In the heat of the agitation for a return to multiparty democracy, Odinga fled Kenya to Uganda, from where he sought to go to either America or Germany. Newly declassified documents reveal the back and forth that surrounded his search for asylum.
RAILA, THE ‘UNWANTED’ EXILE

Western governments were afraid of antagonising the ‘friendly’ Daniel arap Moi government while Uganda under Yoweri Museveni was keen to avoid a diplomatic dispute with its neighbour.

Father and son seem lost for words at their first meeting at the elder Odinga’s Bondo home since his son Raila was detained five years ago. But Raila’s arm, and the look in their eyes express all the emotions of the moment. Raila travelled to Bondo soon after his release from detention.

Chief Inspector Ikonca of the Nairobi Central Police Station, Nairobi, was taken to intercede for him so that he could get his passport back. Odinga was eventually offered asylum in Norway where he remained for a couple of months. Nonetheless, Mr Odinga was never really keen on attending the bitting Norwegian winter, back home Moi, had yielded ground following persistent pressure and announced the return of multi-party politics in December 1991. With the clamour for change at its peak, Mr Odinga was not ready to remain in exile for long. He was particularly keen on attending the first rally of the newly formed political party—Forum for Restoration of Democracy (Ford)—which was to be held at Kamuluji. The only problem was that he didn’t have a Kenyan passport and his Norwegian one was not valid for travel to Kenya.

To navigate this logistical challenge, according to the declassified documents, he approached Lord David Steel, a former leader of the British Liberal Democratic Party to intercede for him so that he could get his passport back.

OPIO

Recently declassified documents in London have for the first time revealed the full extent of efforts by the United Nations High Commissioner for Refugees (UNHCR) to secure safe passage for opposition leader Raila Odinga, who had fled to Uganda on October 26, 1991 fearing for his life, and the reluctance of big Western powers to give him political asylum.

Mr Odinga, a serial political detainee who was at the time a leading campaigner for multiparty democracy and prominent opponent of President Daniel Moi’s autocratic regime, had crossed into Uganda through Lake Victoria disguised in religious garb. With rumours spreading about his whereabouts, a Ugandan government official hurriedly convened a press conference to deny his presence in Kampala, the UNHCR representative, only referred to as Mr Farah, requested an urgent meeting with the British High Commissioner to Uganda Charles Cullimore.

“Farah, the UNHCR representative, called to see me this afternoon at his urgent request accompanied by his assistant,” Mr Cullimore wrote in a priority telegram.

During the meeting, Farah informed Mr Cullimore in strict confidence that before fleeing Kenya Mr Odinga had made asylum enquiries with American and German diplomats in Nairobi. The UNHCR representative further revealed to the British High Commissioner that Mr Odinga’s first option was Germany which they were “pursuing vigorously”.

Farah’s aim was to put Mr Odinga on a flight to Brussels, Belgium, the following day, after which he would board a connecting flight to Germany. But the plan was being delayed by the Germans indecisiveness on the asylum request.

Even though a similar request had been made to Norway and the United States, Farah sought to know from Mr Cullimore whether the UK would be willing to take in Mr Odinga in case other options failed.

The British High Commissioner, while assuring Farah that he would pass on the request to London, urged him to continue pursuing the German route. He further pointed out that he was not aware of any willingness by Her Majesty’s Government and the High Commission in Nairobi to assist Mr Odinga with his asylum case.

The meeting ended with Farah promising to update the High Commissioner about any development.

Following the meeting, the diplomat telegraphed London, seeking advice on how to respond to the request. The telegram marked ‘confidential’ was also copied to the British Embassy in Bonn, Germany.

“As things stand there is no need to respond further to the approach Farah has so far made,” one stinking document stated.

Father and son seem lost for words at their first meeting at the elder Odinga’s Bondo home since his son Raila was detained five years ago. But Raila’s arm, and the look in their eyes express all the emotions of the moment. Raila travelled to Bondo soon after his release from detention.

However, it would be helpful to have instructions on how we should respond if the German option falls through and Farah returns to us,” he wrote.

He was however of the opinion that one way or another, Mr Odinga should be out of Uganda as soon as possible since it was important in terms of bilateral relations between Uganda and Kenya.

