-Mau Mau fighters and enable them buy land.

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<sup>81</sup> NDEFFO Certificate of Incorporation, No.12/68, pp.11-15.

## **CHAPTER THREE**

### **3.0 NDEFFO IN THE KENYATTA REGIME, 1968-1979**

#### **3.1 Overview**

After its formation, NDEFFO was able to collect money and buy three farms. It was one of the richest and most vibrant company in the Rift Valley. NDEFFO was able to borrow huge sums of money, a clear indication of its stability. Secondly, it paid workers much better than European farms around Nakuru. The initial objective for its formation was to enable members to work together for mutual benefit, however this never worked due to poor management. The company amassed a lot of wealth as shown on the company record of 1979 that became the cause of conflict. This led to the NDEFFO crises that left many dead and property destroyed. President Jomo Kenyatta was fond of NDEFFO members' and was deeply involved in their affairs. In as much Jomo Kenyatta was involved with ex-Mau Mau fighters in NDEFFO, he downplayed their agitation of free land while in some instances he accommodated NDEFFO members. Therefore, Jomo Kenyatta ambivalence towards Mau Mau Veterans would be explained in the chapter. This chapter will also assess the successes and failures of NDEFFO from 1968 to 1978.

#### **3.2 NDEFFO's Successes**

NDEFFO main goal was to acquire land to resettle the ex-Mau Mau. NDEFFO was able to acquire lands suitable for agriculture; for instance, in Marwa farm in Molo with suitable soils for potato cultivation and a favourable climate for rearing sheep. Lusiru and Marwa farms were close to the Mau forest and Doinet forests respectively, where members could graze allowing them to keep large herds of animals. In Engashura and Lusiru, the climate was favourable for maize farming. On the upper side of the Menengai, they had a quarry where the company generated income by extracting building stone. President Jomo Kenyatta asked Kimunya Kamana why he was persistent in acquiring Engashura farm. Kimunya explained that its proximity to town was important for the Mau Mau since they could either walk or cycle to town

to sell kales and alleviate their poverty.<sup>1</sup> From this exposition, NDEFFO leaders were able to secure suitable places for farming and businesses.

Apart from the strategic positioning of its lands, the organisation was reported to have provided homes and subsistence to over 2000 members, also maintaining the production and the loan obligations.<sup>2</sup> Just like other organisations, NDEFFO had its triumph as well as tragedies. NDEFFO had influence in the politics of the country in that as per the AFC regulations, any company that had debt could be foreclosed and its farms sold up. However, due to Jomo Kenyatta's intervention, this never happened to NDEFFO. For example, Jomo Kenyatta waived AFC interests on the behalf of NDEFFO. Jomo Kenyatta was determined to see NDEFFO exploit its land in commercial production. For a farm like Lusiru, members, apart from securing land also secured cows and farm machinery from the former owner Edith Saunders who was forced to move out without taking his properties.

Kimunya Kamana recalls how NDEFFO bought Engashura and Menengai land at Ksh. 1,050,000 from member's contribution though paid in instalments. Initially, the members were supposed to pay Ksh.200, however the company increased it to Ksh.800 to ensure repayment of its loans. Since most of the members were jobless and with no land to cultivate, they were allowed to pay for their shares in instalments. In addition, some members were doing menial jobs and paid Ksh.0.10 per day. Some members paid for their land as many as twenty years. As the company was growing, it employed members to work on its farms where they earned Ksh.6 per day and given individual plots to cultivate. Of the Ksh.6 paid to members, the company took Ksh.3 as payment for the land allocated to them. The members were happy to be paid Ksh.6 per day considering their previous pay of Ksh.0.10. For harmonious living and prosperity, the company did not evict members of other ethnic groups who were previously working on those farms, but allowed them to buy shares and become members of the company. With time, there was a dilemma among members since the motive of having an individual plot prevailed than working collectively to repay the loans acquired. The idea of having individual plots made the company fail to establish strong bonds among members, which was important in the operation of

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<sup>1</sup> Kamana, OI, held on 26/07/2014 in Nakuru Town.

<sup>2</sup> C. Leys, *Under-development in Kenya; The Political Economy of the Neo-Colonialism* (1964-1974), p. 93.

the farm. There was also no trust of the leadership, a driving force to the farm to meet its financial obligations.<sup>3</sup>

NDEFFO was able to bring together former Mau Mau fighters from Nakuru and later opened doors to other former Mau Mau fighters into the organisation. It was also able to open offices in different parts of the country for all landless Mau Mau veterans who wanted to join it. According to Major Wanyeki (the leader of the MMWVA in Engashura and the leader of Mau Mau in Engashura), the organisation was open to all former Mau Mau fighters irrespective of their ethnic background.<sup>4</sup> However, due to fear by other ethnic group of former Kikuyu Mau Mau, most did not join NDEFFO. In the company records, the company set aside land for schools, cemetery, and other social amenities.<sup>5</sup> This is a clear illustration of how the company appreciated the wellbeing of its members. Apart from the social amenities, NDEFFO had a building stone quarry at Kagoto that it leased to generate money. The quarry employed many youths in NDEFFO before company officials sold it to Indians. Initially, the quarry, being a public utility, aimed at benefiting NDEFFO members who purchased the site. Although the benefits of the quarry were minimal, some members appreciated Ksh. 1000 and Ksh. 2000 given from the sale of quarry. According to the company officials, previous directors illegally sold the quarry. There was a case in Nakuru court filed to force directors to pay the company for the sale they made and revert the quarry “NDEFFO quarry.” The agitation of the company to rename the quarry NDEFFO was futile. To avoid company loss, the directors sold the quarry at Ksh.7 million, but the new owner an Indian tricked them and paid only Ksh.2 million. For the remaining amount, the buyer gave dud cheques. The case is still at the High Court.

### **3.3 NDEFFO Crises**

During Jomo Kenyatta period, NDEFFO as a company had many crises.<sup>6</sup> The crises began in February 1974, when one of the opposing groups announced through the Voice of Kenya (VOK) that they were the legally elected officials. The crises were on leadership wrangles

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<sup>3</sup> Waithaji, OI, (NDEFFO Treasurer) held on 17/7/2014 at Njoro.

<sup>4</sup> Wanyeki and Ishita, OI, held at ngashura farm on 3/4/2014.

<sup>5</sup> Co-operative farms 1983-1984 ADM 15/6 vol.IX folio.161, Archival, DRY 1/ 4.

<sup>6</sup> Co-operative farms 1983-1984 ADM 15/6 vol.IX folio.161, Archival, DRY 1/ 4.

where at a meeting in Engashura on 8 April 1974, some members vying for company leadership claimed that they were elected as directors.<sup>7</sup> The presiding directors led by Kimunya Kamana prevented newly elected directors to take over the offices, resulting in confrontation that affected members in different ways. After requesting for government help, the assistant commissioner of Police in Rift Valley advised them to file a case against presiding directors. Apart from elections, other wrangles were centred on company assets, books of accounts for Engashura, Lusiru and Marwa farms.

NDEFFO Company was rich. It had many assets as shown on

Table No. 1

Items	No	Items	No
Tractors	18	Bags of fertilizer	382
Harvesters	2	Bags of wheat seeds	203
Motor vehicles	6	Bags of wheat	305
Ploughs	11	Bags of maize	256
Harrows	13	Acres of planted maize	50
Cultivators	6	Gunny bags	1369
Iron sheets	168	Grade cattle	300
Planting machines	3		

*Source: Compiled by author from the company records of 1969*

Apart from the assets, NDEFFO had also acquired a loan from Agricultural Finance Corporation (AFC) of Ksh.901,0403. Being well structured, NDEFFO had the capacity to invest in whatever it deemed beneficial to members. The wrangles culminated in violence where members were highly affected.

A notice placed on NDEFFO farms on 23 May 1974, stating that the land was going to be auctioned, exacerbated the problems. The notice showed how grand corruption existed in the company. Members were furious because despite, making their contributions-some working without pay, earnings from the sale of milk, sale of building stones, sale of animals, their savings-the company failed to repay the loans. Despite members complaining on the flouting of company laws in 1974, the registrar of companies seemed unconcerned and did not institute legal

<sup>7</sup> Comparative Society and Company Farms 1970-1980. ADM 15/6/ VOL IV. Archival DRY 1/2, Folio. 182.

proceedings against the directors nor demand observance of the company laws. The directors were relieved to an extent that to counter member's agitation, they organised gangs to terrorise them. In such cases, some members lost their lives. Others marked with lacerations in the shape of a cross on their stomachs. The terror gang did this using sharp item to frighten members into silence. When this was reported to the police, no action was taken, according to oral testimonies the attackers were moving freely in NDEFFO farms (Appendix IV). In addition, the connection of directors with powerful people was meant to intimidate ordinary members in the organisation. The directors with such connections always claimed; "the President has sent me" to silence ordinary members in the organisation. When elections were held, incumbent leaders refused to vacate office. When confronted, they took machetes and inflicted serious injuries on non-entities.<sup>8</sup> Through such undertakings, the company lacked harmonisation and trust, hence its decline.

President Jomo Kenyatta was deeply involved in NDEFFO affairs. He used to take sides. Wanyoike Thungu, being close to him, organised delegations of loyal NDEFFO directors to meet Jomo Kenyatta. Wanyoike wa Thungu in a meeting in NDEFFO farm said, "I am not here to be contradicted by the like of you nonentities! However, if you really are man, contradict me again and you will see..."<sup>9</sup> Wanyoike and his group were against ordinary members in the organisation and gave the President distorted information of what was happening in NDEFFO farms. When the President asked for audience with them, the elected directors gave a different version of the what happened. The President losing his temper asked them whether they were children to be beaten. He also asked them why they did not fight back and defend themselves. By taking sides, Jomo Kenyatta made the victorious side in the elections never to return to State House to ask for his assistance. By denying one group a platform to express themselves, he gave the other group tacit approval to do as they wished. Jomo Kenyatta failed to solve injustices in NDEFFO, planting seed of conflict between the two groups.

Due to unsettled scores, the wives of ordinary members in the organisation joined the Nyakinyua women group who were supposed to perform in Nakuru State House. On reaching the stage, they produced placards that they had hidden beneath the children they were carrying. Nyambura, who was a group leader took a letter to the President, which was picked by PC Isaiah

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<sup>8</sup> *The Daily Nation*, 23/06/ 1974 by Ken Opalla, Debate on land control should not create anarchy, p.19.

<sup>9</sup> K. Wamwere, *I Refuse to Die: My Journey for Freedom* (New York: Seven Stories Press 2002), pp.173-174.

Mathenge. The content of the letter was condemning Wanyoike; therefore, the President abused Wanyoike for embarrassing him. Nothing was done to solve NDEFFO problems. The old directors remained in office and in retaliation, they pinned a declaration on company properties where they threatened to burn the houses of the non-entities.<sup>10</sup> In July 1975, they ferried fighters and weapons to NDEFFO farms where one elected director (Gentlemani) was attacked. According to oral sources on appendix IV, the government officials said that; “let the cowards lose.” The chaos left company assets of unknown destroyed and 10 members’ dead and others displaced. Even after the leaders were arrested, they were released and all charges against them dropped.

On 6 July 1975, the company held general meeting that was supervised by the government officials, such as administration, police and DO. Bahati. After the results were announced, violence erupted again with the contending groups refused to accept the outcomes. Five members were killed and properties were destroyed.<sup>11</sup> In 1975, members were furious when they were told that NDEFFO farms were to be auctioned due to bad debts. The members raised several issues, among them was that they worked without pay. They said that the company was able to make profits, why were they incurring debts. According to members, crop failure and destruction of property had never occurred.<sup>12</sup> Therefore, they felt that their efforts were abused. To stop the land from being auctioned members were advised by the President to contribute Ksh.500 each to repay the debts that the company had incurred due to mismanagement.<sup>13</sup>

Further, district administrator such as DC D. Mwangi and PC Isaiah Mathenge were working hand in hand with Wanyoike Thungu to dispossess NDEFFO members of their farms.<sup>14</sup> In this regard, the administrators and Wanyoike Thungu managed to evict some members from their Engashura farms, leading to clashes between members and the administrators aided by Wanyoike wa Thungu. Police began demolishing houses of members and removing doors. In 1975, clashes also erupted in Lusiru farm where Njoro OCS, Francis Wang’ombe stopped the

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<sup>10</sup> Ibid, p.175.

<sup>11</sup> Comparative Society and Company Farms 1970-1980. ADM 15/6/ VOL IV. Archival DRY 1/2, Folio. 182.

<sup>12</sup> Wageshoo, Mararo and Gikonyo, OI, at Lusiru farm and Geoffrey Kamau Mwangi (Engashura Secretary), Nyokabi Wanyeki and Major Wanyeki (Chairman of MMWVA at Engashura) held on 28/03/2014 and 3/04/2014.

<sup>13</sup> *The Standard Newspaper*, 18/July/1975 by Kenya News Agency on NDEFFO members share costs, p.28.

<sup>14</sup> Rong’o, OI, was among the participant in the intra war of members, the interview took place at Heshima on 15/04/2014.



demarcation process since the issue was in court.<sup>15</sup> The OCS also ordered the company not to plant wheat and maize. Those who had already planted the crops, had theirs destroyed. To address the issue, members held a meeting with the then DC Mwangi to end the disagreement between members and officials. The meeting did not bear fruits since there emerged two groups; one headed by Wanyoike wanted to add new members who were not in the initial registration and the other headed by Kimunya Kamana. This group comprised the founder members of NDEFFO, who were to be replaced by the Wanyoike group. Wanyoike, Mathenge and Mwangi had planned to evict former Mau Mau fighters from the farms and bring new members who were endowed financially. Disagreement escalated and administrators decided that all members be evicted and their plants destroyed by ploughing.<sup>16</sup> The eviction was planned to begin in Lusiru and Engashura farm on 19<sup>th</sup> May and 20<sup>th</sup> May respectively. The members were ready to fight to defend their land. Being Mau Mau war veterans, together with their children, they got ready for the war. Although they were few, by using tactics, they were able to withstand the dissident group led by Wanyoike. The fighters were known to each other. Now NDEFFO members were fighting each other under the command of different leaders.<sup>17</sup> Fighting occurred in Engashura at daytime, Kimunya group attacked Wanyoike group. The effects of this internal conflict had a profound impact in that members lost their properties and some lost their lives. The President summoned the two groups to Nakuru State House to try to resolve the issue amicably. He inquired why the NDEFFO had debts yet it was flourishing in its farming activities.<sup>18</sup>

On 25 May 1976, the issues of lack of an accurate list of members was also raised. The officials were unclear of the genuine shareholders. It was observed that there was lack of cooperation between the new and old NDEFFO management. On 3 June 1976, the working committee tabled a consolidated list of all members where all shareholders totalled to 5424. Out of these, 1203 members had not been allocated land. The members agreed that plots for landless shareholders be demarcated and allocated to them. At the meeting, one group was of the view that company assets be apportioned to the members and the company wound up. Another

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<sup>15</sup> *The Daily Nation*, 9/July/1975 by Irungu Ndirangu. Stop Land Demarcation, p.5.

