

Settlers, Africans, and Inter-Personal Violence in Kenya, ca. 1900-1920s

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As Fanon noted, violence was inherent in inter-racial relations in settler colonies, and Ngugi reiterated this point specifically in regard to Kenya.¹ When attempting to write a cultural history of white settlers, Ngugi found nothing of value. He observed only garish paintings in upscale Nairobi bars featuring scenes of colonial life: scrawny Africans pulling whites in rickshaws, a "long bull-necked, bull-faced settler" holding a *sjambock* (Afrikaans: whip) and his loyal (and well-fed) dog at his side. It was just such a scene, Ngugi reflected, that summed up white settlement: "The rickshaw. The dog. The *sjambock*. The ubiquitous underfed, wide-eyed, uniformed native slave."² In the end, as Ngugi put it, "Reactionary violence to instill fear and silence was the very essence of colonial settler culture."³

As is so often the case, Ngugi cut to the heart of the matter: one cannot envision the settler without the *sjambock*, or in Kenyan parlance, the *kiboko* (hippopotamus-hide whip).⁴ Often settlers considered beatings as part and parcel of life in Africa, almost akin to milking the cows or cleaning the kitchen (if, in fact, Europeans ever performed such menial tasks). In the first several decades of colonial Kenya, settlers certainly did not hesitate to discuss their use of the lash. In a letter to the *East African Standard* in 1927, Frank Watkins bragged that, "I thrash my boys if they deserve it and I will let [African defender and settler critic] Archdeacon Owen or anyone else enquire into my methods of handling and working labour."⁵ The *Times of East Africa* believed, "Probably there is not

¹ Franz Fanon, *Wretched of the Earth* (New York: Grove Weidenfeld, 1963); Ngugi wa Thiong'o, *Detained: A Writer's Prison Diary* (London: Heinemann, 1981), Chap. 2.

² Ngugi, *Detained*, 32.

³ *Ibid.*, 38.

⁴ Settler violence against Africans has been mentioned by historians of Kenya only in passing. See, for example, Tabitha Kanogo, *Squatters and the Roots of Mau Mau* (London: James Curry, 1987), 135-36; Frank Furedi, *The Mau Mau War in Perspective* (London: James Currey, 1989), 29, 58; Priscilla M. Shiralo, *A Failed Eldorado: Colonial Capitalism, Rural Industrialization, African Land Rights in Kenya, and the Kakamega Gold Rush, 1930-1952* (Lanham, MD: University Press of America, 2008), 173; C.J.D. Duder, and Christopher Youé, "Paice's Place: Race and Politics in Nanyuki District, Kenya, in the 1920s," *African Affairs* 93 (1994), 253-78; Bruce Berman, *Control and Crisis in Colonial Kenya* (London: James Currey, 1990), 62-65; Anthony Clayton and Donald C. Savage, *Government and Labour in Kenya, 1895-1963* (London: Frank Cass, 1974), 21-23, 27-28, 99.

⁵ F. Watkins, letter to editor, *East African Standard* (hereafter *EAS*), June 25, 1927, clipping in British National Archive [NA]: CO 533/371/4.

white man in this country who has not at some time lost his temper in dealing with natives ... and a number may have dealt out to them a sound thrashing." The editors thought these to be "natural outbursts."⁶

What we require is a detailed investigation into the uses and meanings of, and the ideology whites created to justify, interpersonal violence. Settlers believed that if they did not beat their workers, Africans would shirk even more than they already did; they argued that Africans were childlike and the only punishment they understood was the lash; they used whippings with the *kiboko* to illustrate the right and might of settler rule; they lashed African men who "insulted" white women; they beat Africans who did not immediately do their bidding or proved bothersome. Thus the native slave, the rickshaw, and the whip.⁷

As Arendt argued, authority cannot flow from violence. Settler violence emerged from fear and powerlessness.⁸ They had somehow to find a way to ensure the success, even the mere survival, of their community. Perpetually on the verge of bankruptcy, unable to rely on unquestioning state support, surrounded by thousands upon thousands of "savages": settlers had to assert power, to claim control of an anarchic situation. They turned to violence, as the *East African Standard* explained in 1907:

So long as the world exists there will always be found some to issue protests against the just punishment of the Native, and the application of stern discipline, without which the white man in his trifling minority cannot hope to control those whom he has taken upon himself to lift up out of the mire of superstition and instinctive criminality.⁹

And again in 1913:

For it must be remembered that in this country the black man is infinitely superior in number to the white and the latter's position in the black man's country is one which may well be regarded as precarious. That being so, the rule of the iron hand is still absolutely essential to the very existence of the white man in B.E.A. [British East Africa], and the few individual beating indiscretions committed might reasonably be pardoned in view of the fact—and in consideration of the almost unendurable provocation which the white man is compelled to suffer on account of the indolence and insolence of the major portion of our native population.¹⁰

It should be admitted that the violence discussed here was meted out primarily on African *men*. Settlers freely admitted their use of corporal punishment against African men, but rarely mentioned beatings of women. In part, this is because the Africans with whom settlers had the most daily contact, and who felt settlers' wrath—agricultural workers, domestic servants, alleged criminals, potential rebels—tended to be men. This is not to say that African women did not suffer violence at the hands of settlers. Such

⁶ "Lying," *Times of East Africa* (hereafter *TEA*), 10 November 1906.

⁷ In other work I explore the meaning of the dog in the painting: "Cruelty and Empathy, Animals and Race, in Colonial Kenya," *Journal of Social History* (forthcoming 2012).

⁸ Hannah Arendt, *On Violence* (New York: Harcourt, Brace, Jovanovich, 1970).

⁹ "FEAR?" *EAS*, December 28, 1907.

¹⁰ "Coddling the Native," *EAS*, March 8, 1913. See also, on the need for a standing army in Kenya, "Convention of Associations," *EAS*, 12 August 1911.

violence, as best as can be determined, was primarily sexual. This was not the type of violence settlers celebrated. The sources for the history of sexual violence are much different than the ones used in this study, and the topic deserves special attention.

Violence: The European Inheritance

In medieval Europe, pain had not always been considered evil, but “a constituent element of the human condition.”¹¹ With the rise of capitalism, advances in science, and new ideas of state power, the infliction of pain became less acceptable. As Halttunen puts it for the Anglo-American world, “In the context of the bourgeois ‘civilizing process,’ compassion and a reluctance to inflict pain became identified as distinctively *civilized* emotions, while cruelty was labeled as *savage* or *barbarous*.”¹² Halttunen might have phrased it slightly differently: it was not so much that cruelty was now condemned, but that the list of actions that would be considered cruel continued to expand. Violence came under increasing scrutiny.

The terrible, public, bloody punishments of old gave way to the reformatory, observation, and self-discipline. Reformers feared that simply being exposed to acts of violence and cruelty would dampen the sentiments and draw out baser instincts.¹³ Public floggings in Britain ended in 1862, and public hanging ended six years later. By and large, Europe in 1900 was a much less violent place than it had been in 1500, and interpersonal violence in particular was much less common.¹⁴

However, violence and the infliction of pain were not inevitably illegitimate. Violence is, at least in the short term, a cheap and quick solution to numerous problems. Violence can force someone immediately to halt certain actions; the threat of it can regulate conduct; its performative aspects reinforce relations of dominance. Thus violence and pain could be imposed for necessary ends.¹⁵ This was acceptable, in particular if the

¹¹ Karl Shoemaker, “The Problem of Pain in Punishment: Historical Perspectives,” in Austin Sarat, ed., *Pain, Death, and the Law* (Ann Arbor: University of Michigan Press, 2001), 18.

¹² Karen Halttunen, “Humanitarianism and the Pornography of Pain in Anglo-American Culture,” *American Historical Review* 100 (1995), 303–34, quotes from 303–304. See also Thomas L. Haskell, “Capitalism and the Origins of the Humanitarian Sensibility,” *American Historical Review*, Part 1, 90 (1985), 339–61; Part 2, 90 (1985), 547–66.

¹³ James Turner, *Reckoning with the Beast: Animals, Pain, and Humanity in the Victorian Mind* (Baltimore and London: The Johns Hopkins University Press, 1980), 69.

¹⁴ Julius R. Ruff, *Violence in Early Modern Europe, 1500–1800* (Cambridge: Cambridge University Press, 2001); Robert Shoemaker, “Male Honour and the Decline of Public Violence in Eighteenth-Century London,” *Social History* 26 (2001), 190–208; Robert B. Shoemaker, “The Taming of the Duel: Masculinity, Honour and Ritual Violence in London, 1660–1800,” *The Historical Journal* 45 (2002), 525–45.