Track movement

It was clear from the records that the British and Americans were hesitant to offer Mr Odinga asylum.

This could be explained in the context of Cold War, which was at its tail end. The Odingas and other political agitators were considered a threat to Western interests by antagonising Moi, who was seen as a safe pair of hands.

In one file marked ‘confidential’, covering the 1980s and early 1990s, Koigi wa Wamwere and Prof Ngugi wa Thiong’o were described as ‘enemies of Kenya’ who should not be given a safe landing in Britain. In fact, Prof Thiong’o only got his indefinite leave to remain in Britain after an immigration officer made a mistake and endorsed his passport, the document reveals.

The Foreign Office was so much angered by the error that it wrote a protest letter to the Home Office.

British High Commissioner to Kenya Roger Tomkys of FORD Kenya’s Raila Odinga (left) listens to Professor George Thurston (right) during the return of multi-party politics in December 1991. With the clamour for change at its peak, Mr Odinga was not ready to remain in exile for long. He was particularly keen on attending the first rally of the newly formed political party—Forum for Restoration of Democracy (FORD)—which was to be held at Kamuluji. The only problem was that he didn’t have a Kenyan passport and his Norwegian one was not valid for travel to Kenya.

To navigate this logistical challenge, according to the declassified documents, he approached Lord David Steel, a former leader of the British Liberal Democratic Party to intercede for him so that he could get his passport back.
Lord Steel, who later served as the presiding officer of the Scottish Parliament, had spent part of his boyhood in Kenya.

Lord Steel's father, the Rev David Steel, was the minister of St Andrews Church Nairobi in 1949, and was known for his criticism of colonialism in Kenya. This put him at odds with the Governor of Kenya and some of his congregants.

Just like his father, Lord Steel was an acclaimed campaigner for social equality. "I have been conscious from my earliest days of the need to fight for social equality. "I have been conscious from my earliest days of the need to fight for social equality.

"I have been conscious from my earliest days of the need to fight for social equality."

The British Conservative magazine Spectator, in its January 2008 issue, stated: "It is a little known fact that though Raila Odinga was a socialist firebrand who named his son Fidel Castro, his mentor was the former Liberal Party leader Lord Steel."

It is therefore not surprising that Mr Odinga chose to approach him in 1992 to help him get his Kenyan passport back. Following the request, Lord Steel raised the issue with an official of the East African Department (EAD) in the Foreign Office, who then informed the British High Commissioner in Nairobi: "Sir David Steel has been approached by Raila Odinga who is now living in Norway about the possibility of getting his passport back."

The official went on to say that he was unable to secure an appointment because the Kenyan diplomat was operating between Nairobi and London: "I wanted to make clear to her that I was not lobbying on Raila Odinga's behalf as I am not at all concerned with the level playing field aspects of the pre-electoral situation."

In concluding his telegram, the official requested the British High Commissioner, if you are seeing Kosgei could you perhaps feed this in and let me know what reaction you get."

The following day, the official sent another telegram to the High Commissioner in Nairobi asking him to call the Kenyan diplomat to talk to the Kenyan government about Mr Odinga's passport.

"For the record we did have a meeting in London on 20 January for a meeting with Sir David Steel. Apparently the paper was not dropped in the official bag but was put off in the hope that Raila Odinga will be able to be there, but it cannot be put off much beyond the last few days of January," he wrote. "Grateful therefore any

President promised a commission to probe state capture within 30 days of taking office, but a year later, he is yet to act
The Weekly Review

The Return of Maina Njenga

He has had several altercations with the police and turned them to his advantage

The former Mungiki sect leader is on a mission to change perception about him: he has been doing rounds in media stations and during his court appearance in Nakuru last week, he led the crowd in a Christian prayer—a symbolic show of moderation and image building.

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By John Kamau

When he held a well-attended meeting in Kenol, Murang’a County, on October 7, former Mungiki leader Maina Njenga appeared to be making his mark within the Mt Kenya region.

Besides what was dubbed the Kikuyu Men’s Conference, Njenga has recently been on a say-nothing TV publicity drive during prime-time news and has scared the Central Kenya politicians aligned with Deputy President Rigathi Gachagua.