<sup>16</sup> Kimunya, OI, held in Nakuru town on 26<sup>th</sup> July 2014.

<sup>17</sup> *The Daily Nation*, 5/June/1975, David Kanja on “Controversial lands firm being probed,”p.5.

<sup>18</sup> The question was ironical because Kimunya Kamana explained how he used to take wheat to Jomo Kenyatta Gicheha farm and best cows and Molo sheep to the his Gatundu home where Jomo Kenyatta received the presents.

committee was of the view that plots be apportioned to members and then company assets be exploited and utilised for commercial purposes for the benefit of all. However, after a long discussion, no compromise was reached.<sup>19</sup> In 1977, there were two working committees in NDEFFO as had been agreed in PC's meeting as shown in

Table No. 2

New working committee	Old working Committee
Inao Kirugo	Amos Ngata
Kanundi Gatua	James Gitau
Mwangi Kibuthu	Kimunya Kamana
NDEFFO Office clerk	John Gathura

**Source:** *The list compiled by the author from NDEFFO records (1977)*

The government also assigned NDEFFO members government clerks to work with them. At the end, it emerged that;

- a) Paid up members were 4461,
- b) Unpaid up members 731
- c) Members found on the register and not in the list 230
- d) Members with more than one share 134.

On 14 April 1978, the PC directed that no more allocation of plots should proceed. On the 26th of the same month, the DC also suspended land allocations and ordered that no member should be chased away from the allocated area.

### **3.4 Kenyatta Government's Position on Mau Mau Veterans**

Freedom fighters were promised that on every 20 October, they would be remembered and honoured.<sup>20</sup> Although they were honoured by word, they did not in any way receive any material support, on Kenyatta Day, as it was called before the now Mashujaa day. Kenyatta Day was used to praise Jomo Kenyatta. The relationship between Mau Mau and Jomo Kenyatta from 1963 to 1978 was complicated. It was hard to determine the true stand of Jomo Kenyatta because

<sup>19</sup> Comparative Society and Company Farms 1970-1980. ADM 15/6/ VOL IV. Archival DRY 1/2, Folio. 182.

<sup>20</sup> B.A. Ogot, "The Politics of Populism," in B.A. Ogot and WR, Ochieng. *Decolonization and Independence in Kenya, 1940-93* (Nairobi: East African Publishers, 1969), pp. 60-62.

he demonised the Mau Mau at the same time he used to meet former Mau Mau fighters under NDEFFO in Nakuru's State House. Apart from meeting to discuss issues related to their resettlement, some Mau Mau veterans used to entertain him as *Nyakinyua* Women's groups.<sup>21</sup> It was difficult to understand his way of thinking, hence the need for serious interrogation of the land issues.

As the President of the nation, heading over 42 ethnic groups and foreigners, Jomo Kenyatta had to ignore the Mau Mau plea in the public in favour of the majority. This was because European settlers were anxious of the Mau Mau, and as a way of assuring the former their security, he had to denounce the latter.<sup>22</sup> According to Kimunya Kamana, a close ally of President Jomo Kenyatta, the President was a miser who could not give anyone a thing. Kimunya recalls how he asked the President in Nakuru State House, "You have said that there is nothing for free, what about for the ex-Mau Mau fighters who came from the detentions, others from concentration camps, others from the villages..." According to Kimunya, the President told Kimunya to come near him, but he refused since he knew the President would whip him. The problems ex-Mau Mau have to date is due to President neglect of allocating land to ex-Mau Mau fighters. This is because during his tenure, there were many unoccupied lands that could have been allocated to the ex-Mau Mau.<sup>23</sup> The Jomo Kenyatta regime's first sign that it had abandoned the Mau Mau was when he downplayed Mau Mau goal of redistribution of land and return of land ownership to the Mau Mau. Jomo Kenyatta stressed that everybody was supposed to pay for the land irrespective of whether one was a Mau Mau veteran or not. Politicians, especially, the ones who advocated for Mau Mau goals of regaining back land, disputed Jomo Kenyatta stand. However, despite their arguments, Mau Mau's plea for land was ignored in an attempt to erase Mau Mau history from the memories of Kenyans. As the President, Kenyatta felt he could not afford to offend the British in Kenya, loyalists and the non-Kikuyu by appearing to be favouring ex-detainees.<sup>24</sup> The urge of the landless ex-Mau Mau fighters for land increased and

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<sup>21</sup> Thuku, Futi, Kiruti and Mwangi OI, held at Lusiru and Engashura farm on 05/04/2014 and 24/04/2014 respectively.

<sup>22</sup> F. Galia, "The Mau Mau Myth: Kenyan Political Discourse in Search of Democracy," *Cahiers d'Études Africaines*, Vol. 35, *Cahier 137*, (1995), pp.101-131.

<sup>23</sup> Kamana, OI, held in Nakuru on 26<sup>th</sup> July 2014.

<sup>24</sup> Kimunya, OI, held in Nakuru town on 26<sup>th</sup> July 2014.

he was not in a position to confiscate European land and redistribute it to the poor, Kimunya recalls. The Jomo Kenyatta government followed the policy of amnesia (forgive and forget) that was expressed in the President's speech on Jomo Kenyatta Day in 1964,

“...Triumph in the struggle of this kind cannot be achieved without a long history of setbacks and sufferings, of failures and humiliation. Nevertheless, all this is worthwhile, and all can be forgotten, when its outcome is the foundation, on which the future can be built. It is the future, my friends that is living, and the past that is dead.”<sup>25</sup>

The slogan of forgive and forget was not taken lightly by the ex-Mau Mau fighters. Forgetting meant that they were not going to be compensated for their losses. The slogan meant that the Mau Mau sacrifices for land, jobs for their children and social justice for all was never to be realised.

President Jomo Kenyatta in some cases accommodated the Mau Mau, mentioning the fighters in a more positive manner. He needed political support from them and he glorified them, unlike in 1970s when Jomo Kenyatta's relationship with people of Nyeri and Murang'a was unstable.<sup>26</sup> In Nakuru, some Mau Mau were hailing KPU's support for land for landless Kenyans. Between 1975 and 1976, the Kikuyu elites under GEMA, began a Kikuyu solidarity that had long been forgotten. It symbolised the glorious days of common solidarity using the Mau Mau memory as a uniting feature. GEMA leadership consisted of the elite who needed to use Mau Mau mass support to sway Gikuyu, Embu and Meru to change the constitution for Kikuyu elite personal gain. GEMA, mainly dominated by the Kikuyu of Kiambu, amassed a lot of wealth, including land, but did not bother to address the needs of ex-Mau Mau fighters. Jomo Kenyatta's leadership portrayed to Kenyans that it cared for former Mau Mau fighters. This was by visiting the home of Dedan Kimathi and glorifying his deeds. However, their major aim was to mould political debates to attract the subaltern such as the NDEFFO members. Jomo Kenyatta, although he was celebrated by freedom fighters in NDEFFO, never fought in the forest, but they

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<sup>25</sup> Jomo Kenyatta, *Harambee! The Prime Minister of Kenya Speeches, 1963-1964* (New York: Oxford University Press, 1964), p. 2.

<sup>26</sup> M. Clough, Review, *Mau Mau: Modern Kenya's Ambivalent Legacy Mau Mau Twenty Years after: The Myth and the Survivors* by Robert Buijtenhuijs. *Africa Today*, Vol. 26, No. 3, Kenya after Jomo Kenyatta (3rd Qtr., 1979), pp. 61-62.

perceived him as their “father.”<sup>27</sup> In as much as the freedom fighter fought for independence, when Kenya attained her freedom, the country was taken over by the politicians who were not freedom fighters such as Jomo Kenyatta, Daniel Moi and Mwai Kibaki. The politicians, who felt threatened by the utterance of the Mau Mau, saw it as a threat to their administration.

Lack of political goodwill exacerbated freedom fighters’ sufferings; they remained landless and unemployed, as they were perceived as a threat to national security. On the other hand, the people who played safe in the name of loyalists replaced the Mau Mau who had sacrificed a lot.<sup>28</sup> Bildad Kaggia, on answering a question of land policy in Parliament, said, “It was the priority of the government to ensure that the ex-Mau Mau fighters (landless) who had returned from the detention camps were awarded land. This was to be done through acquiring land that was taken away from the loyalists who were growing fat from stolen property.<sup>29</sup>” Ngugi wa Thiongo’s book, *A Grain of Wheat*, though fictitious, portrays betrayal and despair. Those who betrayed the cause (Home Guards) and despair to those who had hoped for material gains like NDEFFO members whose ways of life were miserable due to induced poverty.

After gaining independence, the Jomo Kenyatta government embarked on Africanisation of the economy. NDEFFO Company, having been founded five years after independence benefited from the Africanisation policy. The transfer of capital and the economy to the hands of Africans through credit was evident in NDEFFO Company. Jomo Kenyatta was determined to assist former Mau Mau fighters through the company so that each of them could acquire land. However, the NDEFFO members wanted recognition and special consideration thus disregarding Kenyatta’s efforts. According to the NDEFFO’s treasurer (2004-2014), however, the government never assisted members since they bought the land at the market price of 1967 and 1968 despite Jomo Kenyatta being involved in NDEFFO affairs.<sup>30</sup> As part of Africanisation of the economy, NDEFFO acquired more than Ksh.5 million from the Kenya Government.<sup>31</sup> In the FGDs held in NDEFFO farms, participants narrated how NDEFFO cultivated maize and wheat that was

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<sup>27</sup> Wanyeki, OI, (Chairman of MMWVA) held in Engashura farm on 3/04/2014.

<sup>28</sup> B A. Ogot, *Politics and Nationalism in Colonial Kenya* (Nairobi: East Africa publishers), p.105.

<sup>29</sup> W, Ochieng, “Structural and Political Changes” in BA. Ogot and W. Ochieng, *Decolonization and Independence in Kenya, 1940-93*(Nairobi: East African Publishers, 1969), pp.93-96.

<sup>30</sup> Waithanji, OI (NDEFFO Company Treasurer), held on 17/7/2014 at Njoro.

<sup>31</sup> Comparative Society and Company Farms 1970-1980. ADM 15/6/ VOL IV. Archival DRY 1/2, Folio. 182.

flourishing well, in this respect NDEFFO received Guaranteed Minimum Return (GMR) that was meant for wheat and maize.<sup>32</sup> In as much as the government was determined to assist NDEFFO members, the directors were doing contrary to expectations; they opted for loans from the AFC and Guaranteed Minimum Return (GMR) without members consent.<sup>33</sup> The leadership crises were evident, leading to some members missing out land with each group blaming the other. The new management froze the company accounts and dislodged the old management from the company operations. The new group took over office on the understanding that the old group was rejected by general company membership based on mismanagement of company funds and assets. The officials were not for member's aspiration as stated by the PC because they were acting against the deliberations of a meeting held in State House Nakuru, whose main agenda was to facilitate allocation of plots to members and determining the genuine membership of NDEFFO. The PC urged the officials to work in the spirit of State House resolution and shelve the issue of leadership.<sup>34</sup>

The Jomo Kenyatta government indirectly empowered former Mau Mau fighters under NDEFFO. The company was supposed to tackle their problems, through the Industrial Development Bank (IDB) that was the government's source of capital mobilisation and transfer of capital to Kenyans. NDEFFO Company in its land at Kagoto had quarries secured a loan from Industrial Development Bank, however due to mismanagement the quarry was placed under receivership.<sup>35</sup> From the lease, NDEFFO Company raised Ksh.3 million that was used for company operations. For instance, on 30 August 1988, NDEFFO was giving back to the public Khs.165,000 as rent for quarry paid through DC Nakuru. NDEFFO members complained that Quarry operations were only open to directors and not to members.<sup>36</sup> NDEFFO members in the three farms were beseeching the government to instruct NDEFFO offices to sell shares of the quarry to members. By selling shares, members were optimistic that they could benefit immensely from the selling of quarry products and these shares would help even their children

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<sup>32</sup> FGD, held at Lusiru Farm on 28/03/2014 and Engashura farm on 3/04/2014 respectively with selected NDEFFO Members.

<sup>33</sup> Bahati/ Kabatini block I 1985-1990. LND 16/16 vol. 1 (Archival reference DRY 5/11, folio 41.

<sup>34</sup> Comparative Society and Company Farms 1970-1980. ADM 15/6/ VOL IV. Archival DRY 1/2, Folio. 182.

<sup>35</sup> Bahati/ Kabatini block I 1985-1990. LND 16/16 vol. 1 (Archival reference DRY 5/11, folio no. 19, 23.

<sup>36</sup> *The Standard Newspaper*, 11 November 1989, Francis Muroki on "Sale," Cheats beware of intruders, p.6.

and grandchildren. The issue of sale of quarry was revisited in 2002 when members protested over its sale.<sup>37</sup>

Jomo Kenyatta government did not favour NDEFFO members as they had expected. In its sessional paper No.10 of 1965, the government was categorical that its main obligation was to ensure equal opportunity for all. In as much as the government was committed to providing equal opportunities to all, there were people in government who enjoyed more. Kanogo and Buijtenhuijs who wrote differently are of the view that Jomo Kenyatta did not help former Mau Mau fighters, but as the President, he cunningly helped them. In his Jomo Kenyatta day public address, he failed to mention the Mau Mau who gave up their lives in Kenya's freedom struggle.<sup>38</sup> However, Jomo Kenyatta had not forgotten the freedom fighters as such because he was deeply involved in NDEFFO affairs. In 1976, due to the magnitude of wrangles and killings on NDEFFO farms, six meetings were held at Nakuru State House. The meetings were presided over by President Jomo Kenyatta and the then vice President Daniel Toroitich Arap Moi. The meetings were held on 3<sup>rd</sup>, 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup> April and 1<sup>st</sup> and 8<sup>th</sup> May 1976.<sup>39</sup> During the six meetings, there were accusations of directors as the cause of the violence where the President instructed Kimunya to produce the books of accounts. For mutual agreement, the President ordered members to elect 12 members each from the two groups during the demarcation and allocation of plots in NDEFFO farms. The President also said that those with no land be allocated land before the rains commenced. For follow-ups, the then PC Rift Valley Mathenge was instructed to deal with issues of demarcations and allocation of plots.