¹⁵ Those imposing it, however, might shy from using the term “violence,” which carries implications of illegitimacy. See David Riches, “The Phenomenon of Violence,” in David Riches, ed., *The Anthropology of Violence* (Oxford: Blackwell, 1986), 1–27; Susan Dwyer Amussen, “Punishment, Discipline, and Power: The Social Meanings of Violence in Early Modern England,” *The Journal of British Studies* 34 (1995), 1–34.

extent of pain felt could be regulated and measured.¹⁶ Corporal punishment on children in the home and in the public school, by parents, older relatives, and teachers, remained common well into the twentieth century.¹⁷ Yet the imposition of violence was best when done methodically, without passion. The pain inflicted should be precisely enough to have the desired result.¹⁸

These changing ideas of cruelty, of the levels of violence that should be inflicted for what reasons, both allowed and restrained acts of violence in the colonies and whites' reactions to them.¹⁹ Britons could accept violence during conquest, insofar as it was necessary. If Africans would not accept abolitionism, Christianity, civilization, and commerce, then they must be forced to do so. Warfare could be excused in the furtherance of imperial goals, to ensure compliance with colonial demands, and to protect African allies. The level of violence colonizers thought appropriate to inflict on Africans was influenced by the racial and cultural gap thought to exist between whites and blacks. Europeans felt "dum dum" bullets, which expanded upon impact, too damaging and cruel for use on fellow whites, and restricted their use to wars of colonial conquest.²⁰

Thus acts of violence against a person that might no longer be acceptable in Europe, at least not for everyone, and certainly not in public, could be positively embraced in colonial Africa. As Bernault notes, in contradistinction to Europe, "In Africa, the prison did not replace but supplemented public violence." While public executions had been eliminated in Europe, Africans could (and were sometimes required to) witness their fellows swinging from the gallows. Corporal punishment and torture within prison walls

¹⁶ As Wiener points out, for "most reformers (in Britain), the most basic distinction was not between the infliction of pain and its lack, but between purposeful and useless suffering." Martin J. Wiener, *Reconstructing the Criminal: Culture, Law, and Policy in England, 1830–1914* (Cambridge: Cambridge University Press, 1990), 104–105. See also Talal Asad, "On Torture, or Cruel, Inhuman, and Degrading Treatment," in Arthur Kleinman, Veena Das, and Margaret Lock, eds., *Social Suffering* (Berkeley: University of California Press, 1997) 285–308.

¹⁷ Harry Hendrick, *Children, Childhood and English Society, 1880–1990* (Cambridge University Press, 1997); Lionel Rose, *The Erosion of Childhood: Child Oppression in Britain, 1860–1918* (London and New York: Routledge, 1991), 177–87.

¹⁸ Bentham proposed a "whipping machine" that would punish each victim with equal force, removing the possibility of human discretion on the side of severity or leniency. Wiener, *Reconstructing the Criminal*, 104–055. See the recent recommendation of Graeme Newman that corporal punishment be reintroduced via "electric shock because it can be scientifically controlled and calibrated." Quoted in Shoemaker, "Problem of Pain," 27.

¹⁹ Scholars of Britain might indeed ponder what the history of violence in the colonial world means for the history of violence in the metropole. See the comments of Mazower: "One advantage of such research is that it might open up a perspective that allows us to link the violence unleashed by major states in Europe itself between 1930 and 1950 with both an earlier history of imperial violence and a subsequent history of violent decolonization and postcolonization globally during the Cold War." Mark Mazower, "Violence and the State in the Twentieth Century," *American Historical Review* 107 (2002), 1158–78, 1176. See also Julie Skurski and Fernando Coronil, "Introduction: States of Violence and the Violence of States," in Fernando Coronil and Julie Skurski, eds., *States of Violence* (Ann Arbor: University of Michigan Press, 2006), 1–31; Arendt, *On Violence*; Aimé Césaire, *Discourse on Colonialism* (New York: Monthly Review, 1972).

²⁰ Daniel R. Headrick, *The Tools of Empire: Technology and European Imperialism in the Nineteenth Century* (New York: Oxford University Press, 1981), 102–103.

continued quite late in the colonial period.²¹ When London pushed its colonies to follow the metropolitan lead and eliminate corporal punishment after 1948, governors and committees of inquiry politely declined; indeed, judicial canings in Kenya and Tanganyika increased over the next decade.²²

Even so, violence meted out against Africans had to be measured. Africans certainly had to be conquered and taught not to resist any further. The Maxim gun and ever-more-deadly rifles and bullets ensured that much more African than European blood would be spilt. But the violence meted out to Africans ought not be barbaric or cruel. Thus when a “punitive expedition” against sections of the Gusi in 1907 left several hundred dead, Winston Churchill, then Undersecretary of State for the Colonies, wondered that “surely it is not necessary to go on killing these defenseless people....”²³

Violence itself in the cause of imperialism could not be avoided, but too much violence, and too much bloodshed, should be. As Pierce notes (on Nigeria), “flogging was simultaneously humane, necessary, and a problem.”²⁴ Thus the question was less *if* violence was illegitimate in the colonial project, but rather *how much* violence could or should be used—or how much violence could be used without creating a scandal.²⁵ On a day-to-day basis, violence was nearly banal across much of colonial Africa. As much as imperialists liked to claim that they ruled with but a “thin white line” of a few “little tin gods” living in the bush, commanding thousands of Africans with nothing but strength of character and a national or racial genius for rule, violence was never long out of sight. As Young puts it, “colonial agents were well aware that its command over its subjects relied ultimately on force.”²⁶

²¹ Florence Bernault, “The Politics of Enclosure in Colonial and Post-Colonial Africa,” and David Killingray, “Punishment to Fit the Crime?: Penal Policy and Practice in British Colonial Africa,” both in Florence Bernault, ed., *A History of Prison and Confinement in Africa* (Portsmouth, NH: Heinemann, 2003); Toyin Falola, *Colonialism and Violence in Nigeria* (Bloomington: Indiana University Press, 2009), 77. On capital punishment, see Hynd, “Murder and Mercy,” and on corporal punishment, Ocobock, this volume.

²² Killingray, “Punishment to Fit the Crime?” 109–10.

²³ Quoted in Robert M. Maxon, *Conflict and Accommodation in Western Kenya: The Gusi and the British, 1907–1963* (Rutherford, NJ: Fairleigh Dickinson University Press, 1989), 44.

²⁴ Steven Pierce, “Punishment and the Political Body: Flogging and Colonialism in Northern Nigeria,” in Steven Pierce and Anupama Rao, eds., *Discipline and the Other Body: Correction, Corporeality, Colonialism* (Durham, NC: Duke University Press, 2006).

²⁵ Thus the campaign in Europe and the United States against King Leopold’s horrific rubber regime had less to do with the use of violence than with the *type* and *extent* of violence. Even as Leopold was being excoriated, every European colony remained reliant on unpaid or coerced African labor, and Maxim guns were spilling rivers of blood. The Congo Free State became a pariah because of the spectacular violence it unleashed on Africans, because of depopulated villages and severed hands. Whippings and dead Africans alone did not condemn colonialism.

²⁶ Crawford Young, *The African Colonial State in Comparative Perspective* (New Haven: Yale University Press, 1994), 139. Or as Mbembe puts it, “falling well short of what is properly called ‘war,’ (violence) recurred again and again in the most banal and ordinary situation.” Achille Mbembe, *On the Postcolony* (Berkeley: University of California Press, 2001), 25. See also Phyllis M. Martin, “The Violence

While in Briton the state continued to chip away at the rights of private individuals to inflict violence on each other, this was far from the case in the colonies, in practice if not in law.²⁷ Although Africans often readily took up cash crops or sought wage labor to exploit new economic opportunities, colonial officers and private companies turned to coercion to ensure that economic development followed paths of their choosing. For example, in the face of African resistance to cultivating a difficult, non-consumable crop like cotton, administrators and private companies turned to violence.²⁸ Labor deserters often suffered the lash.²⁹ Workers in mines faced high mortality rates and risked injury due not only to the work itself, but also to violence by bosses.³⁰ African workers who laid down their tools were often met with blows and bullets.³¹ Defending one's reputation might also require violence. Marlow's predecessor on the Congo knew this as well:

Fresleven—that was the fellow's name, a Dane—thought himself wronged somehow in the bargain [over some hens], so he went ashore and started to hammer the chief of the village with a stick. Oh, it didn't surprise me in the least to hear this, and at the same time to be told that Fresleven was the gentlest, quietest creature that ever walked on two legs. No doubt he was; but he had been a couple of years already out there engaged in the noble cause, you know, and he probably

of Empire," in David Birmingham and Phyllis M. Martin, eds., *History of Central Africa*, Vol. 2 (London: Longman, 1983), 15.

²⁷ This may well have been true in every colony with significant white settlement. Denburg, in his capacity as director of the German Colonial Office, visited East Africa in 1907 and found that in "Dar-es-Salaam nearly every white man walks around with a whip ... and thus almost every white indulges in thrashing any blackman he wants." Quoted in M.H.Y. Kaniki, "Wage Labour and the Political Economy of Colonial Violence," *African Social Research* 31 (1981), 8. The situation in German South West Africa was not dissimilar.

²⁸ Osumaka Likaka, *Rural Society and Cotton in Colonial Zaire* (Madison: University of Wisconsin Press, 1997), 50–51; Allen Isaacman, *Cotton is the Mother of Poverty: Peasants, Work, and Rural Struggle in Colonial Mozambique, 1938–1961* (Portsmouth, NH: Heinemann, 1997); Allen Isaacman, Michael Stephen, Yussuf Adam, Maria Joao Homen, Eugenio Macamo, and Augustinho Phililao, "'Cotton Is the Mother of Poverty': Peasant Resistance to Force Cotton Production in Mozambique, 1938–1961," *International Journal of African Historical Studies* 13 (1980), 589, 613; Ralph A. Austen and Rita Headrick, "Equatorial Africa under Colonial Rule," in Birmingham and Martin, *History of Central Africa*, Vol. 2, 27–94; Steven C. Rubert, *A Most Promising Weed: A History of Tobacco Farming and Labor in Colonial Zimbabwe, 1890–1945* (Athens: Ohio University Center for International Studies, 1998), 95–97; Kaniki, "Wage Labour and Political Economy"; Jeanne Marie Penvenne, *African Workers and Colonial Racism: Mozambican Strategies and Struggles in Lourenco Marques, 1877–1962* (Portsmouth, NH: Heinemann, 1995), 108–109, 114–15.

²⁹ Duncan, "Farm Labor and the South African State," 36.