Njenga, 54, is a survivor—he has been shot at, kidnapped, jailed and remanded for long—and even claims to have died and resurrected. The man used to dine with former President Daniel Moi, graced Uhuru Kenyatta’s campaigns, hobnobbed with former Prime Minister Raila Odinga, and always gets a front seat at any political rally he attends.

As the Mount Kenya region goes through transition politics, Njenga has been positioning himself as an alternative force—his past notwithstanding—and has been offering some shine to the lacklustre Azimio la Umoja One Kenya Mt Kenya leaders Jeremiah Kioni and Martha Karua. More so, he seems to target the Deputy President, the most senior political figure in the region because of his current position.

As an astute mobiliser, Njenga is sending shivers within the region in what appears to be a well-organised plot to either dethrone Mr Gachagua, create power paralysis in the region, or solidify the fragmentation of the region’s politics.

While post-Ruto politics are now in full throttle, the Njenga positioning can only complicate Gachagua’s rise unless he commands the entire Central Kenya vote. Any division would leave him vulnerable and create space for the likes of Musalia Mudavadi, the Prime Cabinet Secretary.

This week, women MPs from the region protested Njenga’s return to the centre-stage of the region’s politics and asked Interior Cabinet Secretary Kithure Kindiki to stem Mungiki’s return. But there was more to it than the subtle fear of Mungiki.

That Mungiki was never vanquished has been an open secret within Mt Kenya, where it has operated with a triple identity: part traditional sect, part self-help group, and part criminal mafia. While it has dropped the symbolic dreadlocks, it has various offshoots independent of Njenga’s former extortionist gang that was sent underground by the late John Michuki, former President Mwai Kibaki’s Internal Security minister.

Like UDA, which targeted the marginalised, Njenga speaks to the same group. However, he adds revolutionary change and echoes of Mau Mau to his mobilisation strategies.

Though the group is outlawed, its ability to mobilise has always shocked the security apparatus, coupled with the ethno-nationalism that drives its agenda. At one point, it operated its tax-collection system, allocated land and controlled real estate development in the regions it operated in.

In 2017, Njenga had wanted to run for the Laikipia senatorial seat on a Jubilee Party ticket, but the party secretariat rejected his papers, citing integrity issues. Though he filed an appeal before the Political Parties Disputes Tribunal and

The public follows proceedings on screens during the hearing of a case against former Mungiki leader Maina Njenga in the parking area of the Nakuru Law Courts on November 22. BONIFACE MWANGI | NATION

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Kenya Lens

Kenya Lens

The Return of Maina Njenga

The former Mungiki sect leader is on a mission to change perception about him: he has been doing rounds in media stations and during his court appearance in Nakuru last week, he led the crowd in a Christian prayer—a symbolic show of moderation and image building.

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Former Mungiki leader Maina Njenga in the dock at the Nakuru law courts during the hearing of his criminal case on Wednesday.

WILFRED NYANGARESI | NATION
Maina Njenga campaigns for the Laikipia County senatorial seat in Karen, Nyahururu on January 26, 2022. EVANS HABIL/NATION

claimed to have used Sh120 million to popularise the party. Njen- ga also blamed then party leader Uhuru Kenyatta and his then deputy William Ruto for his pre- dicament. The party asked him to clear his name with the Direc- torate of Criminal Investigations.

“Many issues have been brought to our attention about him and as a matter of proced- ure, he must clear his name and satisfy us that he has nothing to do with the criminal gang,” the party’s then director December 31, 2022.

Njenga said the NUFU is a group that was in existence for a long time — for being a member of the Mugiki sect, the quasi-political gang that terrorised non-adher- ents and sustained itself through extortion.

The Nakuru court ordered the proceedings to be beamed on screens outside the courtroom after police attempted to block Njenga’s followers from the court precincts.

By deploying police with every appearance of Njenga in court, the police have made Njenga into a target for police正好tie, for it throws him at the centre of attention, but more importantly he uses them to rebuild his image as a peaceful man. The rise of Njenga, or his pro- motion as an alternative leader of the Mt Kenya proletariat, is caught in a political divide be- tween Mr Kenyatta, Mr Gachagua and the search for an alternative. That search has led Mr Karua and Mr Kioni to launch what could be the region’s kingpin.