On 10 May 1976, a meeting was held at PC's Offices between the working committee of NDEFFO and government officials. The agenda was to come up with better ways of subdividing NDEFFO farms, as directed by the President (into small individual plots). The chairperson of the working committee, Mwangi Kibuthu informed the committee that according to the company's register, they had 4,582 members who had paid up. Out of that, 719 members had not completed payment of shares, but it was argued that the list was not well compiled.<sup>40</sup> The committee agreed that to ensure that the omission of names was not repeated, after the

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<sup>37</sup> *The Standard*, 22/7/2002 by Francis Ngige on Kenya: Uproar Over Bid to Sell NDEFFO Quarry.

<sup>38</sup> O. Odinga, *Not Yet Uhuru* (London, Heinemann, 1967), p.253-254.

<sup>39</sup> Comparative Society and Company Farms 1970-1980. ADM 15/6/ VOL IV. Archival DRY 1/2, Folio. 182.

<sup>40</sup> *The Standard Newspaper*, 12/07/1976 by Charles Karundu, Registration figures shoot again, p.17.

compilation of the list, the list would be displayed on all NDEFFO farm notice boards. The Deputy PC advised NDEFFO members to forget their past differences and work hand in hand to ensure that land was subdivided amicably. He also advised them to work with technical government officials who were to assist in carrying out surveys and farm planning.<sup>41</sup> He warned against illegal sub-division of land and erection of houses. In a meeting at State House, after realising NDEFFO had many debts to AFC, Jomo Kenyatta promised participants that he was going to “contribute something,” nobody ever knew how much.<sup>42</sup>

Government officials interviewed for example, M. Ngarunya and J. Njenga argued that, the government was justified to state that there was nothing for free. According to them, “The Kikuyu community misused Mau Mau agitation for land where everybody links himself with Mau Mau. In this regard, it become hard over time for the government to allocate them land. Jomo Kenyatta government played a critical role to identify the farms for them and give them the idea, making them form the organisation.” According to J. Njenga, by comparing the prices of buying land in NDEFFO and Mutukanio companies, the price of land to NDEFFO members was three times lower to Mutukanio members. Secondly, NDEFFO members were allowed to pay for land in instalment until they cleared unlike other companies where members were pushed to pay in a lump sum. The government did the planning of NDEFFO farms as per the company records; this is a clear illustration that the government was determined to ensure the wellbeing of NDEFFO members. Most of NDEFFO members are not educated and those who got a chance to be educated did not go beyond secondary education.<sup>43</sup>

### **3.5 Summary**

Jomo Kenyatta government was perceived by the Mau Mau as one that could allocate them land and other resources. Jomo Kenyatta was however categorical that there was no free land in Kenya. Even the formation of a land buying company for the former Mau Mau fighters was strongly resisted by politicians. They saw the formation of Mau Mau groups as opening up of old wounds. After Europeans left, some of land they occupied was marked as ADC farms.<sup>44</sup>

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<sup>41</sup> Comparative Society and Company Farms 1970-1980. ADM 15/6/ VOL IV. Archival DRY 1/2, Folio. 182.

<sup>42</sup> Njoroge and Gathoni, OI, held in Lusiru farm on 28/03/2014.

<sup>43</sup> Kimunya, OI, held in Nakuru town on 26<sup>th</sup> July 2014.

<sup>44</sup> Wanjuru, Wakaba and Hezera, OI held in Lusiru Farm on 5/04/2014.



Rather than being given land freely, they bought land at the market price. Jomo Kenyatta being the head of state shielded them from other buyers, especially the rich Kikuyu who wanted to buy the land, although he was surrounded by Home Guards who never wanted to hear of Mau Mau benefiting, Kimunya recalls. In NDEFFO farms, the some post-independent government officials were of the view that by giving Mau Mau land it would make them self-sufficient therefore leading to lack of labourers in the country. This forced the Jomo Kenyatta government to turn down a plea for land by the landless Kikuyu although he gave them an idea *Hakuna cha Bure*. From the statement that there was nothing free, NDEFFO members united to form an organisation.

The Jomo Kenyatta government adopted the Africanisation policy, an approach beneficial to all. Despite being involved in NDEFFO issues, he used to favour some and never addressed the issue of landlessness among them. Jomo Kenyatta believed giving land freely would propagate communism, which he detested. JM Kariuki, a Kikuyu politician, believed that Jomo Kenyatta was to give land freely to all Kenyans because they fought for it. He criticised Jomo Kenyatta government for acquiring approximately 500,000 acres for himself and giving land to his close friends disregarding millions of landless Kenyans.<sup>45</sup> He was named a communist by the government and its supporters, simply because he was agitating for land for the poor. Although the government's stand was that there was nothing for free, the President was happy with NDEFFO's initiative and shielded them from competition. Although members complained that, they received 1.6 acres, which to them was not adequate. They believed they were supposed to have a big share of the national resources. They believed they were supposed to be given land for free not to buy. Most of their farms in central Province were taken away by former Home Guards, but members were happy with the determination of the company pioneers to acquire three pieces of lands. They were unhappy with a second group of directors since most of them introduced new members and sold company properties without their consent. The pioneers allowed them to pay for land at their own pace and even employed some of them with a better pay. In as much NDEFFO members were assisted, they blamed Mzee Jomo Kenyatta for forgetting them since they fought for land and freedom but their struggle was never recognised

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<sup>45</sup> P. Kuguru. *Trailblazer: Breaking Through in Kenya* (Nairobi: Trans Africa press: 2008), pp. 69-73.

## CHAPTER FOUR

### 4.0 NDEFFO STRUGGLES FOR LAND, 1979-2002

#### 4.1 Overview

NDEFFO members were initially happy with President Daniel Moi after he released political detainees and called for national reconciliation. Daniel Moi's initial approach was quite different from that of his predecessor, making NDEFFO members optimistic. In the initial years of his presidency, Daniel arap Moi meticulously followed the constitution where he freely discussed with NDEFFO members and heard their grievances, making him win a reputation as a defender of the poor. NDEFFO members saw the release of persons like Ngugi wa Thiongo who had accused Jomo Kenyatta of betraying the revolution as the right time to associate with Daniel Moi and receive land. This chapter will demonstrate how the government in 1978 to 2002 tried to address the issues of landlessness among Mau Mau veterans. Just like the Jomo Kenyatta government, from 1980, the Daniel Moi government perceived Mau Mau as an illegal group. During campaign periods, KANU recognised Mau Mau veterans in order to sway Kikuyu voters. However, after the elections, the Mau Mau legacy would be suppressed. Despite the challenges faced by NDEFFO, the Daniel Moi government played a critical role in quelling the violence that had been experienced for many years in the company. This chapter therefore will demonstrate how the Daniel Moi government dealt with the ex-Mau Mau fighters' plea for land and how his government influenced its successes.

#### 4.2 Government's Position on Mau Mau Veterans in the Moi Era

In 1978, Daniel Moi came to power and he allied himself with Mau Mau veterans' leaders such as Kariuki Chotara and Fred Kubai. He was breaking away from the late President Jomo Kenyatta tradition of dealing with Kikuyu leaders with a loyalist background.<sup>1</sup> President Daniel Moi used his close allies like Chotara to channel funds to the previously neglected people whose cause was unsupported like the ex- Mau Mau fighters, strengthening himself as a national

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<sup>1</sup> J. Widner, *The Rise of a Party-state in Kenya: From Harambee to Nyayo* (Berkeley: University of California, 1992), pp.147-149.

figure.<sup>2</sup> Although Daniel Moi played a role in supporting ex- Mau Mau fighters through Kariuki Chotara, he channelled the funds to neglected areas in central Province disregarding the Mau Mau from Rift Valley, especially NDEFFO members.<sup>3</sup>

The Vice President was well conversant with NDEFFO problems. After the death of the Jomo Kenyatta, the problems of NDEFFO did not end. His directives were not honoured as evidenced by memos written by directors on 18 October 1979 where dissatisfaction of members was raised. Before his death, President Jomo Kenyatta had chaired six meetings in Nakuru State House and ordered that election of new directors to be held. Kimunya Kamana and others who were in office were dismissed. New directors were elected and were duly recognised as such by the registrar of companies and the company bankers. However, even after Kimunya's dismissal he refused to vacate office. According to the Company Memorandum of Association and Kenya Company Law, they recognised NDEFFO to be run by 12 directors and not 24, as the President had directed. The Articles of Association in NDEFFO certificate of incorporation clause 81 of rules and regulations directing the company stated clearly "Unless and until otherwise determined by the company in general meetings, the directors shall not be less than four or more than twelve in number."<sup>4</sup> In addition, NDEFFO was not able to convene a general meeting as required by the laws regulating companies. The act stated that a company must hold an annual general meeting.<sup>5</sup> Kimunya refused to hand in the books of account, and the administration refused to grant a licence for the company to handle general meetings. According to the Company Certificate of incorporation under the proceedings at the general meetings, the auditors were supposed to table company accounts and other documents required.

According to NDEFFO members who participated in the Nakuru State House meetings, the then Vice President Daniel Moi was always present, when Mzee Jomo Kenyatta was discussing with NDEFFO members' issues of land.<sup>6</sup> The change of leadership from Jomo

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<sup>2</sup> F. Galia, *The Mau Mau Myth: Kenyan Political Discourse in Search of Democracy*, *Cahiers d'Études Africaines*, Vol. 35, Cahier 137, (1995), pp.108-131.

<sup>3</sup> Gathiani Kingori, Wanyeki, OI, (Mau Mau Brigadier and Major) held on 28/03/2014, 24/04/2014 at Lusiru farm and Engashura farm respectively.

<sup>4</sup> NDEFFO Certificate of Incorporation, No12/68, p.18.

<sup>5</sup> Comparative Society and Company Farms 1970-1980. ADM 15/6/ VOL IV. Archival DRY 1/2, Folio. 182.

<sup>6</sup> FGD held at Lusiru Farm on 28/03/2014 and Engashura farm on 3/04/2014 respectively with selected NDEFFO Members.

Kenyatta to Daniel Moi had no significant difference. According to Khapoya, Daniel Moi assured Kenyans that he would follow the footsteps of his predecessor.<sup>7</sup> In respect of this, Daniel Moi coined the slogan “Nyayo” which literally means “footsteps”. In following Jomo Kenyatta’s footsteps, Daniel Moi meant that just as the Jomo Kenyatta regime, his regime would not bring any revolution as expected by the NDEFFO members. Daniel Moi’s regime would uphold Jomo Kenyatta policies, meaning that he would suppress the history of the Mau Mau.

President Moi, just like Jomo Kenyatta did not consider the Mau Mau and to their history as special. Therefore, Mau Mau movement remained therefore a non-issue to them. During his term, Daniel Moi never made official recognition or compensation to the victims. Though Jomo Kenyatta was involved in NDEFFO issues, he had told Daniel Moi to take care of NDEFFO issues. After his death, Daniel Moi was involved and helped to end issues related to demarcation of three NDEFFO farms.<sup>8</sup> He instructed government surveyors’ to demarcate land under the police supervision. In the demarcation, no member of NDEFFO was supposed to be involved. In the process, they reduced the acreage to 1.6 acres from 2.5 as members had been promised. During demarcation, the directors work was to verify members’ names, but the plots were not enough for all members. Some places were left out such as the slopes of Menengai hill, the area was later allocated to some government administrators illegally, humiliating NDEFFO members.

In a meeting held at Kabarak in 1979, NDEFFO leaders asked Daniel Moi to intervene after the illegal sale of the company house in Nakuru. However, Daniel Moi failed to resolve the issue. In subsequent meetings, the directors went to Kabarak where they were granted audience by the President without member’s knowledge. According to Peter Kanji, the leaders presented their own problems and were given some money. Daniel Moi was able to use the division among the Kikuyu, who were always fragmented into hostile camps to understand the community.<sup>9</sup> From the top Kikuyu politicians to Mau Mau veterans under NDEFFO, hostility was evident. In the political arena, for instance, there was the Mwai Kibaki and Charles Njonjo’s team, which Daniel Moi sided with, while in NDEFFO affairs Daniel Moi sided with the directors. According

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<sup>7</sup> B. Khapoya. “Kenya under Daniel Moi: Continuity or Change?” *Africa Today*, Vol. 27, No. 1, (1980), pp.17-32.

<sup>8</sup> Rong’o, Thuku, Kanina and Karungu, OI, held at Engashura on 15/04/2014. 16/04/2014 and 18/04/2014 respectively.

<sup>9</sup> B.A. Ogot. “The Politics of Populism” in B.A. Ogot and WR, Ochieng. *Decolonization and Independence in Kenya, 1940-93*(Nairobi: East African Publishers, 1969), pp. 192-194.

to Godfrey Kanyua (Senior Chief), the President Daniel Moi on a surprise visit to Engashura farm donated Ksh.30,000 to help members in their endeavours, he even promised to conduct a Harambee on Engashura farm on 2 May 1981.

By 1980, there was widespread condemnation of political restrictions that was much codemned by Kenyan intellectuals. Among those, leading this was Ngugi wa Thiongo and Koigi wa Wamwere who were calling for the removal of political restrictions and redistribution of land, a popular view among NDEFFO members. Mwakenya was a secret and vibrant group in President Daniel Moi era. Mwakenya group was vocal and it was bound by oath like the Mau Mau fighters.<sup>10</sup> Kikuyu peasants, some of them ex-Mau Mau followers majorly supported Mwakenya. NDEFFO members identified with Mwakenya since they saw it as a vehicle for reviving hope for land. The activities of Mwakenya pushed away ex-Mau Mau veterans from Daniel Moi and this made NDEFFO members to be left out in the allocation of national resources, a replication of how the ex-Mau Mau fighters were left out when the land was being subdivided to the loyalists while they were in the forest fighting. The President was the provider of unity and freedom. As long one followed nyayoism by “doing whatever the President asked,” one would be rewarded with land. However, because NDEFFO members failed to do so, they are therefore still landless to date.<sup>11</sup> Due to their engagement with Mwakenya, the much-anticipated Harambee on 2 May 1981 did not take place as it was planned.