³⁰ John Higginson, *A Working Class in the Making: Belgian Colonial Labor Policy, Private Enterprise, and the African Mineworker, 1907–1951* (Madison: University of Wisconsin Press, 1989); Charles van Onselen, *Chibaro: African Mine Labour in Southern Rhodesia, 1900–1933* (London: Pluto, 1976); Jean-Luc Vellut, "Mining in the Belgian Congo," in Birmingham and Martin, *History of Central Africa*, 126–62, esp. 156–8; Kaniki, "Wage Labour and Political Economy," 9–11.

³¹ Falola, *Violence and Colonialism*, 165–67; Kaniki, "Wage Labour and Political Economy," 11–22.

felt the need at last of asserting his self-respect in some way. Therefore he whacked the old nigger mercilessly....³²

Violence thrived in colonial Africa. Gentle, quiet Europeans made easy recourse to violence for any number of reasons. Kenyan settlers were no exception.

Violence in Kenya

The outpouring of books, newspapers, and personal reminiscences by Kenya settlers, and reports prepared by administrators about them, provide an entre into the contexts and meanings of violence in early colonial Kenya.³³ White settlers had had their own previous experiences with corporal punishment, as victims or perpetrators. As children at home, as boarding school students, as military men, as wives: the arenas in which a white person might feel pain for disobedience, or inflict pain for insubordination, remained numerous in the later nineteenth century. It would hardly have seemed odd to settlers to resort to corporal punishment. As Elspeth Huxley remarked, flogging was a standard punishment handed out by colonial whites: "Most of the men who imposed these sentences had themselves been beaten when young, and did not regard the whip as an insult to a man's dignity but as a valid, indeed indispensable, way to enforce order."³⁴

Yet violence against Africans was of a different order than that doled out "back home." First, it was racialized—all whites presumed the right to inflict violence on any African (and, quite often, Indian as well), while intra-white assaults could easily end up in court. Whereas interpersonal violence in Britain could be excused based on military or parental authority, *any* settler, no matter his wealth or class background, claimed the power to beat *any* African. Second, settler violence was often exceptionally brutal. While Europe had been undergoing a long process of reducing the frequency and severity of interpersonal violence, settlers in Kenya set few limits on the type of violence they inflicted on Africans. The notion that whites could be excessively violent against Africans found few supporters. Few would assert that violence meted out against Africans could be brutal or cruel. Thus the central advance in the reining in of violence and cruelty in Britain had little purchase amongst Kenya settlers.

Third, especially in the early years many Kenya settlers hailed from South Africa and brought with them their own peculiar ideas about race and violence. In Natal, teachers used corporal punishment on white children to create gentlemen, and seniors reinforced hierarchy by beating their juniors. Graduates later passed on these lessons to their African

³² Joseph Conrad, *Heart of Darkness and the Secret Sharer* (New York: Penguin, 1983), 72.

³³ The mass of evidence on which I draw conflicts with McCulloch's claim that "The history of violence is difficult to recover. The people who used violence denied they did so." In fact, settlers rarely hesitated, in private or public, to discuss their violence against Africans. Jock McCulloch, "Empire and Violence, 1900–1939," in Philippa Levine, ed., *Gender and Empire* (Oxford: Oxford University Press, 2004), 220–39, quote from 224.

³⁴ Elspeth Huxley, *The Mottled Lizard* (1962; New York: Penguin, 1982), 138. For one of her examples, see p. 159.

laborers.³⁵ Violence against farm workers was not uncommon.³⁶ As Van Onselen shows, in rural Afrikaaner households white patriarchs resorted to the sjambok or the fist to ensure control over wives, children, and black servants. Indeed, Afrikaaners (or Dutch, as they were known in Kenya) held a reputation as the most quick to anger and most brutal of Kenya's settlers.³⁷ Yet rather than exceptions, Afrikaaners should be viewed as a slightly exaggerated—whether in reality or in image—version of the garden variety Kenyan settler.

Whites well understood that the actual neurological sensation was only one part of violence: the effects of the performance of corporal punishment were at least as important. As David Riches notes, violence has both “instrumental and expressive functions,” the latter of which “transform[s] the social environment in a practical sense *and* strikingly dramatize[s] important social ideas.”³⁸ The infliction of pain by fist or foot, cane or cat, creates, maintains, and strengthens hierarchy.³⁹ The captain flogs the sailor, the teacher canes the pupil, the parent spansks the child, the master whips the slave; the former has the legal or moral authority to inflict pain on the latter.⁴⁰ When one person whips another, they are acting out a ritual of power. The use of the lash thus marks the boundary between superior and inferior, master and slave, powerful and powerless, he who could beat and he

³⁵ Robert Morrell, “‘Synonymous with Gentlemen?’ White Farmers, Schools and Labor in Natal, c.1880–1920,” in Alan H. Jeeves and Jonathan Crush, eds., *White Farms, Black Labor: The State and Agrarian Change in Southern Africa, 1910–1950*, (Portsmouth, NH: Heinemann, 1997), 172–91.

³⁶ David Duncan, “Farm Labor and the South African State, 1924–1948,” 29–45, Charles Mather, “Wage Workers and Labor Tenants in Barberton, 1920–1950,” 61–74, Martin J. Murray, “Factories in the Fields: Capitalist Farming in the Bethal District, c.1910–1950,” 75–93, William Beinart, “Transkeian Migrant Workers and Youth Labor on the Natal Sugar Estates, 1918–1948,” 147–71, all in Jeeves and Crush, eds., *White Farms, Black Labor*.

³⁷ For example, Waruhiu Itote, *“Mau Mau” General* (Nairobi: East African Publishing House, 1967), 40. Given the influence of South African immigrants in the early days of Kenya, it is not surprising that the longer history of white settlement in the south influenced debates over how to treat Africans in Kenya. For but one example: in condemning a recent increase of physical assaults on white women in Nairobi, the *Standard* correspondent in 1903 hoped that punishment would be severe: “The remedy for such abuse in South Africa is most effectual and should be put into practice here. The cat, and plenty of it.” “Ukamba Province,” *EAS*, 18 April 1903.

³⁸ David Riches, “The Phenomenon of Violence,” 25, in David Riches, ed., *The Anthropology of Violence* (Oxford: Blackwell, 1986).

³⁹ Thus corporal punishment is much more commonly used on members of the lower than the higher classes. See Abby M. Schrader, *Languages of the Lash: Corporal Punishment and Identity in Imperial Russia* (Dekalb: Northern Illinois University Press, 2002); Susan Dwyer Amussen, “Punishment, Discipline, and Power: The Social Meanings of Violence in Early Modern England,” *Journal of British Studies* 34 (1995), 1–34. Some Americans critiqued the use of corporal punishment in the Navy as antithetical to democracy and the equality of men, while abolitionists made much rhetorical use of whipping of slave women. Myra C. Glenn, *Campaigns against Corporal Punishment: Prisoners, Sailors, Women, and Children in Antebellum America* (Albany: SUNY Press, 1984), 54–60; Henrice Altink, “‘An Outrage to All Decency: Abolitionist Reactions to Flogging Jamaican Slave Women, 1780–1834,” *Slavery and Abolition* 23 (2002), 107–22.

⁴⁰ That corporal punishment in the West derives its meaning from the home helps explain that while corporal punishment has long been challenged in schools, prisons, and the workplace, physical chastisement of children by parents is the last to be regulated; domestic abuse of wives by husbands comes a close second.

who could be beaten. Indeed, the infliction of violence is often a very public event, to amplify both the victim's humiliation and the perpetrator's status before others under his authority. In campaigns against corporal punishment in England and America, the significance of the neuro-physical pain often came second to the degradation, emasculation (or defeminization), and dehumanization suffered by the victim.⁴¹ Huxley was certainly wrong in suggesting that flogging did nothing to harm the victim's dignity: if not, flogging would have little purpose at all.

Africans were being told, through the medium of violence, that they were not employees so much as serfs, or clients, or children. Africans were not only to obey, but to adopt an attitude of deference. Alyse Simpson recalled whites in the later 1920s losing their tempers: "They boxed their own and their neighbours' servants' ears if they failed to be servile enough, which in their childlike simplicity they sometimes forgot to be."⁴²

Settlers believed, and quite often stated openly, that violence was necessary for white rule in Kenya. In books, private letters, and newspapers, settlers laid out a rationale for why corporal punishment was necessary, essential even, in their dealings with Africans. Their words reveal a complex of interlocking arguments, central to which was the need to train Africans to adapt to and accept a new racial hierarchy. In the same way that European children sometimes required physical chastisement to master and internalize rules, so too did Africans. Moreover, Africans had to be taught that the new world of colonial Kenya was suffused with a racial hierarchy, and violence was amongst the few tools settlers possessed with which to illuminate that fact.

Five Contexts of Violence

Labor

White settlers struggling to survive in Kenya faced numerous dilemmas (of which they never tired of complaining). They believed themselves to be creating an outpost of civilization in a savage country. To do so, however, they had to rely on savages. The first challenge was inducing Africans to come out to work. The government offered some assistance by imposing on Africans taxes payable, at least after the initial years, only in currency. Administrators also "encouraged" African men to leave their homes and seek wage labor. Settlers in the Rift Valley used the lure of wide open lands to attract squatters (and their herds) who provided occasional labor for the landowner.⁴³

⁴¹ Similarly, when the victim resists he rejects the legitimacy of the punishment and throws into question the authority of the one who wields the lash. See, for example, the account of Frederick Douglass fighting off his master's attempt to whip him, and how that altered subsequent relations between the two.

⁴² Alyse Simpson, *The Land that Never Was* (1937; [reprint], Lincoln: University of Nebraska Press, 1985), 157–58. This point relates closely to the question of prestige. See Brett L. Shadle, "White Settlers and Racial Prestige," paper presented at the African Studies Association annual conference, November 2009; Bruce Berman, *Control & Crisis in Colonial Kenya: The Dialectic of Domination* (London: James Currey, 1990), 203–206.