Meanwhile, the religious beliefs and practices does not mean that they have aban- doned that past.

While Njenga has success- fully crafted his image from tradi- tionalist to “born-again” Chris- tian, the same cannot be said of his politics.

Whatever political games are being played, Mt Kenya politics is being reconfigured. The vari- ous ethno-nationalist groupings in the area are also divided, and Njenga complicates an already complex situation.

While the disillusionment over UDA promises has left a bitter feeling in the region, Njenga’s past sends shivers across the ter- rain, and lack of another alter- native leaves Mt Kenya facing poli- tical abyss.

A pile of illicit firearms on fire at the Regional Police Traffic Training Centre in Ngong, Kajiado County, on June 9, 2021. FILE/NATION

Kenya scored high for human trafficking aimed at forced labour and sexual exploita- tion because of its geographical position, which is favoured by traffickers.

New hotspots have emerged around the country in recent years, with the human smugglers transporting illegal immigrants from Somalia, Eritrea, Uganda and Tanzania to the Gulf States and Middle East.

Because of its porous borders and region- al position, Kenya has also become a hub for arms trafficking, which has exacerbated cat- tle theft.

“Decades long armed violence in neighbour- ing South Sudan will throw the region into an emerg- ing market in Kenya. In 2021, increased inse- curity in Ethiopia resulted in an uptick in the number of firearms crossing the border. High level political and government officials are re- portedly linked with trafficking arms to war- riant conflicts,” the report reveals.

There is also a noted increase in trade in counterfeit goods, especially car spare parts, electronics, luxury goods, fashion clothes and computer accessories, leading to billion shil- ling losses annually.

Illicit logging and harvesting of protected species and animal parts increased as the coun- try’s forest cover dwindles. Wildlife traffick- ing between Kenya and Asia has remained prevalent. Trade in lion, rhino, sea cucumbers, turtle products, lobsters and don- key skins to China has risen to concern lev- els. These illicit goods from the East African region are transported through the Port of Mombasa.

Minerals from the Democratic Republic of Congo are smuggled through Kenya to legit- imise them, before they are sold to other coun- tries. “Some of the world’s top smuggling outfits, the report reveals, have association with Kenyan politicians.

It further notes that although Kenya re- mains a transit point for drug trafficking, there has been significant rise in abuse of co- caine and heroin in the country. There is also growing forensic expansion of the use of synthet- ics drugs.

“Kenya is a transit country for heroin traf- ficked from Afghanistan and the Arabian Gulf to Europe, the Americas and other parts of Af- rica. Currently, there is a large domestic her- oin and cocaine abuse problem, particularly along the coast. The heroin market is very profitable and competitive and no special criminal group controls the trade.”

“ Authorities have pointed out that Kenyan drugs traffickers are now importing narco- tits mainly for the local market, which is the transit point for drug trafficking to transform Kenya from a drug transit hub to a consumption hub,” the report reveals.

Exports such as data breaches and ran- somware have doubled in Kenya, the report shows, targeting insurance firms, schools, gov- ernment offices. The report reveals, infrastructure, utility service providers and financial institu- tions.

The index also shows that there has been an increase in financial crime across public and private sectors and civil socie- ty, with high levels of corruption among govern- ment officials and police. There has also been a leading to financial fraud, embezzlement and misuse of funds.

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BY DOMINIC WABALA

A country moving to narcotics consumer from transit hub

New Africa crime index paints a grim picture for Kenya, with most forms of crime recording increased activity

H uman trafficking, arms trafficking, envi- ronmental crime, drug trafficking and cy- bercrime have placed Kenya at the top in the region’s crime index.

According to the Africa Organised Crime In- dex 2022 by Global Initiative-Transnational Organised Crime (GFTOC), which was funded by the European Union (EU), there is increasing crimina- lity and growing vulnerability of societies owing to the evolving nature of the crimes.

Research data revealed that Kenya scores 7.92 in the criminality index, leading the nine Eastern Africa region states and fourth among the 54 nations on the continent. The score is 0.07 points higher than the previous year’s.