Apart from failing to follow instructions, NDEFFO members were always having internal strife. For instance, on 6 March 1981 a letter stated that the meeting that was held in 1977 was for NEW NDEFFO and not for old NDEFFO. The old NDEFFO who were the first group to form it believed that the farms were theirs alone and not for other members who were buying plots. The old NDEFFO argued that the debts members were being asked to pay were fabricated. In addition, they saw the government as being on their side and recognised the role they played in the struggles. They argued that leaders of NEW NDEFFO were cheating members, advising members that they should not listen whatever new NDEFFO leaders said. On 12 August 1983, a letter was sent addressed to acting PC H. Oyugi, concerning the shares bought up from 1975 to 1976. It stated that 95% of members were allocated 1½ acres in Engashura, Lusiru and Marwa.

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<sup>10</sup> Amnesty International, *Kenya: Torture, Political Detention, and Unfair Trials* (Michigan: University of Michigan press, 1987), pp. 50-53.

<sup>11</sup> Njoroge Kamau, Mwangi and Wanyeki (MMWVA leaders in Engashura), OI, held on 3/04/2014 at Engashura.

By the end of 1983, according to the statement, it was only Marwa in Molo, where land was available for allocation to members. The meeting was opposed to the inclusion of members who had not fully paid for their shares of plots, permitting them was depicted as a way of reducing the settled members' acreage of land and this would lead to many problem.<sup>12</sup> The members who bought shares from 1975 to 1976 used to offer free services to the company from 1968 to 1974, so they were recommending new members to compensate old members to the tune of Ksh.3500.<sup>13</sup>

The coup d'état in 1982 changed the relationship between Daniel Moi and ex-Mau Mau veterans. Daniel Moi began detention laws, introducing a series of restrictions to curtail organisations which sought solidarity on common historical or ethnic ground. Apart from putting restrictions, President Daniel Moi brought a return of the 1952 order of banning Mau Mau group that was termed illegal by the British government. The head of Mau Mau in Lusiru farm, Kingori Gathiani, and the secretary, P.Kanji, went to Nakuru Central Police Station to ask for authorisation to hold a meeting at Afraha stadium.<sup>14</sup> They recall how Deputy OCPD, Duncan Wachira told them, never to say the word 'Mau Mau' or else they would be beaten to death. Banning the Mau Mau meant that such a group could not in any way meet and seek help from the government. With silencing of the Mau Mau agitations, Daniel Moi shifted to allocating government forests to members of his community.<sup>15</sup>

### **4.3 Successes and Failures of NDEFFO Company**

According to a letter to members, the company was to ensure that it demarcated members' land, and later claim the right to use the land.<sup>16</sup> The organisation was able to redistribute land to members through balloting; but some got larger shares than others.<sup>17</sup> In addition, after collecting funds from its members, it was able to add 15 acres to its initial acreage.

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<sup>12</sup> Co-operative farms 1981-1982 LND 15/6 vol. VI, folio. 33.

<sup>13</sup> Co-operative farms 1981-1982 LND 15/6 vol. VI, folio. 38, DRY 1/3.

<sup>14</sup> FGD held in Lusiru NDEFFO farm on 29<sup>th</sup> March 2014.

<sup>15</sup> T. Kimaiyo, *Ogiek Land Cases and Historical injustices 1902-2004* (Nakuru: Ogiek Welfare Council, 2004), pp. 25-27.

<sup>16</sup> Bahati/ Kabatini block I 1985-1990. LND 16/16 vol. 1, Archival reference DRY 5/11, folio no. 4.

<sup>17</sup> Stanely Njoroge, George Wakaba and wambui Muigai, Simon Njoroge, OI, held at Engashura farm on 3/04/2014 and 24/04/2014 respectively.

The Company paid Ksh.95, 000 through Kariuki Mirugi advocate to Joy Alborhozer, who is said to have disappeared to South Africa.<sup>18</sup> After buying this land, there was a confrontation between Florence Wambui who is said to have been a girl friend of one of the directors and the company, to protect its members it presented a case in the Nakuru courts to ensure that members' rights were protected. NDEFFO used DO Yatich (Bahati division) to make its case vibrant.<sup>19</sup> In 2014, after 46 years of hearing, the court in Nakuru ordered the land previously occupied by the said Florence Wambui be demarcated among NDEFFO members who did not receive land in the initial demarcation process. Apart from adding 15 acres, NDEFFO as a company was able to allocate land to its members equivalent to the number of shares bought and to resolve disputes/complaints concerning trespassing, encroachment and cutting of trees on its land.<sup>20</sup> Any plot that was vacant was allocated to its members who had not received land earlier. The organisation was able to hire lawyers to ensure a smooth transition of land and demarcation where necessary. In case a member wanted to sell his/her piece of land, company directors bore witness to the transaction as compared to the case of plot No. 217, Engashura farm where Mwangi Kibuthu, Duncan Kamau among others bore witness to the sale of shares. The directors helped during cases to assist in arbitration between complainants and the office of the Land Adjudication Department. When a member sold his shares, the company recorded the transactions in its books and offered a transfer receipt that was duly signed by a secretary of the company where the new owner received new reference number to avoid future confrontation.

In a letter to the DC of Nakuru, it illustrated that NDEFFO Company was paying for surveyors who were undertaking surveys in its farm in Marwa farm-Molo. The company secretary, Michael Kingori wrote to the company directors as follows, "We have written to you requesting you to release to us Kshs. 20, 000 for the survey expenses which is currently taking place at the Marwa farm- Molo...."<sup>21</sup> In 2002, company directors also passed a resolution to demarcate Menengai slopes to its members. The company hired Louis Omondi as the company

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<sup>18</sup> Bahati/ Kabatini block I 1985-1990. LND 16/16 vol. 1, Archival reference DRY 5/11, folio no. 46, 47, 48, 51.

<sup>19</sup> Bahati/ Kabatini block I 1985-1990. LND 16/16 vol. 1, Archival reference DRY 5/11, folio no. 25.

<sup>20</sup> Bahati/ Kabatini block I 1985-1990. LND 16/16 vol. 1, Archival reference DRY 5/11, folio no.13, 14.

<sup>21</sup> Bahati/ Kabatini block I 1985-1990. LND 16/16 vol. 1, Archival reference DRY 5/11.

surveyor who was requested to show members their plots. Louis Omondi drew the map of plots to ensure that members were easily catered for.<sup>22</sup>

A letter from the Ministry of Lands, Settlement and Physical Planning directed the DO Bahati in 1983 to stop NDEFFO directors from issuing share certificates. According to the Department of Land Adjudication, it was wrong to issue certificates connected with transfers. This led to cancellation of new certificates issued in 1983 leading to losses by members.<sup>23</sup> On 9 May 1983, a meeting was held at DO's office in Bahati between NDEFFO members and DO J. Nandasaba, with NDEFFO chairperson Mwangi wa Kibuthu present. The issue of completion in payment of shares was discussed. Members who had not paid the shares were given, upon request, one month by the DO to do so. The NDEFFO secretary was also requested to publish the meeting's resolution for members to be well informed. Members who had paid share capital to Kimunya were asked to repay again by the DO through his office.<sup>24</sup> On the issue of extra members, the DO was of the view that increasing new members would deprive the registered members their right. They would lose land to new members. Leadership wrangles made the government to intervene on 25 March 1984, when NDEFFO directors signed an agreement for the lease of the quarry with the Sarajevo General Engineering Limited. The government was categorical that since it was currently in charge of all the NDEFFO undertakings, the money for payment was supposed to be deposited with the DC Nakuru rather than be channelled to members.<sup>25</sup>

Between 1983 and 1984, members were dissatisfied that non-genuine members had been allocated land. In a letter to the DO, Chief Joseph Njenga Karimi argued that new members bought shares from directors.<sup>26</sup> The people on the list included directors children's, wives and affluent persons in public services including Koigi wa Wamwere who was then a former MP for Subukia and the then police inspector, Obanda Nandwa.<sup>27</sup> In the same year, Yusuf Haji, the PC Rift Valley called a meeting of all directors of the companies where all the chiefs in Nakuru

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<sup>22</sup> Omondi, OI, (Company surveyor) held in Nakuru on 22/08/2014.

<sup>23</sup> Co-operative farms 1983-1984 ADM 15/6 vol.IX folio.9 Archival, DRY 1/4.

<sup>24</sup> Co-operative/ Company 1982-1984 ADM 15/6 Vol.X folio. 17, Archival, DRY 1/5.

<sup>25</sup> Co-operative farms 1983-1984 ADM 15/6 vol.IX folio.302 Archival, DRY 1/5.

<sup>26</sup> Co-operative/ Company 1982-1984 ADM 15/6 Vol.X folio. 14, 15, 19 Archival, DRY 1/5.

<sup>27</sup> Co-operative/ Company 1982-1984 ADM 15/6 Vol.X folio. 14, Archival DRY 1/5.



District were present. He directed the directors and the chiefs, that it was the government's decision that 1987 was the year of working hard to fulfil member's needs and he was determined to ensure that government policy was adhered. The PC further said that he had received many complaints from members in terms of exploitation from the directors, for instance, the directors had destroyed farm records and surveyors on the other hand had allocated land to other people to sabotage subdivision of the farms. The government was clear that any director who failed to submit audited accounts as stipulated by the law would be prosecuted. NDEFFO Company's article of association stated that in the provision of the act 139, that in every year, the accounts of the company shall be examined and the balance sheet reported. But, the provision was never adhered to. The PC gave the year 1987, as the deadline of the exercise of land sub-division and he further termed the collections of money on farms as illegal.

Unlike other settlement schemes that were purchased by the Kenyan government using international loans, NDEFFO's source of funds was private. On 21 January 1987, in the office of the DC, a meeting chaired by the then DC. Johah Anguka, was held to accelerate survey of the company and co-operative farms in Nakuru. Those present included G.E. Marwa- District Lands Adjudication Officer and S. Mwangi, Provincial Land Adjudication Officer. The main agenda of the meeting was to ensure that all the land was surveyed, balloted for and title deeds issued within three months after the Presidential directive of January 1987.<sup>28</sup> The DC was requested to remind the directors to adhere to the directives, and the Divisional DOs (DDOs) were told to ensure that all farms in Nakuru adhered to this directive.<sup>29</sup> In a general report of the state of company activities in Bahati Division, the then DO Nandasaba gave an overview of the most problematic company and which by then were discussed by politicians. The NDEFFO Farmers Company was the first in his list; he described it as follows:

An elderly frail alcoholic chairperson heads it by the name Mwangi Kibuthu. The company has six active directors, and it is one of the most problematic companies in the division. It has over 11096 acres with about 5,555 registered members. It has two groups of opposing directors who do not talk to each other. Former

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<sup>28</sup> Co-operative/ company 1980-1987. Adm 15/6, Vol. XV, folio. 6 Archival, DRY 1/6.

<sup>29</sup> Co-operative/ company 1980-1987. Adm 15/6, Vol. XV, folio. 6 Archival, DRY 1/6.

director Kimunya Kamana heads, one group while Mwangi Kibutho who is the current board director heads the other...<sup>30</sup>

Mr Nadasaba also reported to the DC, that the company faced the following problems:

- a) That there was no cooperation between members
- b) Land sub-division was not over, though it was going on.
- c) The NDEFFO farms were the focus of politics and their leaders were naming government officials with malicious and unfounded accusations.
- d) There was a constant problem over the number of members; one group was claiming that it had over 5000 members.
- e) Leadership squabbles were eminent between two groups where each tried to oppose whatever the other group did.
- f) The directors of the company had no respect towards government officials. In as much as NDEFFO had problems there was a survey that was in progress and over 2700 plots had been demarcated.<sup>31</sup>

Despite the problems in NDEFFO farms, Lusiru farm in Njoro Division was under survey by Land Adjudication and the work was expected to end on April 1987. By April, the mode of balloting for plots was arrived at in a meeting held between the DO. Nandasaba and NDEFFO members. It was agreed that selection of land was to be done using secret balloting anticipated to be done at Afraha stadium.<sup>32</sup> Members who were issued with ballot cards were those in the three farms, who were already settled, and had been farming on their farms for a long time. After the allocation of ballot cards, the members who had no plots could ballot for unoccupied plots that were pooled in one ballot box.<sup>33</sup> It was also mentioned by a NDEFFO director in the meeting, Mwangi wa Kibuthu, that there were no squatters on NDEFFO farms.

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<sup>30</sup> Co-operative farms 1983-1984 ADM 15/6, Vol.IX folio.161 Archival, DRY 1/4.

<sup>31</sup> Co-operative farms 1983-1984 ADM 15/6 vol.IX folio.161 Archival, DRY 1/4.

<sup>32</sup> FGD with NDEFFO members shared the same idea of participating in secret balloting.

<sup>33</sup> Co-operative/ Company 1982-1984 ADM 15/6 Vol.X folio. 17 Archival, DRY 1/5.

Cases of double allocation of the plots were evident, for instance on 5 July 1988, the land registrar in Nakuru wrote to the DC. Paul Yatich concerning double allocation of plot of John Nderitu Wachira. Wachira realised in his personal investigation that his plot was allocated to another shareholder. In a letter dated June 1991 to the attorney general, Peter Githitu, a member of NDEFFO, reference land disputes – Engashura farm plot no. 166 LR NO.2138, he presented his case that he was allocated plot, no 166 in 1977 at Engashura farm. Mary Wanjiku was also claiming the same plot. He believed that there was a fraud in double allocation of the land.

The children of deceased NDEFFO members had a hard time trying to acquire land left behind by their parents who died and they had registered with NDEFFO. At times, the directors resold the land to others and so the family members, leaving behind many children of the deceased NDEFFO members seeking help from court.<sup>34</sup> According to NDEFFO members, the company, despite its success contributed to problems of NDEFFO members. On 15 March 1989 members wrote a letter to the DO of Bahati requesting him to intervene in the activities of the company directors as they were acting against the interests of NDEFFO company members. The members were airing the grievances against the directors' acts of repossessing the land that had been proposed for building a girls' secondary school.<sup>35</sup> The directors sub-divided the plot among themselves and sold it. Another grievance was that some 150 members paid Ksh.800 for a business plot in Kagoto area but they did not get the plots since the county council barred them from developing and utilising the plots.

The slopes of the Menenga hill were set aside for planting trees, main aim being afforestation. However, some of the directors allocated the plots without the members consent and resolution, and they were afraid that some of the members were not Mau Mau. The NDEFFO members also complained that the land meant for members cemetery had also been grabbed and subdivided. The directors were also reported by members to have created unnecessary land disputes in Lusiru and Engashura. Michael Kingori secretary of NDEFFO, in 1989, mentioned another case of interference in NDEFFO operations by the senior chief, concerning the conduct of the assistant chief of Kirima sub-location. The Assistant chief was allocating plots to individuals who were not members. There were claims that members did not get land equal to five shares. Wanyoike Thungu while writing to the company directors on 21

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<sup>34</sup> *The Standard Newspaper*, 11/06/1989 by Munene Kamau on Listen to members complain, p.23.