⁴³ For key texts here, see Clayton and Savage, *Government and Labour*; Sharon Stichter, *Migrant Labour in Kenya: Capitalism and African Response, 1895–1975* (Harlow, Essex, UK: Longman, 1982); Tabitha Kanogo, *Squatters and the Roots of Mau Mau* (London: James Currey, 1989).

When the white settler had enough Africans signed on, he faced a second problem: how to inculcate a proper work ethic in his labor. Settlers had a litany of complaints: African workers were lazy, clumsy, unable to master simple tools, uncomprehending of basic commands, unimaginative, they showed up to work late and tried to leave early. All these charges, of course, echo those of persons everywhere who must deal with everyday forms of resistance by their employees, slaves, or subjects. But settlers were also confronted with African notions of time and daily and seasonal work patterns that did not mesh easily with those of whites.⁴⁴ Settlers required a labor force whose work ethic and skills matched the needs of modern cash cropping farms and the bourgeois household. As the Kenya correspondent to *East Africa* put it in 1925, "The statement that the [African] men must, above all things, be trained to be industrious, whether working for themselves in the Reserves or going out to labour, is the very essence of the principles that the Kenyan settler had always been trying to impress on Government officials here."⁴⁵

The fathers of British industrialization had succeeded in taming former peasants and pieceworkers, indoctrinating in them new ideas of industrial time, but it had been a decades-long process. White settlers in Kenya did not have that kind of time. Perpetually and deeply in debt to Nairobi banks, unfamiliar with appropriate equatorial farming methods, helpless before punishing weather, epizootics and insects, settlers had to be successful quickly, or not at all. (As Dane Kennedy notes, for every ten new settlers who arrived in the interwar years, nine gave up and left.)⁴⁶ To train Africans, settlers needed a method that could offer short-term as well as long-term results. They found that method in the lash.

Evidence given to the Native Labour Commission of 1912–1913 revealed that many settlers believed violence to be integral to labor relations. Chief Ogola of Kisumu reported that European overseers on settler farms "often beat" African labor.⁴⁷ Kamau wa Mushiri told of an employer who "had made him and some others pull a plough with a rope and had beaten them when they rested for a little while. After one and a half months' work he asked for his wages and was in consequence struck on the head with a stone."⁴⁸ John Boyes, an early trader and settler and self-styled "King of the Wa-Kikuyu," recommended administrators give twenty-five lashes to any African who failed to turn out for labor when "advised to do so." M.W.H. Beech, assistant district commissioner at Dagoretti, reported several egregious cases, including a settler who "beat and flogged [his employees] indiscriminately" at the end of each month, such that the victims deserted without having completed the required thirty-days service to be paid. Some settlers and administrators claimed that complaints about labor shortages came primarily from settlers who treated their labor poorly, which included meting out physical violence.⁴⁹ MacGregor-

⁴⁴ For a study of such a clash in southern Africa, see Keletso E. Atkins, *The Moon is Dead! Give Us Our Money!: The Cultural Origins of an African Work Ethic, Natal, South Africa, 1843–1900* (Portsmouth, NH: Heinemann, 1993).

⁴⁵ "Our Kenya Letter," *East Africa*, October 15, 1925.

⁴⁶ Dane Kennedy, "Forward," in Simpson, *Land that Never Was*, v.

⁴⁷ Evidence of Chief Ogola, Kisumu district, Native Labour Commission (hereafter NLC), p. 163.

⁴⁸ NLC, p. 236.

Ross later recalled that early settlers were of a “degenerate type [who] indulged in severe punishments” and quoted two:

“Five minutes after I start working with these Kikuyus, I’m raving like a Dutchman,” explained one employer. “I sjambocked the nigger till my arm ached,” said another, explaining how he dealt with one of this troubles.⁵⁰

Long after the NLC had collected its evidence, settlers continued to use violence to cow workers. Members of the Native Punishment Commission in 1921 noted the widespread use of physical violence by white employers.⁵¹ Africans who made demands—fewer hours, more pay—or simply declined to work might face the lash. Noel Smith flogged his workers for demanding a shorter working day.⁵² Michael Blundell, later a political leader among settlers and for a time a bitter enemy of African nationalism, began his Kenya career as a labor supervisor on Captain Hill’s farm. In his diary, Blundell recorded the use of violence against laborers who declined to perform their duties: “Langori refused to work so I kicked him and he sobered down.”⁵³ Elspeth Huxely wrote of some workers who refused to weed, angering her father (whom she called Robin in her writings). Their Boer neighbor, her father knew, would have “Put them down and give[n] them twenty-five.” “This was a sovereign remedy in those days,” Huxely recalled, “but Robin did not like it, and he dodged the necessity whenever he could.”⁵⁴ Despite his sensitive soul, Robin was first and foremost a white settler in Kenya; like it or not, beating African workers was a “necessity.” Smith, Blundell, Robin, the Boer neighbor: all joined together in training Africans to accept a particular labor—and racial—hierarchy.

“Spare the Rod”

As in the United States and elsewhere in colonized Africa, whites very often spoke of blacks as children. Like white children, adult Africans were emotional, unconcerned with the future, and not amenable to logic and to reasoned arguments. “Onlooker,” instructing

⁴⁹ For example, the evidence of W.E.D. Knight (p. 71), S. Anderson, Supdt. of Inland Revenue and Conservancy, Mombasa (p. 105), Norman Leys (p. 273). For contrary opinions, see the evidence of E.C. Crewe-Read, ADC at Nakuru (p. 123); Capt. A.H. James (p. 125); Capt. Chapman (p. 188). See also the *Leader’s* poem “Jack Nigger,” which ends: “And with it all but one thing can/Disturb your lordly rest/And that, Jack Nig, you likewise know/Is twenty of the best.” Quoted in Clayton and Savage, *Government and Labour*, n. 48, p. 105.

⁵⁰ MacGregor-Ross, *Kenya From Within*, 90.

⁵¹ Native Punishments Commission, 1924, copy in Kenya National Archive [KNA], AG/7/2. (My thanks to Omukofu Richard Ambani and Paul Ocobock for obtaining a copy of this file for me.) Acting Governor Denham, queried on this point by the Secretary of State, admitted that “It is generally agreed that the practice” of whites imposing corporal punishment “does exist,” but was in decline. Denham to SS, Sep. 1, 1925, KNA: AG/7/2. See also “Full of Hope,” letter to ed., *Advertiser of East Africa*, 1 May 1908; Llewelyn Powys, *Black Laughter* (New York: Harcourt, Brace, 1924), 107, 146.

⁵² Quoted in Nicholls, *Red Strangers*, 56.

⁵³ Michael Blundell, “Diary, 1925–26,” entry of 15 February 1926, Oxford University, Rhodes House Library [RH], MSS Afr. s. 746/1. See also entries of March 23, 24, and April 20, 1926.

⁵⁴ Elspeth Huxley, *The Flame Trees of Thika*, 65–66.

readers of the *East African Standard* on how to deal with Africans, directed that, "We must act on the hypothesis, therefore, that the native, in the bulk, is a child in mind [and has the] mental ability about that of European schoolboy."⁵⁵ Eve Bache believed that the African had "the mentality of a child—usually of a backward child," while Mrs. M.C. Monckton wrote to the *Standard* that, "On an average the mentality of the native is like that of a little child and moreover a child who never grows up."⁵⁶ In later years, Julian Huxley summarized the value of such thinking: "As long as natives can be treated as children, aggravating and yet charming creatures who must just be told what to do and what not to do, and attempts at argument can be cut short by some authoritarian gesture, they will inevitably be popular with their white guardians."⁵⁷

One settler, D. Beaton, urged administrators and missionaries to encourage Africans to work, and use a bit of "gentle persuasion" as well. "After all," he told the Native Labour Commission, "the native in many respects was only a child, and a little fatherly advice on the part of those in authority went a long way."⁵⁸ Of course, whites in Kenya knew that fathers often used more than "advice." Thus a piece of conventional wisdom well loved by settlers: "Spare the rod and spoil the child." If Africans were children, then settlers and the state had to act *in loco parentis*.⁵⁹ "H." argued that education without discipline was worthless, even dangerous—witness the "sympathetic and spineless master" who is "despised and taken advantage of by his class." The Government, like the schoolteacher, must not "spare the rod."⁶⁰ Molly, author of the "Women's World" column in the *Standard*, agreed that "our natives" were like children; she recommended "spare the rod" as "a motto for our Magistrate's Court."⁶¹ The editor of the *Leader* admitted that

⁵⁵ "The Native: And how best to deal with him," *EAS*, 31 May 1913. See also, for example, "Women's World—by Molly," *EAS*, 3 June 1916; W. Scoresby Routledge and Katherine Routledge, *With a Prehistoric People* (1910; reprint, London: Frank Cass, 1968), 166–67. Missionary Rachel Stuart Watt chalked this up to the effects of initiation. *In the Heart of Savagedom* (London: Pickering and Inglis, 1920), 237.

⁵⁶ Eve Bache, *The Youngest Lion: Early Farming Days in Kenya* (London: Hutchinson, 1934), 132, and see also 253; M.C. Monckton, letter to ed., *EAS*, June 17, 1922; H.K. Binks, *African Rainbow* (London: Sidgick and Jackson, 1959), 97; E. May Crawford, *By the Equator's Snowy Peak: A Record of Medical Missionary Work and Travel in British East Africa* (London: Church Missionary Society, 1913), 140; Evelyn Brodhurst-Hill, *So This is Kenya!* (London: Blackie and Son, 1936), 36, 191, 202; "The Native," *EAS*, May 25, 1912; "Full of Hope," letter to ed., *The Advertiser of East Africa*, 1 May 1908; "Editor's Note," *Advertiser*, 29 May 1908. Upon taking up his appointment as governor of Kenya in 1925, Sir Edward Grigg emphasized Britain's duty to the "child-races" of the world. "Appointment of New Governor for Kenya," *East Africa*, June 4, 1925.