In the resilience score, which indicates ability to fight the criminality, Kenya scored 5.33, up 0.13 points from last year, showing that there have been continued efforts to combat the problem in the country.

Most of the noted crimes are being execut- ed in collusion with senior public officials and corrupt politicians, making it harder for law enforcement to intervene.

According to EU Deputy Head of Delegation to Kenya Ondrej Simek, the impact of the in- creasing criminality on security and govern- ance is profound.

“If we don’t really see anything get- ting better because the criminal actors seem to have a special affinity for the continent. The EU has committed to supporting resil- ience efforts, and organised crime is a priority for intervention in line with the EU’s road- map in fighting drug and human trafficking. EU will continue to support African efforts in combating effects of organised crime,” Mr Sim- ek said.

GFTOC Director Mark Shaw revealed that criminal actors are embedded in the private sector and noted that criminal spheres have grown from last year’s “to the current 15, turning the region into the criminals’ play- ground.”

The report reveals that criminal gangs and corrupt public officials in Kenya largely op- erate with impunity and offer protection to drug lords and corrupt politicians.
Democracy wanes on the back of government failure

KARUTI
KANYINGA

A close reading of elections across the world usually see the emergence of right-wing and populist leaders even in countries that took pride in defence of radical democratic ideals. Voters in Europe and America have thrown caution to the wind. They prefer politicians who speak to their hearts. Former US President Donald Trump is one such leader. Therefore, it will not be a surprise if he wins the presidential race next year.

The strongholds of these right-wing politicians are near areas where citizens are dissatisfied with the performance of their governments in addressing the needs of some so-called ‘wave of immigrants’. These developments have led to a general decline of democratic governance in Africa and America. Very soon, some of these countries will lose the moral authority to support democratic causes in the Global South because of this.

In much of Africa, a close reading of elections also shows that people are dissatisfied with the performance of their governments. This is reflected in data by Afrobarometer research over the years. In the last 12 years, satisfaction with how democracy works in Africa has declined from about 50 per cent in 2011 to 39 per cent. A significant number of people are also dissatisfied with how elections work.

On average, about 45 per cent of people in Africa are of the view that elections are not effective in holding their leaders accountable. Only 14 per cent in Gabon, 6 per cent in Eswatini, 26 per cent in Nigeria and 28 per cent in South Africa feel elections help them to hold their leaders to account. Many countries in West Africa’s “military coupe belt” also have low numbers of people who have confidence in elections.

Kenya fairs much better than the African average in terms of number of citizens who have confidence in elections. Only 55 per cent of Kenyans, compared to Africa’s average of 45 per cent, have confidence in elections.

Ghana leads the continent in terms of number of citizens who have confidence in elections as tool for holding leaders accountable. Eighty per cent of those in Ghana, 70 per cent in Uganda and 61 per cent in Tanzania say elections work well in enabling voters to choose non-performing leaders from office. But 61 per cent of citizens in Kenya feel that elections do not ensure that those elected to Parliament represent the views of voters. They feel their leaders are disconnected from them. They are of the view that elected leaders alienate themselves from voters after elections. This is in contrast to countries like Tanzania and Ghana where over 70 per cent feel their leaders represent them well.

Kenya still prefer elections as a means of choosing leaders, with close to 85 per cent of them perceiving elections as a good means of choosing leaders. Even more interesting, as many as 80 per cent of Kenyans say they vote without fearing intimidation. They are able to choose who to vote for without feeling pressured by anyone. In addition to personal freedom, national security and socioeconomic benefits, the act of voting is considered by the people to be a symbol of democracy. This has been reiterated during the political campaigns of the recent elections in Kenya. At the core of the competitive political campaigns was the need to address issues. It is transformative in form and content but lacks effectiveness and spirit of implementation.

All candidates, whether at national or county level, have been campaigning on a platform of eliminating poverty, ignorance and disease, but these remain a challenge.

President William Ruto has been holding devolution since he took over leadership from his predecessors. President Ruto has been viewed as the people’s champion and he has taken the lead in convincing the people to embrace the Kenyan way of life, and it is evident that the country is moving in the right direction. President Ruto has been leading from the front in the fight against corruption and he has been successful in the fight against crime. Therefore, it will not be a surprise if he wins the presidential race next year.