<sup>35</sup> *Sunday Nation*, 20/5/1990 by Kenya News Agency on End Land Disputes, p.15.

January 1988, carbon copied to the DO of Bahati complained of the same issue. In response to Thungu's claims, Mwangi Kibuthu, the chairperson, Simon Karanu, Treasurer and Kuria Murimi, Secretary responded by disregarding former director's directives.

There were cases where some NDEFFO members did not get the land. After 23 years of the Company's existence, Muhiri Kimani in 1991 was complaining to the registrar of lands in Nakuru because he was not allocated any land. The issues of boundary problems were highly reported in 1992, for example, plot number Bahati/ Kabatini Block 1/2564. The Survey of Kenya officials in 16 January 1992 wrote to the DO of Bahati, concerning boundary disputes. Apart from boundaries problems, members also complained on acreage issues. The acreage measurement indicated on the title deeds was wrong from the actual measurements on the ground.<sup>36</sup> The Ministry of Land, Housing and Physical Planning found that some of plots were smaller than what was indicated on the title deeds.<sup>37</sup>

In a letter dated 31 December 1993 by the company directors (Amos Kaguara, the chairperson, Simon Karanu, Treasurer, Michael Kingori and eight others) complained to the DO, Bahati division about illegal allocation of Plots at Engashura- Bahati/Kabatini 1/3798. The issues raised on the letter were about illegal allocation of plots at the Menengai slopes by local administrators.<sup>38</sup> The secretary of NDEFFO Company also presented a case of Gachago versus Nderitu, where Nderitu being their member, Gachago, a non-member both acquired land in NDEFFO farm. Another issue raised was that the Company did not request the surveyors who carried out the work. This was contrary to the company rules and regulations since the company was still active and nobody was supposed to interfere in its operation.

NDEFFO and Marwa farms had no problems. Members kept animals during the Jomo Kenyatta era. However, from 1992 to 2002 the situation changed. NDEFFO members were forced to keep their livestock in their houses due to insecurity. Nakuru DC, Kinuthia Mbugua, had argued earlier that Mau forests was a gazetted government forest. However, in 1999, the government began allocating land to the Kalenjins.<sup>39</sup> Kalenjins being their immediate neighbours, there was tremendous effects to the ex-Mau Mau fighters. From 1992, NDEFFO

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<sup>36</sup> The Company Surveyor also shared the idea to the researcher on 5/09/2014 at Menengai slopes.

<sup>37</sup> Bahati/ Kabatini block I 1985-1990. LND 16/16 vol. 1, Archival reference DRY 5/11, folio no. 111.

<sup>38</sup> Bahati/ Kabatini block I 1985-1990. LND 16/16 vol. 1, Archival reference DRY 5/11, folio no. 32.

<sup>39</sup>T. Kimaiyo, *Ogiek Land Cases*, pp. 26-28.

farms, especially Lusiru and Marwa, had been named as hotspot of the post-election violence. After every five years. Mzee P.Kanji recounts how all his maize and houses were burnt down. In other two cases, Amos Mararo, recounts how his cattle, a source of livelihood, was stolen. Rong'o recounts how his thirty-six goats were stolen. Due to such ordeals, most NDEFFO members relocated to other places where some lived as tenants. In a focus group discussion, each of the participants recounted how they lost their properties due to ethnic clashes during the period of 1992-2002 though; they vowed to die on NDEFFO farms since they could not afford to relocate.<sup>40</sup>

#### **4.4 Summary**

President Daniel Moi recognised NDEFFO members in his initial years by being involved in NDEFFO issues. He was always present at Nakuru State House when Jomo Kenyatta was deliberating land issues with NDEFFO members. He was able to assist NDEFFO members to secure title deeds for their farms. The Daniel Moi government demarcated all NDEFFO farms for free ensuring everybody secured their individual plots, ending NDEFFO conflicts. The Daniel Moi government also paid the surveyors a lot of money on behalf of NDEFFO members; later one he himself presented title deeds to them. President Daniel Moi was never much involved as his predecessor did, but tried to move Mau Mau veterans closer to him for political reasons, for example, Mau Mau veterans were recognised during the electioneering periods though their plea for land was ignored.

NDEFFO successes could be measured in the number of persons it settled and the properties it had. The company had the monopoly of the quarry and employed many ex-Mau Mau descendants. It was the source of funds for the company and its members. According to a letter addressed to the PC Rift Valley by Kamau Githaiga and copied to the Industrial Development Bank asking for extension of the lease for 99 years, the quarry as per that letter was a public utility aimed at benefiting NDEFFO members who had purchased the land. In FGD with NDEFFO members, they said they were given Ksh.1000 and some Ksh.2000 from the sale of quarry. Although the company succeeded in some aspects, its success was only partially felt by some members with a few directors benefiting from the company. Member were told that they would be allocated 2 ½ acres which they never received. The company officials introduced other

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<sup>40</sup> Rong'o, OI, held on 15/04/ 2014 18/4/2014 at Heshima Nakuru.

people over the years who were not ex-Mau Mau. Apart from non-members, the company officials gave shares to their families, making company operations marred with corruption. With company assets being sold without the members consent these made them furious because they lost their hard-earned assets. For instance, former director, Maina Muchiri in agreement with the company lawyers sold the company property near Hotel Waterbuck in Nakuru. He also sold the quarry to repay ghost members whom he claimed had not received land. The cases of the quarry and company house were complicated because the properties were sold with the company lawyer's consent. NDEFFO failures are attributable to wrangling between the leaders who had different ideas of running it and members who needed individual plots. The wrangles acted as a catalyst that enabled massive corruption within the scheme. As members were fighting, people whose mandate was to run the organisation were busy stealing from it, leading to its collapse.

## CHAPTER FIVE

### 5.0 NDEFFO AND LAND ISSUES, 2003-2013

#### 5.1 Overview

Between 2002 to 2013, the descendants of Mau Mau veterans were many in number as compared to the previous years. The 1.6 acres allocated to NDEFFO members was inadequate for the increased family sizes. The Mau Mau veterans had high expectation of getting land because power shifted from the Kalenjin elite to the Kikuyu elites. President Mwai Kibaki appointed many people mainly from Central Province in major government positions despite their being past retirement age. The “Mount Kenya Mafia” who were old guards believed in the Jomo Kenyatta model of governance, NDEFFO members were pessimistic on Mwai Kibaki after the appointments of such persons. Mwai Kibaki however, decriminalised the Mau Mau and they could hold meetings anywhere in Kenya, making their agitation for land widespread. Apart from land, the Mau Mau sought reparations from the wrongs done to them by the British government. NDEFFO members were concerned with Mwai Kibaki because he was in KANU which did not offer ex-Mau Mau land as they had expected. They feared his regime would continue with the humiliating practices experienced during the Jomo Kenyatta and Daniel Moi eras. In this period, NDEFFO Company had subdivided its land and was therefore not active. This chapter therefore assesses the position of the Mwai Kibaki government on landlessness, and how it affected the wellbeing of Mau Mau and their descendants.

#### 5.2 Mwai Kibaki Regime’s and ex-Mau Mau Challenges

With the official registration of National Rainbow Coalition government (NARC) in December 2002, ex-Mau Mau were full of anticipation that their persistent call for land will be dealt with. NARC was a group of politicians who were against Daniel Moi for his preference of Uhuru Kenyatta as President; therefore, they had no principles to march Kenya forward. Ajulu referred NARC under President Mwai Kibaki as a ragtag army of politicians who were out there to take opportunities.<sup>1</sup> On the other hand, Ndegwa argued that the new government that came

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<sup>1</sup> R. Ajulu, “Thinking through the Crisis of Democratisation in Kenya: A Response to Adar and Murunga”, *African Sociological Review*, 4, 2, 2000, pp. 8-10.

after transforming the country from long-reign dictators tended to achieve less since they only continued to safeguard their interest and status quo.<sup>2</sup> According to Murunga and Nasongo, the people who surrounded President Mwai Kibaki's regime were old KANU or DP members who were in those positions to reinforce Kikuyu bourgeoisie interests, the interests which had their roots in the Jomo Kenyatta regime all the way to Daniel Moi era and then to Mwai Kibaki era. The group in power led by President Mwai Kibaki had little regard for the ex-Mau Mau fighters.<sup>3</sup>

The two NDEFFO farms, Marwa and Lusiru faced a challenge of insecurity due to their location, for instance, since Daniel Moi era the Kalenjins for many years tried to drive ex-Mau Mau and take over NDEFFO farms. In 1992 and 1997, they failed, however, in 2007 they succeeded in Marwa farm near Ndoinent forest in Molo.<sup>4</sup> In Lusiru farm, most of the properties were burnt down and members evicted, forcing most Mau Mau veterans to migrate because of the situation brought about by the violence. The situation made some Mau Mau veterans sell their plots in the Marwa farm at low prices. The report of the Truth, Justice and Reconciliation Commissions stated that the illegal acquisition of land in Kenya rendered some societies landless. In addition, Jomo Kenyatta's and subsequent governments alienated more land to already affected community rendering them landless.<sup>5</sup> The Akiwumi Report also stated that land issues fuelled ethnic conflict. In addition, land issues brought about the emergence of militia groups in some parts of the country whose aim was to reclaim land using violent means.<sup>6</sup> In this regard, violence had been evident in Marwa and Lusiru. According to TJRC report, the Kalenjin who are herders and farmers in the Rift Valley vowed to fight, to reclaim their lost land from the non- Kalenjin owing to the unresolved land issues in the province.

The study found that Marwa is in the heart of Kalenjin land area. Therefore, it was the most affected in 2007-2008 post-election violence. Mau Mau veterans amounting to 583, their

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<sup>2</sup> S. Ndegwa, 2003. "Kenya: Third Time Lucky?" *Journal of Democracy*, 14, 3, pp.154-157.

<sup>3</sup> R. Murunga & W. Nasong'o. "Bent on self-destruction: The Mwai Kibaki regime in Kenya," *Journal of Contemporary African Studies*, 24:1, 2006, pp. 4-28.

<sup>4</sup> Ngeno, OI, at NDEFFO centre in Marwa on 28/7/2014.

<sup>5</sup>TJRC. *The Report of the Truth Justice and Reconciliation Commission* (Vol.1) (Nairobi: TJRC, 2013), pp.1-3.

<sup>6</sup> J. Akiwumi, *Report of the Judicial Commission appointed to acquire into tribal clashes in Kenya (Rift Valley)*, Accessed online at <http://www.hrw.org/news/2002/10/31/kenya-report-politicians-fueled-ethnic-violence-on-22/8/2014>, pp. 60-82.



extended families were forced to migrate, and this pushed them into acute poverty.<sup>7</sup> According to the NDEFFO office directors, the Kalenjin forced the people of Marwa out of their land. The Kalenjins grazed their cattle on plots that were planted with crops. The Marwa farm is no longer under the control of NDEFFO since most of its owners relocated for security purposes.<sup>8</sup> NDEFFO Company directors have tried to seek for the intervention of the government in vain.<sup>9</sup> This is an indication how Mwai Kibaki government had frustrated all the efforts of the Mau Mau of legal recognition and protection of their property and identity as Mau Mau. Jomo Kenyatta was categorical that Marwa farm was for the freedom fighters; with the subsequent governments disregarding the directives. The forceful eviction of the Mau Mau from Marwa and NDEFFO marked the genesis of the economic destruction, suppression and loss of identity of the Mau Mau. The loss of identity emanated from the displacement of the Mau Mau.

The Ndung'u report stated that Lusiru was an ADC farm.<sup>10</sup> However, Kimunya narrates how he evicted the owner of the Lusiru farm (Saunders), and African Development Corporation (ADC) took over the land and later sold it to NDEFFO Company. According to TJRC (2013), a litany of historical injustices has roots from land which was previously either forestland, water catchment, land owned by public corporations and private individuals. Kenyans were optimistic with Ndung'u report. It indicated that NDEFFO acquired Lusiru farm plot No. L.R 9955 illegally. According to Karungu and Rong'o, the report was written from armchair speculations, thus fuelling ethno-political conflicts in the Rift Valley.<sup>11</sup> The release of Ndung'u report made former Mau Mau fighters vulnerable to blame since it mocked their efforts towards buying Saunders farm from the ADC.<sup>12</sup> Apart from land issues, NDEFFO members were united than ever to ensure justice was realised.

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<sup>7</sup> TJRC. *The Report of the Truth Justice and Reconciliation Commission* (Vol.1) (Nairobi: TJRC, 2013), pp. 4-6.

<sup>8</sup> Ngeno, OI, at NDEFFO centre in Marwa on 28/7/2014.

<sup>9</sup> Karungu and Rong'o, OI with NDEFFO company chairperson and Secretary held on 15/04/2014 and 18/04/2014 at Heshima offices.

<sup>10</sup> *The Standard Newspaper*, 11 December 2004 on the Kenya Land Report.

<sup>11</sup> Karungu and Rong'o, OI with NDEFFO company chairperson and Secretary held on 15/04/2014 and 18/04/2014 at Heshima offices.

<sup>12</sup> *The Report of the Commission of Inquiry into the Illegal and Irregular Allocation of Public Land* (Government Printer, 2004).pp. 8-9.

Apart from land issues, Mwai Kibaki inherited a ‘Mau Mau society’ that was ‘sick.’ Sick in the sense of mistreatment they underwent during the colonial period.<sup>13</sup> This resulted in them seeking justice for the mistreatment they received from the colonial government. The post-independent government failed to recognise them and support them materially. The NDEFFO members expected the government to remember them and allocate them land, but they were never allocated any. In addition, they sued the colonial government for the injuries inflicted on them. During the month of April and May 2014, there was a registration of the claimants for compensation from the British government. NDEFFO members, despite being old and many of them dead, had remained optimistic. Jane Wanjiru a respondent, recounts how her late husband Njenga wa Gishimo was optimistic (Appendix IV). He died hoping that one day the government will remember them and pay them for the damages they incurred.<sup>14</sup> NDEFFO members registered in 2004 under Mau Mau War Veterans Association (MMWVA) headed by General Bahati and the slogan of the organisation was “Peace and Justice for All.” From its slogan, the organisation was meant to seek justice for all Mau Mau in terms of reparations for the injustices done to them and their land. On each farm, the organisation had leaders who were elected by the NDEFFO members.