⁵⁷ Huxley, *Africa View*, 458.

⁵⁸ NLC, 49. In the same report, see the evidence of T.R. Swift on page 218, and Capt. W.F.S. Edwards, Inspector General of Police, on page 228. The *Standard* editorialized that "in a moment of justifiable anger" a settler might well physically "chastise" servants, "who, after all, are mere children undeveloped, ignorant, superstitious...." "Coddling the Native," *EAS*, 8 March 1913.

⁵⁹ "Our Custodian," *EAS*, 17 January 1923.

⁶⁰ "H.," "Native Education," *EAS*, 19 August 1922. The author suggested that some "discipline" earlier on would have prevented the rise of Harry Thuku and the East African Association, and the protest by and massacre of his followers after his arrest.

⁶¹ *EAS*, June 3, 1913. Many witnesses before the 1923 Native Punishment Commission (hereafter NPC) defended the use of flogging on the basis "that the native is a child and should, therefore, be punished

extra-judicial corporal punishment might not be strictly legal, but it fell in the category of acts of violence most Europeans accepted: "In principle, violence is forbidden by the law. In fact, such violence as whipping a child, birching a recalcitrant pupil, firing into a mob of strikers, or knocking down a 'cheeky' savage, is not universally accepted as crimes."⁶²

Marking Africans as infantile excused corporal punishment, while corporal punishment helped infantilize Africans. Violence was certainly not unknown in most Kenyan African communities. Children were spanked or slapped or pinched. Many women suffered domestic violence at the hands of their husbands.⁶³ In each of these cases, the perpetrator could claim the right to inflict violence based on generation or sex. Thus when whites beat African men they at once infantilized and emasculated their victims. Violence likely did more to turn men into boys than did language.

Acting Like a State

Settlers demanded the state play a role in training Africans via the lash. Based on racial and cultural commonalities with colonial rulers, their role as steadying the front line of Empire, and having been encouraged to come to Kenya, settlers insisted that the state must bow to their wishes. The state must, they insisted, improve its methods of regulating African labor and eliminate African criminality. Even when administrators took action, however, their methods fell short of what was needed. Administrators (as magistrates) and the judiciary preferred fines and imprisonment as punishment for Africans, or so settlers believed.⁶⁴ Neither of these, settlers charged, had any effect on Africans. It was conventional knowledge among whites that jail simply had no deterrent effect on Africans.⁶⁵ After all, asked W.M. Hudson, "What native objects to very little work, plenty of food and a comfortable place to put his head at night and he is a hero with many of his kind for having been clever enough to thieve something."⁶⁶ Corporal punishment had far

as a child...." NPC, 2. See also the minority report, which asserted that the African's "outlook approaches loosely to that of the European schoolboy justly punished for an offense he has committed." NPC, Minority Comment, para. 5. The editors of the *Standard* complained that courts expected settlers treat Africans as adults: "We are obliged, by law, to treat [the African], not as a child, which he really is in thought and disposition, but as a grown up equal of a somewhat disreputable turn of mind." "Leniency or Licence?" *EAS*, June 22, 1923. See also "Editor's Note," *Advertiser*, 9 July 1909. One settler in fact demanded the right to "give our boys a spanking occasionally," "Coast Notes," *EAS*, 7 July 1917.

⁶² "Treatment of Natives," *Leader*, September 2, 1911.

⁶³ On children, see Ocobock in this volume. On domestic violence, see Emily S. Burrill, Richard L. Roberts, and Elizabeth Thornberry, eds. *Domestic Violence and the Law in Colonial and Postcolonial Africa* (Athens: Ohio University Press, 2010).

⁶⁴ Incorrectly, as it turned out. See David M. Anderson, "Master and Servant in Colonial Kenya, 1895–1939," *Journal of African History* 41 (2000), 459–85. For a more detailed examination of settler ideas on the legal process, see Brett L. Shadle "White Settlers and the Law in Early Colonial Kenya," *Journal of Eastern African Studies* 4 (November 2010), 509–23.

⁶⁵ C. Woolcott Roberts, letter to ed., *Leader*, September 7, 1912; "Native Crime," *EAS*, May 15, 1920; "Warning to Government," *EAS*, May 22, 1920.

⁶⁶ W.M. Hudson, letter to ed., *EAS*, May 15, 1920. See also, for example, "Occasional Notes," *EAS*, March 20, 1909; M.C. Monckton, letter to ed., *EAS*, April 17, 1920; Bache, *Youngest Lion*, 261, 264–66;

better effect. As Conway Harvey argued in the Legislative Council, "Whenever we discuss these matters in the native reserves with those best qualified to know they invariably say that there is one form of punishment and one only which is definitely a deterrent, especially where the young men are concerned, and that is whipping."⁶⁷ "A little *physical pain*," the *Standard* noted, "is a greater deterrent to the Native than imprisonment for long periods."⁶⁸ Even better: lashings on a regular basis while the convict served his jail time.⁶⁹ Unless the courts made greater use of corporal punishment crime would be sure to increase.⁷⁰

Even if courts had imposed more lashes, settlers could not rely on the state to train Africans to the white man's ways. Many settler farms were situated miles from the nearest town or administrative outpost. Going to court was simply impracticable for busy people.⁷¹ Corporal punishment at the hand of the settler was quicker. Penalty could follow crime much more rapidly, and thus the two could be more clearly linked in the sufferer's mind.⁷² Settlers often used physical violence either to punish thieves or to extract information from suspected lawbreakers.⁷³ Non-official whites also deplored the relative independence of

Brodhurst-Hill, *So This is Kenya!* 185; Hamilton, *Turn the Hour*, 67; Seaton, *Lion in the Morning*, 23; Strange, *Kenya To-day*, 83.

⁶⁷ Kenya Legislative Council, August 17, 1928, p. 565. See also "Kisumu Notes," *Leader*, September 7, 1912; "East African Women's League," *Kenya Observer*, 1 March 1923; "Inefficient Sentences," *EAS*, 2 August 1919. For competing views on the efficacy of imprisonment, see Ag. DC, Nyeri, to Secretary, NPC, October 13, 1921, and DC Fort Hall to Secretary, NPC, October 15, 1921, both in KNA, PC/CP/6/4/3.

⁶⁸ "Occasional Notes," *EAS*, 27 March 1909; W.M. Hudson, letter to ed., *EAS*, May 15, 1920.

⁶⁹ "Crime and Punishment," *EAS*, April 17, 1920; "One with Experience," letter to ed., *EAS*, June 19, 1920. Whites argued that Africans had a different relationship to pain and to their bodies than did Europeans. Settlers, women especially, had some of their most intimate contact with Africans in the form of medical treatment. Nearly every settler reminiscence gives an account of doctoring African workers. Minor ills were common, but Africans also brought more serious complaints to their employers: severe burns, hemorrhages, nearly-severed fingers. When patching up their patients (or, more rarely, transporting them to dispensaries), whites marveled at Africans' stoicism. The impression of Africans being better able to withstand pain, or perhaps being less sentient than whites, could contribute to arguments in favor of corporal punishment. Thus "One with Experience" who had been "with the native for over three years," suggested that the number of lashes handed down to African criminals be increased dramatically. The minimum number of strokes, he insisted, should be twenty-one. "I find it is not cruelty," he reassured his readers, "because when they are only given 12 and 18 lashes they take it as a joke and laugh over it." His letter came in response to "Ex-Prison Warder" from Uganda, who had pointed out that "owing to the tough hide of the average native" the low number of lashes magistrates could impose had little effect. Imposing a number that might actually cause pain would cause "a great outcry at Home." "One with Experience," letter to ed., *EAS*, June 19, 1920; "Ex-Prison Warder," letter to ed., *EAS*, June 19, 1920.

⁷⁰ "Occasional Notes," *EAS*, 22 July, 1911; "A Distinct Menace," *Advertiser*, 14 August 1908; "Stock-stealing by Natives," *TEA*, 21 July 1906; "Native Treatment," *Leader*, December 30, 1911.

⁷¹ C.F. Lobo, "Native Insolence," letter to ed., *EAS*, May 31, 1913. The implications of this letter extend in other directions: the name Lobo suggests he was a Goan, one of the "in-between" communities of East Africa.

⁷² "Critics of East Africa: A Tanganyika Settler Defends Kenya," *East Africa*, October 1, 1925.