The circus emerging between the current group of governors and the national government on handling the elections in the current financial year, transfers to the national government and county governments. The recent detailed report released by the Inter-Governmental Relations Technical Committee (IGRTC) confirms this. The report revealed that the national government has surrendered all devolved functions in the current financial year. It has been made clear that the national government is holding devolved functions, among others.

The transfer of all devolved functions in the current financial year has not been resolved in all sectors. The exact levels of responsibility and accountability of each level of government concerning most of the concurrent functions remain underdetermined.

Functions overlaps and duplications persist. The two levels of government do not adhere to their respective roles and levels of responsibility. Their planning and budgeting still captures functions that are legally outside their jurisdictions. The functions of state corporations and parastatals largely remain unbundled, a process which is a necessary precursor to transferring any component of their functions that should be performed by county governments.

It is evident that there is a need to expedite the establishment of new policies and review of existing ones, laws and institutional frameworks to facilitate improved governance and service delivery which can only be attained if the respective levels of government adequately carry out their responsibilities as spelt out in the constitution. There exists consensus on three key thematic areas: devolution has changed the economic and power dynamics across the country; devolution has played a critical role in addressing the inequalities in the country, and the underpinning social contract and cornerstones of the 2010 constitution are devolution, public finance, social and economic rights and public expenditure that promotes equitable development. The new frontiers of inclusive wealth and job creation.

President Ruto must walk the talk in implementing devolution. He must refocus and correct missteps that happened after the 2013 General Election, including failure to implement fundamental structural reforms, and restore and align political and economic governance, services and public sector functions. The net effect of this has been to pit the country on the disastrous economic and financial meltdown that happened. It is time for radical governance and economic changes.

This is a national dialogue on social and economic rights, quality public and social services, promotion of self-reliance and industrialization and the manufacturing sector, where many jobs can be created and various products made for the regional market.

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President Ruto must see to the full implementation of devolution

KARUTI
KANYINGA

The circus emerging between the national government and county governments on handling the effects of the ongoing El Nino rains brings to the fore the urgent need to address the inequalities and resources as envisioned in the constitution. On August 16, President William Ruto expressed his commitment to transferring all devolved functions and the attendant services that are the responsibility of the national government to the county governments. He assured that the process would be concluded within 60 days. That promise is far from being fulfilled.

Further, President Ruto recognized that the delay in disbursing constitutionally set equitable revenue share funds to the counties has had negative impact on service delivery leading to poor outcomes. Regrettably in the quarterly economic and budgetary review report for the period ending September in the current financial year, transfers to the county governments were below target (see Figure 5). This is another broken promise.

The group of governors and senators who have served in the last 10 years cannot escape responsibility for this unjustifiable failed transfer of the all devolved exclusive and concurrent functions and corresponding resources. They have been compliant and complicit. They have spent most of the time engaging in meaningless bickering and childish supremacy fights.

The current group of governors and senators are no better. They are steeped in personal party politics that are disconnected from the wellbeing of a majority of citizens. The number of people living in poverty is even higher if we adjust the measurements above the $1.9 per day—over 27 per cent are below the poverty line of $2.15.

Unfortunately, the perception of independence, successful governments has campaigned on a platform of eliminating poverty, ignorance and disease, but these remain a challenge.

Second, the act of voting was meant to address these issues. It is transformative in form and content but lacks effectiveness and spirit of implementation.

All candidates, whether at national or county level, have been campaigning on a platform of eliminating poverty, ignorance and disease, but these remain a challenge.

President Ruto must see to the full implementation of devolution.
Watching Alice Wahome, the Cabinet Secretary for Lands, abandon the squatters who had built on Gerishon Kirima’s land in Nairobi reminded me of the story of J.W. Grogan and the European Nairobi Hospital, now the administration block of State House Girls School in Nairobi.

There are history lessons we can learn if we care to look. We can learn that an illegality doesn’t have to end with a demolition. If it had, House Girls High School would not have started.