### **5.3 Mau Mau and Mungiki**

The state of former Mau Mau fighters in Kenya led to their children being labelled as Mungiki. This is because of the perception that Mungiki’s agitation represents the rebirth of Mau Mau plea for land and freedom.<sup>15</sup> Freedom fighters, due to their poverty, have been associated with Mungiki. The Mungiki members consider themselves as “*Thuna cia Mau Mau*” (Mau Mau Offshoots). Some scholars, refer to them as “*Ciana cia Mau Mau*” (Sons or daughters of Mau Mau) who are out to fight mental slavery (*Ukombo wa Meciria*) which is connected with current social-economic and political situation.<sup>16</sup> The connection between Mungiki and Mau Mau is revived in an intriguing way. The Tent of living God whose followers mainly came from the

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<sup>13</sup> Thuku, Wambu and Mwangi, OI, held on 05/04/2014 and 11/04/2014 at Lusiru farm.

<sup>14</sup> Wanjiru, OI, held at Lusiru Farm on 5/04/2014.

<sup>15</sup> J. Mwangi, “We Are the True Sons of Mau Mau! Re-Assessing the Historiography of Resistance in Kenya, 1924-2008.” *Africa Zamani*, No.17, 2009, pp. 293-301.

<sup>16</sup>R. Murunga and S. Wanjala, *Kenya: The Struggle for Democracy* (London & New York: ZED books: CODESRIA and Zed Books, 2007), pp. 79-99.

central Province of Kenya advocated for a revert to Kikuyu traditional ways of worship in 1990s. They maintained dreadlocks reminiscent of those of ex-Mau Mau fighters. In their prayers, they referred to famous leaders like Dedan Kimathi as prophets to be worshipped. The government and some scholars quickly pointed to a link between this cult and mystic religious elements of the Mau Mau, resulting the Mungiki being referred as sons of Mau Mau. None of those concerned have proven this.

Mungiki rose mysteriously as a religious group in 1995 when Maina Njenga claimed to have had a vision to liberate his people from oppression. He claimed to possess some special powers like prophets such as Elijah Masinde. Some scholars perceive Mungiki as a splinter group from Tent of the Living God (*Hema ya Ngai we Mwoyo*) headed by Ngonya wa Gakonya.<sup>17</sup> The Tent of Living God headed by Gakonya's group had failed to respond to political situation, therefore it was perceived by some followers as conservative. It was perceived conservative because Kenya by then was at political crossroad. Although Ngonya wa Gokonya tried to enter politics in 1992 under Democratic Movement (DEMO), the registration was denied by the government. As a result many youths at the height of 1990s political clashes within the movement moved from the Tent of Living God to Mungiki. Therefore, the main reason why the two splinted was that Ngonya group was not radical as it did not react to political situations. Mwangi attest that the members wanted to form a political party.<sup>18</sup> Mungiki has tended to use the Kikuyu culture as its pillar.

There has been a problem distinguishing the boundary line between Mau Mau and the Kikuyu, thus the link between the Mau Mau and Mungiki. In oral interviews in NDEFFO for example, members saw Mungiki as a group of youths who have no goals and aspirations. The Mau Mau on the other hand had clear aspirations and goals, fighting for Uhuru and the land.<sup>19</sup> NDEFFO members argue that calling Mungiki their sons and daughters is a way of portraying them as people with little or lacks parenting skills. Anderson refers to Mungiki as a group in Nairobi and draws its descent from Gikuyu interests, he does not say Mau Mau interests.<sup>20</sup>

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<sup>17</sup> Ibid, p.100.

<sup>18</sup> Mwangi, "We Are the True Sons of Mau Mau!" pp. 293-301.

<sup>19</sup> FGD with NDEFFO Members held on 28/03/2014 and 03/04/2014 at Lusiru and Engashura farm respectively.

<sup>20</sup> D. Anderson, 'Vigilantes, Violence and Politics of Public Order in Kenya', *African Affairs*, Vol. 101, No. 405 (2002), pp. 531-554.

Kagwanja's argument is that the KANU regime under Daniel Moi changed the noble goal of Mungiki to political misuse. He argues that the initial objectives of Mungiki were noble, but the government transformed it into be a vigilante group serving political interests.<sup>21</sup> According to NDEFFO informants, during 2007-2008 post-election violence, Mungiki membership grew NDEFFO areas. It began to mobilise members to areas where 2007-2008 post-election violence was intense. This meant that Mungiki's leadership were sending their foot-soldiers to areas that were hotspots including NDEFFO farms. Due to the states of insecurity, Mungiki used the opportunity to win acceptance due to their prowess in repulsing ethnic attacks. In this regard, they organised themselves into a militia ostensibly to be able to defend their community against attacks.<sup>22</sup>

#### **5.4 Kibaki Government's Position on Mau Mau Veterans**

Under the new constitution, Mwai Kibaki leadership recognised the people of Kenya whose acts were heroic in the struggles. The preamble of the constitution declared that, 'people of Kenya [as] Honouring (sic) those who heroically struggled to bring freedom and justice to our land...'<sup>23</sup>. The government broke away from the four decades where issues concerning the heroes and heroines were silenced. The preamble however, was vague and did not state Mau Mau.<sup>24</sup> However, Jomo Kenyatta day was changed to mashujaa day to include all heroes. The Mau Mau War Veterans' Association (MMWVA) endorsed it because they saw it embracing the Mau Mau and their legacy. From that time, NDEFFO members under the MMVA have been traversing the nation holding meetings to agitate for compensation. The Mwai Kibaki government announced that it was going to launch a proper search for Dedan Kimathi's body and then accord him a proper burial. His government promised a national site in commemoration of Mau Mau Heroes and help for them. Later on, President Mwai Kibaki honoured Mau Mau Leaders where he

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<sup>21</sup> P. Kagwanja. "Facing Mt. Kenya or Facing Mecca? The Mungiki Ethnic Violence and Politics of Daniel Moi Succession 1987-200", *African Affairs*, Vol. 102, No. 406 (2003), pp. 25-49.

<sup>22</sup> Thuku, Wambu and Mwangi, OI, held on 05/04/2014 and 11/04/2014 at Lusiru farm.

<sup>23</sup> Attorney General of the Republic of Kenya. *The proposed Constitution of Kenya (Nairobi: Government Printer, 2010)*, p.5.

<sup>24</sup> L. Hughes, "Truth be Told: Some Problems with Historical Revisionism in Kenya," *African Studies*, Vol.70, No.2, 2008, pp.182-201.

unveiled a bronze statue depicting Dedan Kimathi in Nairobi.<sup>25</sup> Apart from erection of the Kimathi statue to commemorate the Mau Mau leader, his government created a task force in 2007. The task force was on National Heroes and Heroines to determine who were supposed to be honoured and rewarded. Ironically, President Mwai Kibaki who was referred by Mukami as a homeguard who helped a lot in the revival of Mau Mau legacy. This is contrary to Atieno Odhiambo view that Home Guards had nothing to do with Mau Mau Story. Atieno Odhiambo stated that the stories of Mau Mau were only important to nationalist agitators who saw Mau Mau as the saviours of the country from colonialists.<sup>26</sup> Atieno went further to show that Mau Mau stories were important to opportunistic Mau Mau generals and the Nakuru Ex-freedom Fighters Organisation (NDEFFO) who were continually asking the state to remember them.

The unveiling of the Kimathi monument on 18 February 2007 was welcomed by many.<sup>27</sup> According to NDEFFO members, however, the statue would not elevate them from their problems.<sup>28</sup> All they needed was the Mwai Kibaki government to remember them and give them the land which they had anticipated since Kenya attained her independence. NDEFFO Members did not give value to the monument and they criticised Permanent Secretary Alice Mayaka who argued that there was no better way of honouring the Mau Mau, but to erect a monument in their honour. To them, the monument did not depict them, and all they wanted was land to alleviate their poverty level. Before the Mwai Kibaki era, Mau Mau had formed different organisations to agitate for their recognition. Such organisation included Mau Mau Original (MMO), Ex-freedom Fighters Organisation (NDEFFO) and Mau Mau Trust Organisation (MMTO). By the inception of his government, Mwai Kibaki urged them to form one organisation known as Mau Mau War Veterans Association (MMWVA) under General Bahati to make their agitation stronger.<sup>29</sup>

The MMWVA comprised the Kikuyu, Embu, Meru, Akamba and Maasai. After the formation of MMWVA by ex-Mau Mau in 2003, the government gave its leaders offices in

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<sup>25</sup>Wangui Kanina, "Kenya unveils monument to Mau Mau leader" accessed online at <http://uk.reuters.com/article/2007/02/18/uk-kenya-maumuau-idUKL1811612620070218> on 19/7/2014.

<sup>26</sup> E. S. Atieno-Odhiambo., "The Production of History in Kenya: The Mau Mau Debate." *Canadian Journal of African Studies*, Vol.25, No. 2 (1991), pp. 304-307.

<sup>27</sup> J. Hornsby, *Kenya: A History since Independence* (New York:I.B. Tauris & Co Ltd, 2013), pp. 793-794.

<sup>28</sup> FGD, held at Lusiru Farm on 28/03/2014 and Engashura farm on 3/04/2014 respectively with selected NDEFFO Members.

<sup>29</sup> Ndung'u and Wairimu, OI, held on 11 April 2014 on Lusiru farm.

Archive house, Nairobi freely. Also in Nyeri, at Old African Court near Ruring'u stadium. They were also given a place to meet and discuss their concerns. Apart from the reparations for the mistreatment, while meeting at Ruringu on 17 January 2014, MMWVA chairperson, while mourning the death of General Theuri Njue alias Kimbo asked the government to award Mau Mau veterans with land.<sup>30</sup> The Old African Court has a museum, where they place items which were used by the Mau Mau and items used by British soldiers. The National Museums of Kenya (NMK) controlled the section of the museum where items related to the Mau Mau legacy were placed. The MMWVA has 75 branches all over the country. Gathieni Kingori who is a resident of NDEFFO heads the Njoro Branch. The Mwai Kibaki government promised (MMWVA) to secure spaces in old government offices all over Kenya that were unused for their operations, but as of June 2014, the branch chairpersons were yet to be allocated offices. The government did this to ensure that Mau Mau veterans met freely to discuss issues concerning reparation process.

Most ex-Mau Mau fighters thought that the Mwai Kibaki regime would enhance democracy and accountability, with his government promising to end impunity. Most of the officials under him were involved in scandals and corruption. The creation of a Commission of Inquiry into the irregular allocation of plots or public land chaired by Paul Ndung'u was much welcomed. Ex-Mau Mau fighters anticipated that their lost lands in central Province would be returned. The report was available to the public and it showed how the two first Presidents families, ministers, MPs, civil servants, and judges acquired land illegally. The commission was mandated to make the inquiry into the unlawful allocation of public land and ascertaining beneficiaries afterwards make the recommendation on how to restore illegally acquired land. The report was not acted upon and until today ex-Mau Mau are still waiting for the outcome of this report. In terms of giving out land to the landless, Mwai Kibaki did nothing about it. His government only created a platform for the Mau Mau to be remembered and cared. This led the current President, Uhuru Kenyatta to sign the Kenya Heroes Act, of 2014.<sup>31</sup> The Act Law was enacted by Parliament for the recognition of the heroes and to honour them. The Act was for the establishment of the National Heroes Council to ensure that assistance to national heroes was

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<sup>30</sup><http://www.standardmedia.co.ke/ktn/video/watch/2000074094/-mau-mau-war-veterans-cautioned-against-conmen>, accessed online at 29<sup>th</sup> June 2014.

<sup>31</sup> Government of Kenya, (6 May 2014) *Kenya Gazette Supplement Acts*, 2014 No.63 (Acts No.5), (Nairobi: Government printers), pp.71-92 (Assented 29<sup>th</sup> April 2014).

accorded. Furthermore the Act 25, No.2 (1), under clause (IV) (Identification and declaration of Heroes), the government was committed to ensure that national heroes received standard health care services, adequate housing, adequate food, social security, free education for their dependants of school-going age up to tertiary level, employment opportunities for their dependants who had relevant qualifications.<sup>32</sup> The Act also stated that it would offer a place for burial of heroes whenever it considered relevant and did not state whether it would offer land to landless heroes like the Mau Mau War veterans. In the Act, the criteria for one to be accorded the status of heroes must fall under functional categories where the first in the schedule is the liberation struggle. The Mau Mau movement falls under this category since they were fighting for land and freedom, until today they have never received. NDEFFO members' plea for land from the government was questioned by government officials interviewed. They gave a different version of testimonies, for instance chief Njenga argued:

NDEFFO members should never blame the government for their condition, they were ignorant and refused to take their children to school, they believed in free things because they fought for independence and felt more special than other Kenyans... The agitation for land is directed by another force (their children). Allocation of 1.6 acres by NDEFFO Company was sufficient.

He also blamed them for giving birth many children who never received education.<sup>33</sup> Ngarunya a former police officer, shares this view.<sup>34</sup> Mwithaga who initially supported the veterans, has abandoned the agitation for land since NDEFFO members bought the land they needed.

## **5.5 Summary**

The colonial government condemned the Mau Mau, The Jomo Kenyatta and Daniel Moi regimes also to some extent condemned the Mau Mau and failed to associate with Mau Mau as they had expected. President Mwai Kibaki saw Mau Mau as national heroes. The Mwai Kibaki government was much welcomed by the Mau Mau, he decriminalised the ex-Mau Mau and allowed them to form MMWVA to articulate their grievances. The Mwai Kibaki government had nothing to offer to NDEFFO members since they were already settled, but he legalised their

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<sup>32</sup> Ibid, pp. 82-83.

<sup>33</sup> Njenga (chief, 1975-1985) OI, held in Nakuru County on 23/01/2015.

<sup>34</sup> Ngarunya (senior Police Officer) OI held in Molo sub-county on 21/1/2015.

meetings to discuss issues concerning them and offered them offices countrywide. Despite his government's consideration of the Mau Mau, Mwai Kibaki never addressed the issue of landlessness although he provided a platform for them to air their grievances. The idea of giving land to the landless was tricky to the previous governments. It also proved difficult to his regime; therefore, he never addressed the issue of landlessness in totality. To date, Mau Mau veterans are still optimistic they will receive land for their children since most of them did not go to school as their parents were incapacitated by the Mau Mau liberation war. Some scholars eventually labelled their children as Mungiki to show discontent with the Mau Mau and their children.