⁷³ For example, Harry Edward Watts and Cyprian Stanislaus Leo Betschart of Lumbwa were charged with, respectively, causing grievous hurt and murder of an alleged African thief. They first flogged him, then

the judiciary, dedicated as it was to civilizing Africans via the majesty of English law. Africans did not understand English legal traditions, or so settlers believed; when released on a technicality, the accused man, and his friends and family and neighbors, could comprehend only that a guilty man had escaped rightful punishment. This made a mockery of the law and provided no deterrent whatsoever.⁷⁴

The alleged failures of the legal system became one of the fundamental settler arguments in defense of the lash. If the logistics and logic of the colonial legal system failed them, settlers had to take the law into their own hands.⁷⁵ In fact, many whites were convinced—or tried to convince themselves—that Africans themselves fully accepted the legitimacy of extra-judicial violence.⁷⁶ The relative infrequency of court cases filed against abusive whites could be held up as evidence, a point rejected by Norman Leys. Leys, a government doctor and later a harsh critic of white rule in Kenya, explained how whites had subverted the legal system and replaced it with the lash:

The broad fact is that every European in the country uses the powers of a magistrate over his native employees. The ordinary European has indeed more power than a magistrate. His judgments are never revised and never appealed from. Though illegal, the power to fine and flog is supported by public opinion. Natives of course are rarely aware that such practices are illegal and practically never take a European to Court. While the punishments are presumably always regarded as just by the employers, they are frequently otherwise regarded by natives.⁷⁷

"Black Peril" and Violence

On March 14, 1907, Mrs. Hunter and Miss McDonnell were riding to the Nairobi Club in a rickshaw pulled by three Gikuyu "boys."⁷⁸ Perhaps due to a failure in communication, the

had him tossed in a river four times, flogging him each time he was dragged out of the water. Their intent was both to punish him and to force him to give up the names of other thieves. Betschart later tied up the African spread-eagle under his bed, where he died overnight. The two white men later burned his body. "Lumbwa Murder Trial," *EAS*, September 5, 1918; "Lumbwa Murder Trial," *EAS*, September 6, 1918; "Lumbwa Trial Verdict," *EAS*, September 9, 1918. See also "Try It," letter to ed., *Advertiser*, 16 October 1908.

⁷⁴ Shadle, "White Settlers and the Law."

⁷⁵ See, for example, Brodhurst-Hill, *So This is Kenya!* 145; "Stock-stealing by natives," *TEA*, 21 July 1906; "A Distinct Menace," *Advertiser*, August 14, 1908. Curiously, these arguments were undermined by another set of justifications settlers made for their use of the *kiboko*. Many settlers claimed that African servants preferred the lash to being taken before the magistrate. Of course, these arguments were made primarily for the consumption of their critics, for logically they made no sense. If Africans took pain lightly, then what good was the lash? If Africans preferred the settler lash to the magistrate's jail, then would not the threat of imprisonment have had greater deterrent value?

⁷⁶ See, for example, Denham, Ag. Gov., to Amery, SS Colonies, 1 September 1925, KNA, AG 7/2.

⁷⁷ Evidence of Leys, NLC, p. 273.

⁷⁸ The following account draws on "Found Guilty," *EAS*, April 6, 1907, and Command 3562 (1907), "Correspondence relating to the flogging of natives by certain Europeans at Nairobi."

“boys” gave their passengers a rather bumpy ride.⁷⁹ Mrs. Hunter told her brother, Ewart Grogan, President of the Colonists’ Association. He was incensed at the “insult” the women had received. He railed to his friend S.C. Fichat that night, and the next day after breakfast came to the decision to mete out punishment to the Africans. He found the three—who had disappeared for a time after the ladies’ uncomfortable ride—bound them with rope and set out down Nairobi’s main artery, Government Road. Meanwhile, Fichat followed a different path, spreading word. Soon scores of Europeans took to the streets. Grogan claimed that he had planned to head to the Police Station, the Nairobi Collector’s Office, or the Sub-Commissioner’s Office, but the stream of whites who had come out directed him toward the town magistrate’s courtyard. Grogan did not, however, make any effort to direct the mob elsewhere. Grogan threw the “boys” to the ground and flogged one. Twenty-five lashes later, two of Grogan’s colleagues, Russell Bowker and Captain Thord Gray (both immigrants from South Africa) took the whip and used it on the other two young men. The European mob, estimated at between fifty and 250, cheered them on.

Town Magistrate E.R. Logan had come out on the verandah, called out to Bowker but was ignored, and then asked Grogan what he intended to do. As Grogan recounted at his trial, “I said I am going to beat these boys. He said why. I said because I want to.” Logan informed Grogan that they must be properly charged by the government; Grogan replied that he “was sick of being made a fool of and this was a matter I dare not leave to the authorities.” Seeing that his words had had no effect, Logan returned to his offices and sent word for white police, who arrived after the flogging was completed. The sole officer on the scene was brusquely elbowed to the outside of the crowd when he attempted to intervene. Grogan, Gray, Bowker, and two others were subsequently convicted of illegal assembly; ironically, they were later released on procedural grounds.⁸⁰

The vigilantism, the large and enthusiastic crowd, the deliberate refutation of the magistrate’s and police officer’s authority, the brutality of the violence, all was justified by Grogan and others because the Africans had “insulted white women.” Many in the crowd believed the women had been sexually assaulted, or that the Africans had attempted such an attack. In other research, I advance a larger argument on the meanings settlers attached to black-on-white rape (“black peril”), drawing on settler ideas of prestige, of the failings of the legal system, of paternalism, and of gender and sexuality. I argue that at the confluence of these issues—all of which were discussed in some detail at the time of black perils—whites saw the destruction of the settler project. If Africans would rape white

⁷⁹ According to Grogan’s nephew, the Gikuyu had been drinking, and “they sped the ghary along the bumpy lanes at a spanking pace, raising and lowering the shaft like a see-saw and laughing uproariously at Dorothy’s frantic efforts to stop them.” More likely is the recollection of Robert Foran, at the time a member of the Protectorate police force: “Going up-hill the three ghary-boys [sic] found their work rendered more difficult because the two passengers leaned back in the conveyance. They halted and asked the two ladies to lean forward so as to ease the load, but neither understood what the ‘boys’ said. Shrugging their shoulders the three natives proceeded on their way, but were ill-advised enough to jog the ghary up and down as a sign of displeasure.” Norman Wymer, *The Man from the Cape* (London: Evans Bros., 1959), 157; W. Robert Foran, *A Cuckoo in Kenya: The Reminiscences of a Pioneer Police Officer in British East Africa* (London: Hutchinson, 1936), 288.

⁸⁰ Originally, these five and others in the crowd were also charged with assault on Capt. Smith, but during the course of the trial charges against the other men were dismissed, as was the assault charge.

women, what would they not do?⁸¹ Among the causes of African male aggression toward white women, according to settlers: the failure of the legal system to impose corporal punishment. Among the best means to instruct Africans how properly to interact with whites: corporal punishment.

The Grogan incident wonderfully illustrates the ways by which settlers arrogated to themselves the right to inflict extra-judicial punishment on Africans. Indeed, Grogan's answer to Logan's inquiry of why he was going to flog them—"because I want to"—can hardly be surpassed as a representation of settler thought. Grogan, and so many others, believed they owed no one an explanation for beating an African. When he did deign to explain himself, Grogan pointed to the failings of the judicial system and the importance of protecting white women. It was, in fact, necessary to inflict such punishment on Africans who insulted white women.

My object in flogging natives in public was because I have noticed my own natives becoming unruly owing to the impossibility (in the great majority of cases) of getting a conviction against them in a Court, or to the inadequacy of punishment if convicted. I look upon the safety of one's women-folk as a matter of such paramount importance that I do not consider I am justified as a family man in leaving such a matter to the mercy of the vagaries of the law and the application thereof.

As Bowker stated in court, "As it has always been the first principle with me to flog a nigger on sight who insults a white woman I felt it my bounded duty to take the step I did and that in a public place as a warning to the natives."⁸² Popular opinion sided with Grogan and his fellows.⁸³

In later scares over black-on-white rape, settlers continued to demand that the courts impose corporal, even capital punishment as the only means to instruct Africans to the sanctity of white women and children.⁸⁴ Many warned that if government action was not forthcoming, lynch law must take over.⁸⁵ Such threats were never carried out, although

⁸¹ The most important works on Kenya black perils, which focus more on settler fears surrounding sexuality and reproduction, are David Anderson, "Sexual Threat and Settler Society: 'Black Perils' in Kenya, c. 1907-30," *Journal of Imperial & Commonwealth History* 38 (2010), 47-74, and Dane Keith Kennedy, *Islands of White: Settler Society and Culture in Kenya and Southern Rhodesia, 1890-1939* (Durham, NC: Duke University Press, 1987).

⁸² According to the *Leader's* report, Gray said, "I can hardly call it a creditable thing to do to publicly flog niggers but I agreed with him that it was the proper thing under the circumstances to do." The first half of his sentence is not recorded in the official transcript of the trial.

⁸³ "Mass Meeting in Nairobi," *TEA*, April 6, 1907.

⁸⁴ Corporal punishment for rape was made law in 1913, and capital punishment in 1926.

⁸⁵ See, for example, "Children's Peril," *Daily Leader* [DL] 9 April 1920; "Horried," letter to ed., *DL*, n.d. (but early June 1920); "The Unpardonable Crime," *DL*, 11 June 1920; "A Father," letter to ed., *DL*, 22 June 1920, clippings in KNA, AM/1/1/5; "Black Peril," letter from "A. Father," *EAS*, 12 June 1920, and note from the editor following the letter; "Warning to Government," *EAS*, 22 May 1920.

Grogan was often held up as an example of what white men should do, and had the right to do.⁸⁶ Violence was essential to protect white women and, by extension, white rule.

Fear, Powerlessness, and Violence

In each of these contexts—violence against laborers, criminals, “children,” and disrespectful Africans—settlers sought to create, enforce, and illuminate their power. Beatings taught workers their proper position vis-à-vis their employers. Extra-judicial punishment told Africans that settlers were the state. Sparing not the rod froze Africans into perpetual childhood. The lash protected women. Sometimes, however, violence had little purpose other than to release settlers’ rage. Beatings could be prompted by what might appear to any unbiased observer as an utterly trivial error, or indeed for no error at all. Roger Noel Money threw a book at his cook’s head (“and if it had been a bomb I still would have thrown it”) because the cook had failed to make a loaf of bread; Money was sick, lonely, “feeling abso----lutely fed up ... infernally bad tempered too,” and hungry for toast.⁸⁷ Dropping a master’s package in a river brought a kick to the buttocks; breaking a plate resulted in a cuffing; imitating a kitten’s “plaintive cry” was silenced by the *kiboko*; borrowing a razor without permission ended in “a good flogging.”⁸⁸ Simply having a bad day could lead a white to “go about kicking every black boy who happens to get into your way.”⁸⁹

Similarly, settler claims of the importance of extra-judicial punishment for African criminality lose some weight when one considers the regularity with which non-criminal acts were met with violence. Settlers often resorted to violence rather than the courts because the offending behavior was simply not criminal. Lady Cranworth told potential settler women that learning house management might be helpful prior to emigrating, but much had to be learned on the ground: “One could not, for instance, learn by experience in England when is the right time to have a servant beaten for rubbing a silver plate on the gravel path to clean it, and that after several previous warnings.”⁹⁰ For “boys” who lied, Lord Cranworth advised that “the ‘kiboko’ has a somewhat salutary effect.”⁹¹ Moreover, whites beat not only their own servants, but those from neighboring farms, or complete strangers.⁹² A typical day for “An Up Country Manegeress”: her kitchen “toto” deserts because of her excessive beating; she slaps another “boy” for bringing cold rather than hot

⁸⁶ See, for example, “Groganite,” letter to ed., *EAS*, March 27, 1920; E.C. Holmes, letter to ed., *EAS*, March 27, 1920; “Horried,” letter to ed., *Leader*, November 16, 1920, clipping in KNA, AM/1/1/5.

⁸⁷ Roger Money, letter to Carlo Plowden, 17 February 1923, in *Ginia: My Kenya Coffee Shamba, 1918–1939* (Perth: Daphne Carol Cross, 2000), 181.

⁸⁸ Simpson, *Land that Never Was*, 231; Blundell, *Diary*, entry of March 9, 1926; T.R.L. Nestor Papers, p. 46, RH MSS Afr. s. 1086; Patterson Diary, entry of April 26, 1898, RH MSS Afr. r. 93.

⁸⁹ “Matrimonial Bliss in B.E.A. by One who knows something about it!” *EAS*, April 12, 1913.

⁹⁰ Lady Vera Cranworth, “Hints of a Woman in British East Africa,” in Lord Bertram Francis Gurdon Cranworth, *A Colony in the Making; Or, Sport and Profit in British East Africa* (London: Macmillan, 1912), 85.

⁹¹ Cranworth, *Colony in the Making*, 52.

⁹² Simpson, *Land that Never Was*, 157–58.

water; she smashes a rotten egg in the face of her cook; she disperses a boisterous crowd with her "little Kiboko."⁹³

As individual acts—a rotten egg here, a caning there, a few strokes with the *kiboko* again—settler violence may appear unworthy of note; disturbing, to be sure, a relic of a thankfully bygone era. Yet as one adds up the daily beatings and slaps and kicks, in Nairobi homes, and upcountry farms, and coastal plantations, one begins to see that more was at stake. Settlers and Africans did not speak the same language, literally and figuratively. They did not understand what each expected of the other. Settlers could not make Africans understand, or could not convince them to accept, white demands. Settlers could not, or would not, break Africans' wills through money, logic, or pretensions to civilization. They instead turned to the language of violence. This, Africans could comprehend. Violence was the lingua franca of colonial Kenya.

White Critiques of White Violence

Given that most whites in Kenya firmly believed in the positive benefits of corporal punishment, few were those who spoke out against any use of the lash. Only a few settlers ventured the truly radical idea that violence toward Africans was unwarranted. "D.F." argued against the common formulation that "the native being child-minded, must be treated as a child." To flog an adult Africa was as degrading as was flogging an adult European.⁹⁴ Within Kenya, D.F. was in a distinct minority, and most of those who critiqued any extra-judicial violence came from overseas.⁹⁵

More commonly, whites criticized their fellows only when they exceeded (what critics thought to be) acceptable levels of corporal punishment or beat Africans for illegitimate reasons. Violence had to be measured and for good cause. An employer constantly "'whacking' his 'niggers'" was a poor one.⁹⁶ Losing one's temper did no good. One letter writer thought "flogging when *in a temper*" was useless for dealing with thieving servants, "but a good steady talk and a few applications from the rod at the same time is a good corrective for either 'cheek' or pilfering."⁹⁷ "A Colonist" instructed that

⁹³ "A Day in the Existence of an Up Country Manageress," *The Outlaw*, 9 February 1922.

⁹⁴ "D.F." letter to ed., *Kenya Observer*, 26 October 1923. His letter came in response to the report of the Native Punishment Commission, which on the whole he thought good "except for the nauseating feeling aroused by the allusion to flogging." "D.F." had previously condemned leniency in courts in cases of "very blatant brutality" by whites against Africans. Letter to ed., *Kenya Observer*, 28 August 1923.

⁹⁵ The only other published example I have recovered comes from "The Echo." In his regular column "Echoes of the Week," Echo rejected calls for outlying settlers to be given powers as justices of the peace. He thought it premature, given the extent of violence meted out by those settlers on their African employees. It was both uncivilized and gave settlers a bad name back in Britain. "Echoes of the Week," *Kenya Observer*, 23 June 1923. For overseas critiques of settler violence, see Secretary of State for the Colonies to Governor of Kenya, 19 December 1924, KNA, AG/7/2; NA: CO 533/371/4.

⁹⁶ "Treatment of Natives," *Leader*, September 2, 1911.

⁹⁷ "Try It," letter to ed., *Advertiser*, 16 October 1908. The editors of the *Standard* congratulated one Mr. Powell for "controlling his temper," and reporting some threatening Africans to the police, rather than hitting them. "Occasional Notes," *EAS*, 20 March 1909.

corporal punishment was a critical tool in running workers, but it had to be imposed properly. The employer should first gather the other workers, and “when you have thoroughly laid bare [the offender’s] wickedness—go for him. It is when a European employer hits a boy—makes a practice of it—in fits of passion that the damage is done. The native is then regarded as a victim by his fellow and the master is anathema.”⁹⁸

Those who beat Africans while in a fit of pique might well be criticized. Harold G. Robertson, editor of *The Critic*, wondered about:

The name of the low down ruffian who, while being helped into the rickshaw when ‘under the influence’ kicked the native servant brutally in the face as he grunted “B.....nigger.”

And is it not likely that the native was the better man of the two.

Also is it not fortunate that there are few Whites of his type in Kenya.⁹⁹

This white was “low down” and a lesser man than his victim not because he had used violence, but had used it inappropriately. The “ruffian” had been drunk, he had assaulted someone who had come to assist him, and had inflicted a “brutal” kick to the face rather than a slap or some stripes with a *kiboko*.

Despite their own penchant for employing the *kiboko*, some administrators did attempt to protect Africans from *excessive* extra-judicial violence. While on tour in November 1924, Assistant District Commissioner E.G. St. Tisdall heard multiple complaints from the Africans employed by Mr. McPhee, who supplied labor to the railway. A group of thirty-four workers desired to break their contracts and return home as they had suffered repeated beatings from Mr. Allen and Mr. Page. Allen did not deny the charge, but explained that, “he found occasional beating the only method of keeping order.” The discontent of the Africans suggested to St. Tisdall that Allen relied too much on violence—excessive violence was a sign of poor management. He concluded “that the treatment of the labourers was radically wrong.”¹⁰⁰ Allen was later convicted on the basis of his own evidence of “lashing an employe [sic] with a Kiboko,” and Page for striking the man in the face with a stone.¹⁰¹

Labor Inspector Shields, sent in specifically to investigate conditions of the African workers, saw less reason for concern. Although the magistrate who convicted the men was within his rights to rescind the workers’ contracts, “Mssrs. Allen and Page were subject to severe provocation.” Shields, like so many settlers, explained that employers had few good options when dealing with a lazy and unskilled workforce: “Against this state of affairs Mr McPhee has no redress except by constant application to law. Such applications are often futile subjecting the employer to great expense and loss of valuable time in making his

⁹⁸ “A Colonist,” letter to ed., *Leader of British East Africa*, December 9, 1911.

⁹⁹ “Things We Want to Know,” *Critic*, July 1, 1922.

¹⁰⁰ On Safari at Rabai, 6 November 1924, E.G. St. Tisdall. As Tisdall had previously noted, “The chief trouble is that Mr. Allen and his Assistants appear to beat the natives a great deal.” Note on Complaint by 60 labourers of Mr. McPhee, October 21, 1924, E.G. St. Tisdall. Both in KNA, PC/COAST 1/9/61.