Although NDEFFO as an entity was rich, its wealth did not benefit all members. Due to this, NDEFFO members have consistently been in court due to issues concerning plots, management of the company assets and corruption cases. Although the company was constituted to ensure the well-being of members, due to poor management and confrontations among members, it never achieved this goal in totality. The confrontations made some members to live miserably due to landlessness. Apart from poor management, freedom fighters were ignorant and perceived as believing in free things rather than working hard like other Kenyans. Their ignorance aggravated their current situation.



## CHAPTER SIX

### 6.0 SUMMARY, CONCLUSION AND RECOMMENDATIONS

#### 6.1 Summary

This chapter provides a summary of the key findings of the study, conclusion, recommendations on welfare of ex-Mau Mau fighters and suggestions for further study. The study was aimed at establishing why there exists a persistent call by the Mau Mau for their recognition and awarding them land. The study was motivated by the fact that Mau Mau fought for the freedom and land (*Weyathi na Ithaka*) yet after fifty years of independence under different regimes, they are still seeking recognition and land yet this has never been fulfilled by various regimes. The aim of Mau Mau movement, spearheaded by the freedom fighters, was to ensure that every Kenyan was free from the evils of colonialism. Scarcity of literature on Mau Mau who served in different cadres in the forest also motivated the study. A unique cadre of Mau Mau in the White Highlands who joined NDEFFO, their experience in relation to land has not been fully captured.

The study was conducted in three NDEFFO farms in Nakuru namely, Marwa, Lusiru and Engashura. The researcher interviewed 79 respondents in Lusiru and Engashura. Respondents were drawn from ex-Mau Mau fighters, Government representatives and NDEFFO Company officials. Interview schedule and focus group discussions were used to collect data from the respondents. Data collected was analysed to address the research questions under study. The following is the summary of key findings as per the objectives of the study

NDEFFO was formed by elite ex-Mau Mau who were in Nakuru. The idea emanated when the President Jomo Kenyatta announced there was no free land in Kenya. The elite ex-Mau Mau veterans felt the President Jomo Kenyatta betrayed ex- Mau Mau fighter because most of ex-Mau Mau veterans found their lands in central Province already occupied by former Home guards. The elite Mau Mau like Kimunya Kamana, Kariuki Kabuba and Mark Mwithaga were relentless to ensure that ex-Mau Mau fighters who were coming out of forests and other areas to Nakuru were accommodated. Ex-Mau Mau fighters had to plead with the President Jomo Kenyatta to allow them form an organisation however, the President was reluctant until the Mau Mau performed a concert which resonated with him. The proverbs used in the concert made

President Jomo Kenyatta allow them form an organisation by the name NDEFFO. NDEFFO was helpful to the ex-Mau Mau fighters in the Rift Valley and from other regions. It acquired three farms from members' contribution and later subdivided the farm to the members. By acquiring land, members were empowered economically since they could use title deeds or their shares to acquire loans for their development. In as much President Jomo Kenyatta denounced Mau Mau plea for land, NDEFFO members were thankful for his support to resettle them by shielding them from competitors who also wanted to buy Engashura farms.

On the government's position in addressing landlessness among the Mau Mau, subsequent governments sought to play a role it could manage. The Jomo Kenyatta government, although it was categorical it was not giving out land freely helped NDEFFO members by placing ex-Mau Mau temporally on the slopes of Menangai slope as NDEFFO leaders were identifying land to buy. When NDEFFO was formed, through Africanisation policy, NDEFFO was among the companies that benefited from government transfer of the economy to the hands of Africans. In the Africanisation of the economy, NDEFFO was awarded Ksh.5 million. NDEFFO as a company was involved in cereal cultivation, the government recognised its efforts, and they were awarded Guaranteed Minimum Return. The Jomo Kenyatta government also empowered the ex-Mau Mau through NDEFFO Company by giving them loan through IDB. In addition, the President waived AFC interest accrued on NDEFFO Company. The Jomo Kenyatta government did this as it was enshrined on sessional paper No.10 of 1965 to ensure equal opportunities for all Kenyans. On the other hand, NDEFFO members blamed Jomo Kenyatta government by interfering with their affairs, for example taking sides in the meeting, planting seed of conflict between the leaders of the Company and ordinary members. The President and his bodyguard Wanyoike Thung'u were also accused from benefiting from NDEFFO resources.

President Daniel Moi was conversant with NDEFFO challenges since he used to accompany Jomo Kenyatta to Nakuru State House to deliberate on issues concerning NDEFFO. In the initial years (1978-1979), Daniel Moi government was accommodating to the ex-Mau Mau fighters and used to channel funds through Kariuki Chotara to previously neglected ex-Mau Mau fighters. NDEFFO for example, benefited from Daniel Moi contribution of Ksh.30,000 on impromptu visit to Engashura farm. However, in early 1980, NDEFFO members associated with Kenyan intellectuals who were advocating for removal of political restrictions and land redistribution. NDEFFO members believed that working with Mwakenya would make the

government give them land. By associating with such groups, Daniel Moi government was not ready to associate with NDEFFO members. As the government, Daniel Moi helped to end tussle in NDEFFO farms, Daniel Moi directed demarcation of NDEFFO farms where each member was allocated 1.6 acres of land. After demarcation, members were awarded title deeds. His government paid surveyors to carry out the demarcations on behalf of NDEFFO Company.

By 2002, NARC government came to power. The ex-Mau Mau in NDEFFO were full of anticipation from newly elected government headed by Mwai Kibaki. By this period, ex-Mau Mau fighters were settled and the NDEFFO offices were operating illegally without a permit. The agitations for land by the ex-Mau Mau fighters were high because the Mau Mau were allowed by Mwai Kibaki government to meet and discuss freely their plight. During this period, the Mungiki were labelled as a sons and daughters of the Mau Mau because of the rebirth of Mau Mau plea for land and freedom. Some scholars were quick to link Mungiki as sons of the Mau Mau. Under the Mwai Kibaki regime, the preamble of the new constitution recognised people who heroically struggled to bring justice and independence to Kenya. Mwai Kibaki governments' approach of honouring ex-Mau Mau fighters was creation of memorials as a way of appreciating the ex-Mau Mau fighters. Mwai Kibaki approach of appreciating the ex-Mau Mau was however criticised by NDEFFO members because memorials could not ease their sufferings. Under Mwai Kibaki leadership, MMWVA was created to represent Mau Mau plea for reparations on wrong done to them by the colonial government, in turn the Kenya government gave MMWVA offices in Nairobi and Nyeri. Regarding land, the government created a commission of inquiry headed by Paul Ndung'u to trace illegal land allocation in Kenya. The Commission work did not yield much as it was anticipated since its findings were not implemented.

NDEFFO was a self- help project created to advance members wellbeing. Members worked as a team, however due to challenges, NDEFFO members asked for individual plots. NDEFFO Company was able to acquire suitable lands for farming and animal rearing. These lands were able to resettle approximately 2000 members, maintaining production and catering for loan obligation. NDEFFO Company was able to increase its acreage by buying more 15 acres and hiring members to work for a pay. By uniting members, it created social amenities for ex-Mau Mau fighters and even extracting building stones from it quarry at Kagoto. The quarry also employed NDEFFO youths. NDEFFO Company hired lawyers on behalf of members to ensure

smooth transition of land where necessary. In a case where a member wanted to sell his/her plot the company bore witness to the act. Despite NDEFFO successes, NDEFFO as a company faced challenges. Members were furious because the company was not progressing yet some worked freely. Members were angry because of the leadership wrangles that incapacitated NDEFFO company development objectives, for example on 23 May 1974, the company was on the verge of being auctioned due to debts. When the issue was reported to the government, there was no legal proceeding against the directors nor observance of the company laws. Apart from abuse of company properties, some government officials like PC Isaiah Mathenge and Wanyoike wa Thung'u were dispossessing ordinary members land without government intervention.<sup>1</sup> Due to dispossession of land and addition of other members who were not registered, there were clashes in NDEFFO farms where crops and properties were destroyed. From 1978, the company failed to deal with issues of double of allocation of plots. This made some members fail to get land. The children of the deceased had a challenge to acquire the land their parents had registered for in NDEFFO farms.<sup>2</sup> The company failed to assist them because company directors had already confiscated the said land. On 16 January 1992, it was reported by the Survey of Kenya officials that the acreage confirmed on some title deeds was wrong from actual measures on the ground. This was because of company directors and some government officials were allocating plots to non- members denying real members to acquire actual acreage.

## 6.2 Conclusion

The study highlights the reasons for the formation of NDEFFO, its success and failures, and the position of different regimes concerning the issue of landlessness. Just like other companies that were formed in the 1960s, NDEFFO was formed for economic and social well-being of its members who came from the forests, detention, or concentration camps in Kenya. For manageability purposes, NDEFFO was meant for Nakuru freedom fighters only. Later, it accommodated other Mau Mau veterans from different regions who paid registration fee and other contributions. The word 'freedom fighters' led to it being perceived as a Kikuyu affair and dangerous by government officials opposed it. However, NDEFFO was an idea shared by like-minded Kikuyu who placed a great premium on acquiring land. They were convinced that

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<sup>1</sup> *The Daily Nation* 1/12/1975 by Ngugi Mbugua, NDEFFO bosses unhappy with Provincial Commissioner, p. 40.

<sup>2</sup> *The Daily Nation*, 12/09/1978 by Disgusted Mau Mau Children on Nakuru land Office not much help, p. 3.

coming together would ensure Mau Mau would remain relevant despite the government depicting them as a ‘disease’ that needed to be cured. Formation of NDEFFO was as a result of ex-Mau Mau need for land as a means of survival. The initial aim of NDEFFO was to buy land and allocate it to its members. Members were promised more than five acres. Corruption disorganised the organisation. Due to its disorganisation, there was bitter rivalry between members and directors. Apart from mismanagement, most members were illiterate and poor and could not educate their children as they had wished. Therefore, poverty, illiteracy and tension characterised the state of NDEFFO members.

The study was guided by Postcolonial theory. The Mau Mau who fought for this nation were rendered landless, yet the people who were regarded as Home Guards benefited from the fruits of independence. After Kenya attained her independence, the agitation for land by the NDEFFO members was perceived differently. For instance, after the formation of NDEFFO, some scholars argued that it was a means for the Kikuyu to dominate the Rift Valley politics and acquire land. These views were held for a long time, leading to tension and anarchy in the Rift Valley. The Mau Mau was a national movement, however it was perceived differently based on the stand of different regimes. Mau Mau was perceived as a ‘disease’ never to be remembered and in the Daniel Moi regime the writing of Mau Mau histories were prohibited. The continued agitation for land and association of NDEFFO member with Mwakenya made them labelled as rebels thus not benefiting from the government. The children of the ex-Mau Mau fighters are regarded as Mungiki, disregarding the problems they had to undergo when their parents were in forest fighting and detention camps. When NDEFFO members spoke in a meeting with Wanyoike wa Thungu, they were regarded as ‘non-entities.’ In the Nakuru State House, ordinary members who were regarded as ‘non-entities’ had won elections, but were not allowed to express themselves giving tacit approval to Wanyoike Thungu friends to do as they wished with company property. Few who were aided by elites at the expense of others did the grand corruption in NDEFFO farms. For example, members worked for free while directors and politician in Nakuru were creating chaos to destabilise the Company. The Jomo Kenyatta and Daniel Moi government who were the custodian of the law witnessed the flouting of the company laws without taking action. The study highlights the difficulty for any government to allocate ex- Mau Mau land therefore the prospect of voiceless ex-Mau Mau getting land remains doubtful.

The company success can be measured by its allocation of land to the shareholders where it awarded land to approximately 90% of its member. It was also able to repay loans it had acquired from Agricultural Finance Corporation (AFC) worth Ksh.901,048 and the African Development Bank (ADB) of Ksh.602,431. In addition, NDEFFO was repaying Joy Alberhozar loan amounting to Ksh.416,000 and G.M.R loan amounting to Ksh.363,708. In its initial years between 1969 and 1972, the company was at its peak. It grew cash crops such as wheat and maize and it produced 305 and 256 bags respectively on cultivatable 700 acres in Lusiru and Engashura. With time, leadership problems, double allocation of lands and allocating land to non-members were experienced. NDEFFO Company being associated with Mau Mau was always in the limelight in the politics of Nakuru where President Jomo Kenyatta helped in solving leadership wrangles within it. He spared his time to meet NDEFFO members in Nakuru State House. President Jomo Kenyatta also shielded NDEFFO members when other interested parties wanted to buy the Engashura farm. However, he did not contribute money to the company's endeavours as NDEFFO members expected. NDEFFO members alleged that Kenyatta took away their best cows, wheat seeds and Molo lambs, although in a meeting held in PC office in 7/8/1981, acting PC H. Oyugi, warned NDEFFO leaders to stop using the name of the President Kenyatta anyhow as an excuse for their failures.<sup>3</sup> Some directors exploited NDEFFO members who worked hard to sustain the company while taking the best produce from the company and blaming the President. In as much NDEFFO members were told to shun from using President name, they argued that their problems were due to the President's denouncing Mau Mau activities making it perceived a dangerous group.<sup>4</sup> Jomo Kenyatta said that Mau Mau must disappear like the roots of the wild fig tree in 1952. In 1963, he equated Mau as a disease to be eliminated. In addressing issue of landlessness, he stopped Mau Mau from accessing land since by placing himself at the centre of Mau Mau legacy, he got the best land at the expense of other ex-Mau Mau fighters.

The Daniel Moi government was no exception. In following Jomo Kenyatta's footsteps, Daniel Moi perceived NDEFFO as a Mau Mau plan for regrouping which he saw as dangerous.

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<sup>3</sup> A meeting held between NDEFFO leaders and acting PC, H.N. Oyugi on 7/8/1981, T&C. 6/8/8/318, Archival, folio. 337.

<sup>4</sup> Subsidiary legislations, Societies declared to be societies dangerous to the good government of the republic under section 4 (I) (ii) (G.N 678/1950, D.N 557/1968, societies, CAP. 108.

Unlike Jomo Kenyatta, who did not care to the poor fellow Kikuyu as they had anticipated, Daniel Moi cared for the Kalenjin community. He asked Kimunya Kamana, the first director of NDEFFO, to show Kalenjin how to run Sinendet farmers Company that he could support.<sup>5</sup> President Daniel Moi also allocated some members of Kalenjin community five acres of land in Mau forests.<sup>6</sup> NDEFFO members celebrated Daniel Moi for giving them individual title deeds, despite his failure in addressing the issue of NDEFFO members' in agitation for more land.