¹⁰¹ Asst. D.C. Kilifi to SC Coast, 21 November 1924, KNA, PC/COAST 1/9/61.

appearance, injuring his reputation so that he has difficulty in getting more labour when he requires it." In the end, Shields lectured the *Africans* on proper comportment: "I finally assembled the natives and warned them to adopt a more agreeable attitude," he wrote. "Mr McPhee stated that he should support any prosecution in future for hurt and dismiss any employee found guilty of such an offense. I warned the natives that any case of insubordination reported by the employer would also be severely dealt with."¹⁰²

By and large, so long as corporal punishment by whites could be kept within certain bounds, few whites would cause a fuss. Indeed, one of the few occasions in which missionaries in Kenya banded together with settlers was to defend settler violence. On June 6, 1920, Captain H.M. Harries dedicated a full hour to delivering 100 strokes on his pig herder Kamauga wa Njoro, who, Harries alleged, had beaten and killed several swine. The white jury found Harries not guilty on the count of grievous hurt, and convicted him of simple hurt (which Harried had admitted) with the rider that he had acted "under intense provocation."¹⁰³ Metropolitan reaction was quick and intense, and threatened to lower even further the reputation of Kenya settlers. In response, Archdeacon W.E. Owen, L. Berhard (Vicar General to the Bishop of Zanzibar), W.J. Wright (chaplain of Nairobi), along with leading settlers, saw fit to defend Kenya whites' reputation. Harries was, they insisted, an aberration. Along with "all responsible European opinion in the Colony," the signatories of the letter "emphatically condemn[ed] brutality wherever found." Extra-judicial violence, however, did not equate to brutality. Indeed, they fully understood why settlers might be forced to revert to the lash. Perhaps the settler lived too far from court, perhaps the African's offense was not one the law considered criminal. The resort to the lash, however, did not constitute a violation of Africans' rights. In fact, Africans rarely dragged an abusive white person to court. Admittedly there existed cases in which "he is unaware that he has any legal redress," but the missionaries quickly passed on to the more significant reasons why a beaten African would not resorted to the courts:

he takes the view that he deserved it, or that he does not think the matter sufficiently serious to take to Court. Our experience has been that the offender himself would 99 times out a [*sic*] 100 prefer to have the off settled by this employer rather than the employer should make a Court case of it.¹⁰⁴

Some level of pain and suffering was permissible.¹⁰⁵

¹⁰² Labour Inspector, 7 December 1924, Report (Mr. Shields), KNA, PC/COAST 1/9/61. Three years later Archdeacon Owen saw a European foreman on a road gang "violently" kick an African from behind. The director of public works informed the European that such violence was "highly reprehensible" and that future cases may end in dismissal. See correspondence in KNA, PC/COAST 1/1/253.

¹⁰³ High Court at Nakuru, Criminal Case 58 of 1920, KNA, AC 2/60. For more on the Harries case, see Brett L. Shadle, "Cruelty and Empathy, Animals and Race, in Colonial Kenya," *Journal of Social History* (forthcoming, 2012).

¹⁰⁴ "The Case for Kenya," *EAS*, 5 March 1921. Owen's service on this committee is puzzling, given his role as critic of settler policy generally, and extra-judicial punishment in particular.

¹⁰⁵ Similarly, members of the Native Punishment Commission, settlers and officials among them, favored corporal punishment, but they "differentiate[d] between severe floggings with a cat, and a few strokes with a cane. The former we unhesitatingly condemn...." NPC, Minority Comment.

Despite settler claims that Africans ran to the magistrate for the lightest of slaps, it appears that but a handful of egregious cases—like Harries’—made it to court. Two points are notable in these instances. First, the white men had inflicted brutal violence that exceeded what administrators and the judiciary understood as acceptable. Second, white settlers—as observers or jurymen—had a much more limited interpretation of what constituted *excessive* violence. If a settler were to inflict violence that even other settlers had to admit was brutal, the punishment would be negligible. Allowing Africans to believe that there should be real limits on white violence implied limits on white power. This could not be conceded.

In April 1906, the Colonial Office extended to whites in East Africa the right to trial by juries of their peers—their only peers being other non-official white men.¹⁰⁶ White juries regularly abused their power and excused white men of grievous crimes committed against Africans. When de Crespigny killed his servant with a hog spear, he was acquitted (“amidst the cheers of the Court”) on the charge of culpable neglect in using a weapon. The jury stated that they knew “their duty to a white man.”¹⁰⁷ Galbraith Cole shot and killed a (alleged) sheep rustler, accidentally he claimed, and was acquitted.¹⁰⁸ H.J. Davell was charged with assault and causing grievous hurt on an African after hitting him twice (knocking out a tooth), kicking him in the knee, and tying him to a tree; the jurymen did not even bother to leave their seats before entering a verdict of not guilty.¹⁰⁹ In 1923, a settler beat an African to death in what a Colonial Office official later called “circumstances of shocking brutality,” but the white jury convicted him only of grievous hurt.¹¹⁰ Appealing to his fellow-whites’ belief in the necessity of violence toward Africans,

¹⁰⁶ R.M. Combe, Att. Gen., “Trial by Jury in British East Africa,” May 28, 1913, NA, CO 533/118/21531. The first jury trial came one month after the new rule went into effect. A European man was acquitted by reason of insanity after shooting two men, and shooting at several others. Although he apparently did suffer from mental illness—he claimed to have heard voices and had paranoid delusions—it is perhaps significant that he had shot an African askari (policeman or soldier) for “standing in a slovenly manner with his cap on one side and he thought this was an insult both to himself and his King” (in the words of European witness). “The Tattersall Case,” *EAS*, May 19, 1906.

¹⁰⁷ Brig-Gen. J.E. and Dorothy Gough, “Letters and Diaries, 1907–08,” letter of April 17, RH, MSS Afr. s. 2046.

¹⁰⁸ See the summary of British press in “Cole’s Deportation,” *EAS*, September 23, 1911. In addition to the jurymen, other settlers gave Cole their full support. Lord Francis Scott, leader of the settlers in the 1930s, thought Cole “perfectly justified in what he did.” Lord Francis Scott, “Diaries,” entry of April 14, 1920, RH, MSS Brit. Emp. s. 349.

¹⁰⁹ “Nakuru Sessions,” *EAS*, May 22, 1909. Nine months later, another Nakuru jury acquitted a settler who had whipped an African at least six times on the back and ruined his eye. “Nakuru Sessions: Alleged Grievous Hurt,” *EAS*, February 12, 1910. In both cases, the accused men claimed to have acted only in self-defense. Again in Nakuru, a jury acquitted M.W. London and his employee, Karanja wa Kamau, of grievous hurt. London was accused of having Kamau tie up an alleged stock thief, left him overnight, and took him to the authorities with a rope about his neck. The reim was tied so tightly that his hands were paralyzed and his arms permanently damaged. “Occasional Notes,” *EAS*, January 21, 1911; “Nakuru Magistrates Court,” *EAS*, January 28, 1911; “Grievous Hurt to Native,” *EAS*, March 11, 1911. Settlers seem to have been more willing to convict a white on lesser charges, such as simple hurt. See “Nakuru Sessions,” *EAS*, August 29, 1910.

¹¹⁰ Penal and Criminal Codes, Background Notes, 1934, NA, CO 822/52/1. For reaction in Britain, see the collection of letters and editorials collected by the Anti-Slavery Society, RH, MSS Brit. Emp. s. 22 G/36.

the attorney for J.C. van Rooyen, charged with causing grievous bodily harm and hurt, warned the jury that "To give a verdict against my client, you stop for ever the infliction of corporal punishment."¹¹¹ These cases stirred up hornets nests in London. The Colonial Office seriously considered revoking the right to jury trial, and for at least thirty years required the Kenya government to forward full transcripts of all inter-racial criminal cases heard by juries.¹¹² For most settlers, the verdicts were not abuses of the jury system, but the proper functioning of a racialized legal system.

Conclusion

A *Standard* article from 1913, "The Native: And How Best to Deal with Him," by "Onlooker," encapsulates settler thinking on violence.¹¹³ Following Solomon's maxim of "Spare the rod, spoil the child," "Onlooker" posited, "would provide a ready solution to many of the problems which face the European settlers in B.E.A." The African was, after all, just "an overgrown child," and any person who knew how best to handle children "is surely aware of the efficacy of a judicious application of the 'rod.'" He had spoken with a safari guide who had been in East Africa for well over a decade and who confirmed the childishness of the African. "Like a child," the old hand explained, "he knows when he does wrong. He has a dim sense of right and wrong.... To punish him when he is in the wrong is to enlist his respect. To fail to do so, out of a mistaken kindness is to merit his scorn and earn the name of a woman." But what of those who questioned the right of the white man to use violence on the black? "Onlooker" explained it bluntly: "The right of self-defence entitles the white man to administer punishment monetary or physical to his black brother—more especially in those outlying districts where the ... [state] is but a name, and its wheels grind too slowly to achieve the desired results." And, after all, the Africans did not understand the "white man's law" and the "impersonal" trials; he much preferred having his bwana deal with it. Or so settlers claimed.

In order to secure their tenuous status as the elite of Kenya, and to answer criticism of those "back home" with bourgeois notions of violence, white settlers created very peculiar moral economies of violence and cruelty. Violence per se was not wrong: it depended on who performed it, and who the victim was. Violence by whites on Africans not only was not cruel, it was essential. Africans understood no other punishment, and if settlers could not employ corporal punishment, they claimed, white rule would collapse.

For other cases, see "The Case for Kenya," *EAS*, March 5, 1918; "Occasional Notes," *EAS*, January 21, 1911; "Nakuru Magistrates Court," *EAS*, January 28, 1911; "Grievous Hurt to Native," *EAS*, March 11, 1911; "Nakuru Sessions: Alleged Grievous Hurt," *EAS*, February 12, 1910; NA, CO 822/52/1; KNA, AP/1/524.

¹¹¹ "News from Nakuru," *EAS*, November 20, 1915.

¹¹² On discussions of revoking whites' right to jury trial, see NA, CO 533/91/36361; NA, CO 533/118/21531. On the continuing need to send transcripts, see notes in file, NA, CO 533/526/8 (1941-42). The possibility of revoking jury trial arose again in 1943 when a priest, upset at a loud African celebration, discharged his revolver; the bullet entered a hut and killed an African woman. W. Harragin, Att. Gen., 16 June 1942, in Gov. to SS, 24 June 1943, NA, CO 533/526/9. Critics in Britain, such as the Anti-Slavery and Aboriginities' Protection Society, condemned the light sentences, but to little effect. See KNA, AP 1/1348.

¹¹³ *EAS*, May 31, 1913.

On their farms, in their homes, and in the streets, settlers hoped to create a world in which their word was law, in which they acted in effect as the government, and, ideally, in which actual state agents did their bidding. The terrain of this new world would be carved by the fist, the boot, and the lash.

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