Mwai Kibaki, a Kikuyu was perceived by the Mau Mau as their only hope for them in acquiring land. He allowed the Mau Mau to hold meetings, but never addressed the land question. Today, they remain optimistic that President Uhuru's government will resolve the land issue. According to government representatives interviewed, issues of landlessness amongst Mau Mau veterans are a challenge for any government to tackle. This is because landlessness has become a generational problem with majority of landless Kikuyu claiming affinity to former Mau Mau fighters and therefore a right to be allocated land. It is therefore difficult to know who the genuine Mau Mau veterans are. In the case of NDEFFO, different regimes played only roles that they could manage such as identifying the land, shielding ex-Mau Mau fighters from competitors, ensuring they got those pieces of land at a low price and later demarcating the land. By calling Mungiki sons of Mau Mau was not supported by evidence. Mau Mau veterans were bitter because they were perceived as failures in parenting.

### **6.3 Recommendations**

The case of NDEFFO can be used for broader analysis. NDEFFO members' pleas for land are similar to those of other Mau Mau veterans who are members of MMWVA. All Mau Mau veterans in Kenya, irrespective of ethnic affiliation are seeking land from government. Apart from NDEFFO, there were no other organisation of the Mau Mau like NDEFFO. However, by using the plea made by the MMWVA leadership, land and material support, the researcher noted that other ex-Mau Mau freedom fighters in Kenya are still suffering due to lack

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<sup>5</sup> P. Kagwanja & R. Southa, *Kenya's Uncertain Democracy: The Electoral Crisis of 2008* (New York: Routledge Press, 2010), pp. 74-73.

<sup>6</sup> T. Kimaiyo, *Ogiek Land Cases and Historical injustices 1902-2004* (Nakuru: Ogiek Welfare Council, 2004), pp. 26-30.

of land and material support. It was generally noted that landlessness is evident among the former freedom fighters in Kenya. NDEFFO members bought land, but the land allocated to them was too small to satisfy their families' needs. The study noted that there exists a gap in knowledge; that Mau Mau under NDEFFO were given land by Kenya government. The research demonstrated that Mau Mau veterans bought the land and none of the regimes contributed money to the Mau Mau veterans to buy the land. The study, therefore, recommends that the government should identify genuine freedom fighters and develop a policy that addresses the plight of the Mau Mau for justice to be realised. Secondly, the government should commit itself to assisting the Mau Mau in the reparation process to ensure it is expedited. All persons who were involved should be recognised, compensated and honoured to realise justice for Mau Mau veterans. Thirdly, Mau Mau organisations also need to come together under one umbrella to discuss matters of land and the welfare of members and that of their offspring. That way, ex-Mau Mau fighters will have the power to negotiate with the government and eventually the history of the liberation struggle will be rewritten for posterity. Finally, the study is not all exhaustive; more research should be carried out on "Mau Mau and land issues in Kenya" especially after the signing of the Heroes Act 2014 by the President Uhuru to explore whether the government will meet the demands of the ex-Mau Mau: land and material support. In addition, Since Mau Mau wars involved the Kikuyu, Embu, Meru and Mbeere, research should be done to establish whether the Embu, Meru and Mbeere formed their own organisations because none of the them was accommodated in NDEFFO farms yet there is evidence to suggest they were much involved in Mau Mau struggles hence a need for requisite research.



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## APPENDICES

### APPENDIX 1: INTERVIEW SCHEDULE

My name is Kanyingi Benson Waiganjo. I am a postgraduate student at Egerton University-Njoro currently conducting a research on, “**Ex-Mau Mau and the land issues in Kenya: The case of NDEFFO, 1968-2013**”

You have been selected by the researcher as the respondent in the study, kindly answer the following questions to enable me complete my study. I undertake to treat any information you provide in strict confidence and it shall be used strictly for academic purposes.

Name \_\_\_\_\_ Age \_\_\_\_\_  
Sex \_\_\_\_\_ Occupation \_\_\_\_\_  
Place of residence \_\_\_\_\_ Date of interview \_\_\_\_\_

#### **This list of sample questions were administered to NDEFFO members**

1. What reasons led formation of NDEFFO?
2. How were these motives/ reasons implemented?
3. Which reasons were more preferred?
4. Apart from land, what else necessitated the formation of NDEFFO?
5. How successful has NDEFFO been?
6. How can you rate NDEFFO success as per its objectives?
7. Comment briefly on objectives that were realised.
8. What is the current state of NDEFFO members?
9. Why is the current situation the way it is?
10. Who is to blame for the current state of NDEFFO members?
11. Is there anything you think should be done on the current state of NDEFFO members?
12. What has the different governments done to addressing landlessness among former Mau Mau fighters?
13. Is there any other information you would like to share with me?



## **APPENDIX 1I: INTERVIEW SCHEDULE**

My name is Kanyingi Benson Waiganjo. I am a postgraduate student at Egerton University-Njoro currently conducting a research on, **“Ex-Mau Mau and the land issues in Kenya: the case of NDEFFO, 1968-2013”**

You have been selected by the researcher as the respondent in the study, kindly answer the following questions to enable me complete my study. I undertake to treat any information you provide in strict confidence and it shall be used strictly for academic purposes.

**Name** \_\_\_\_\_ **Age** \_\_\_\_\_

**Sex** \_\_\_\_\_ **Occupation** \_\_\_\_\_

**Place of residence** \_\_\_\_\_ **Date of interview** \_\_\_\_\_

**This list of sample questions were administered to members of the Provincial administration.**

1. Why was NDEFFO formed?
2. Who were the members of NDEFFO?
3. How was it formed?
4. What role did the government play in formation of NDEFFO?
5. What were NDEFFO's success
6. From your knowledge, did NDEFFO succeed?
7. Please give indicators of it success or failures.
8. What is the status of NDEFFO members?
9. Comment briefly on living conditions of NDEFFO members
10. What has government done overtime to improve the living conditions of NDEFFO members?
11. What role has different regimes played to address issues of landlessness among Mau Mau fighters?
12. Why are Mau Mau fighters still agitating for land?
13. Is there anything else concerning NDEFFO that you may wish to comment?

### **APPENDIX III: FOCUS GROUP DISCUSSION GUIDE**

My name is Kanyingi Benson Waiganjo. I am a postgraduate student at Egerton University-Njoro currently conducting a research on, **“Mau Mau and the land issues in Kenya: the case of NDEFFO, 1968-2013”**

You have been selected by the researcher as the respondents in the study. Kindly answer the following questions to enable me complete my study. I undertake to treat any information you provide in strict confidence and will use it strictly for academic purposes.

#### **General Information:**

**Name of farm and location:** \_\_\_\_\_

**Number of participants in the discussion:** [    ]

**Gender distribution: Male** [    ] **Female** [    ]

**Date:**

- 
1. Why was NDEFFO formed?
  2. What were the reasons towards its formation?
  3. What were NDEFFO’s objectives?
  4. How successful has NDEFFO been?
  5. How is the welfare of NDEFFO members?
  6. Do you think the current situation of members is due to NDEFFO under-takings?
  7. What has the different regimes done to address issue of landlessness among Mau Mau fighters?
  8. From your opinion, how can you rate different regimes performance in addressing landlessness among Mau Mau fighters?
  9. What do you think the government should do to address landlessness among Mau Mau fighters?
  10. What recommendations would you provide to improve the things that you are not happy about?

#### APPENDIX IV: LIST OF INFORMANTS

	Name	Age	Location	Occupation	Date of interview
1.	Gacheru Wambu	79	Engashura	Farmer	20/06/2014
2.	Gaku Kibiriti	75	Lusiru	Farmer	05/04/2014
3.	Gathiani Stephen	89	Lusiru	MMWVA chairperson (Lusiru Branch)	28/03/14, 18/04/14
4.	Gathoni Jane	89	Lusiru	Farmer	28/03/2014
5.	Gathoni Julia	73	Lusiru	Farmer	28/03/2014
6.	Gichuhi karanja	72	Lusiru	Farmer	29/03/2014,11/04/14
7.	Gichuhi Karori	79	Lusiru	Farmer	28/03/2014
8.	Gikonyo Daniel	93	Lusiru	Farmer	29/03/2014
9.	Githu Gerald	76	Engashura	Farmer	16/05/2014
10.	Jane Waweru	84	Lusiru	Farmer	28/03/2014
11.	Joseph Njenga	64	Nakuru	Former chief	22/01/2015,
12.	Kabue Kanyi	85	Engashura	Farmer	20/06/2014
13.	Kagechu Hannah	70	Engashura	Farmer	20/06/2014
14.	Kamau Geoffry	80	Engashura	MMWVA Treasurer (Engashura Branch)	3/04/2014
15.	Kamau Josphat	78	Engashura	Farmer	24/04/2014
16.	Kamuge Hannah	86	Lusiru	Farmer	29/03/2014
17.	Kanina Jane	78	Engashura	Farmer	24/04/2014
18.	Kanji Peter	70	Lusiru	MMWVA secretary (Lusiru branch)	29/03/2014
19.	Kariuki Kamugue	80	Lusiru		18/04/2014
20.	Karungu Josphat	86	Heshima	Farmer Company Chairperson	29/03/2014
21.	Kimunya Kamana	86	Nakuru	Former Mayor of Nakuru and first director of	15,18/04/2015

				NDEFFO Company	
22.	Macharia Wakaba	74	Lusiru	Farmer	05/04/2014
23.	Mararo Amos	86	Lusiru	Farmer	28/03/2014
24.	Marua Wairimu	77	Lusiru	Farmer	26/07/2014
25.	Muchegi Ndunguri	78	Engashura	Farmer	24/04/2014
26.	Mugi John Ishita	82	Engashura	Farmer	03/04/2014
27.	Muirigo Wanyeki	74	Engashura	MMWVA Chairperson(Engashura).	03/04/2014
28.	Muthua Boniface	74	Engashura	MMWVA Secretary (Engashura)	05/04/2014
29.	Mwangi Karolina	73	Lusiru	Farmer	18/04/2014
30.	Mwangi William	71	Engashura	Farmer	24/04/2014
31.	Mwithaga Mark	86	Nakuru	Former MP of Nakuru	15/04/2014
32.	Ndiritu Peter	71	Engashura	Farmer	11/04/2014
33.	Ndumbi Simon	91	Engashura	Farmer	11/04/2014
34.	Ndung'u Samuel	83	Lusiru	Farmer	11/04/2014
35.	Ndung'u Kagai	77	Engashura	Farmer	20/06/2014
36.	Ndung'u Mbucha	87	Engashura	Farmer	16/04/2014,
37.	Ndung'u Simon	74	Lusiru	Farmer	24/04/2014
38.	Ng'ang'a Kimani	79	Lusiru	Farmer	05/04/2014
39.	Ng'ang'a Lenny	78	Lusiru	Farmer	3/04/2014
40.	Ngarumi John	82	Engashura	Farmer	24/04/2014
41.	Ngarunya Mwai	68	Molo	Former Police Officer	21/01/2015
42.	Ngeno Joseph	56	Marwa	Farmer	28/7/2014
43.	Njambi Veronica	71	Engashura	Farmer	24/04/2014

44.	Njenga Mwaniki	76	Lusiru	Farmer	28/03/2014
45.	Njenga Karimi	72	Nakuru	Senior Chief	23/01/2014,
46.	Njenga Njoroge	80	Lusiru	Farmer	28/3/2014
47.	Njenga Morris	83	Engashura	Farmer	20/06/2014
48.	Njeri Gichuhi	74	Lusiru	Farmer	29/03/2014
49.	Njeri Mary	79	Engashura	Farmer	24/04/2014
50.	Njeri Kinuthia	72	Engashura	Farmer	26/7/2014
51.	Njeri Mwathi	69	Engashura	Farmer	16/05/2014
52.	Njihia wageshoo	82	Lusiru	Farmer	28/03/2014
53.	Njiriri John	76	Engashura	Farmer	16/04/2014
54.	Njoroge Stanely	73	Engashura	MMWVA Secretary (Engashura Branch)	05/04/2014
55.	Nyokabi Charity	71	Engashura	Farmer	3/04/2014
56.	Omondi Louis	58	Heshima	Surveyor	22/08/2014
57.	Rong'o Charles	72	Heshima	NDEFFO CO., Secretary	24/04/2014
58.	Thuku Ann	87	Engashura	Farmer	24/04/2014
59.	Thuku Robert	71	Lusiru	Farmer	05/04/2014
60.	Wairimu Maria	80	Engashura	Farmer	20/06/2014
61.	Wairimu Sarah	71	Lusiru	Farmer	05/04/2014
62.	Waithanji Mwaura	73	Engashura	NDEFFO Co. Treasurer	03/04/2014
63.	Wakaba Kagwe	78	Njoro	Farmer	03/04/2014
64.	Wambu Gacheru	86	Lusiru	Farmer	29/03/2014
65.	Wambui Kariuki	79	Lusiru	Farmer	28/03/2014
66.	Wambui Muigai	72	Engashura	Farmer	11/04/2014

67.	Wangaru Tabitha	80	Lusiru	Farmer	05/04/2014
68.	Wangui Grace	71	Engashura	Farmer	11/04/2014
69.	Wanja Lucy	77	Engashura	Farmer	20/06/2014
70.	Wanja Wanderi	80	Lusiru	Farmer	28/03/2014
71.	Wanja Wamugi	79	Engashura	Farmer	20/06/2014
72.	Wanjage Wakimani	80	Lusiru	Farmer	29/03/2014
73.	Wanjiru Elizabeth	56	Engashura	Farmer	20/06/2014
74.	Wanjiru Hezera	58	Engashura	Farmer	20/06/2014
75.	Wanjiru Jecinta	82	Lusiru	Farmer	28/03/2014
76.	Wanjiru Wambugua	83	Lusiru	Farmer	05/04/2014
77.	Wanjiru Lucy	82	Lusiru	Farmer	28/03/2014
78.	Wanjuru Joyce	72	Lusiru	Farmer	05/04/2014
79.	Waruga Futi	80	Lusiru	Farmer	05/04/2014

**Names of informants listed on their own discretion**

## APPENDIX V: LIST OF FIGURES



**Figure II: NDEFFO Pioneers (1966)**

**NDEFFO leaders: standing (left to right)** Eric Githae, Kariuki Kabuba, John Ngate, Wachira Warugi, Kimunya Kamana, Peter Karori, and John Karugia

**NDEFFO leaders seated (left to right):** John Gatuura, Boro Gicheru, Gitau Githang'a and Waweru Kahiga.



Figure III: **President Jomo Kenyatta being introduced to NDEFFO members by Hon. Mark Mwithaga at Lake Nakuru (1967).**

**Source:** Kimunya Kamana presented the pictures to the researcher