Grogan was one of the first white settlers in Nairobi, having acquired more than 113 acres in Chiromo, the land on which State House Girls school stands, and parts of the Nairobi River.

After Grogan saw the construction on his farm, he would later narrate, he enquired from the colonial government surveyor what was happening.

“We are building a hospital,” the surveyor informed him, and Grogan, who was said to be one of the jocund characters in the colony quipped: “Oh. How interesting, Nairobi does need a hospital.”

He then left for Chiromo. It is not clear what was going on in his mind, but he constantly clashed with the government and had a low opinion of its officers or what he called: “Those human silverfish feeding on their files.”

To digress, Grogan once had a row with government officials for being stopped from making bricks from the clay at the current junction of Globo Cinema and Kibaki Street.

He was asked to take a prospecting licence since clay was considered a mineral. Grogan took the permit and then started digging holes along Government Road and staking a claim on the clay. He vowed to dig many other holes in all towns until the ridiculous law declaring mud to be a mineral was changed. The mining commissioner, Charles Hobley, was made to remove clay from the list of minerals.

It is still one of the legends of Grogan’s fight with the government.

Back to the hospital project, according to Grogan’s biographer Ledda Farrant, “weeks passed and indeed the project was built later in the present-day Nairobi Hospital.”

It was by then clear that part of it was on Grogan’s land. Interestingly Grogan did not intervene and watched the hospital take shape. All he did was confirm that this was to be the European Nairobi Hospital.

As construction was approaching completion, Grogan visited the project and met the engineer: “How very nice of the government to build me a hospital,” he said.

Farrant tells us that the engineer was “not amused and informed Grogan that he was mistaken. The hospital was a government project on government land.”

Grogan looked at the government officials.

“Better have your surveyor work out his figures again,” Grogan said. “You’ll find that part of the land you are building on is actually my land.”

Interestingly, the government, like the Kirima squatters, continued constructing the European Nairobi Hospital.

Later, government officials started getting furious after realising that Grogan was right and that most of the European Nairobi Hospital sat on Groganville – the name he had given to his land, which included parts of Westlands.

They then started blaming Grogan for the mess they had found themselves in.

“If you knew from the beginning that we were building on your land, why did you wait until we started building before pointing out the mistake? There is nothing we can do about it now,” they told Grogan.

“Yeah, there is,” he told them. “Just take down that end of it.”

With the law on Grogan’s side, the government decided to negotiate and gave him an offer. And that is how the modern-day administration block of State House Girls School became European Hospital – before a new European Hospital was built later on in the present-day Nairobi Hospital in 1950s.

It is the same position that the people who built on Kirima’s land are finding themselves in. They may have to pull down their structures or negotiate with the modern-day “Grogan.”

Having missed a chance to own a hospital on his land, Grogan would, later, build another hospital – but this time in memory of his wife Gertrude, who had died of a heart attack in July 1943 and was buried at Nairobi Forest Road Cemetery.

In her honour, Grogan had considered turning Gertie’s 17-acre home in Nairobi into a home for “war orphans.”

A Nairobi doctor, Gerald Neville, who was fundraising to build a children’s hospital, heard of Grogan’s project and went to see him. When Neville expressed interest in the orphan’s project, Grogan cut him short: “Are you an orphan?”

“Better have your surveyor work out his figures again,” said Grogan.

That is how he convinced Grogan that a children’s hospital was better.

But Neville wanted the hospital to be on the “other side of town where other hospitals were.”

“Grogan fixed me with his steely blue eyes,” said Neville later. “And I said: ‘young man, you are given a gift and you accept it gratefully.’”

That is how Gertrude Garden’s Children’s Hospital in Muthaiga, Nairobi was born to accommodate 20 children initially.

It is said that after Kenya gained independence and the colonial empire and its symbols started collapsing, the staff at Gertrude would cover the African children up Grogan would ob- ject their presence.

According to his biographer, “Grogan discovered the trick and every time he went to the hospital, he made straight for the African children’s beds and played with them, as he did with the others.”

The transition from a settler colony appears to have been slow-motioned.

Before he died, he told Edward Rodwell, one of Kenya’s longest-running journalists: “The Lord is very good to me; he had made me almost blind and very deaf.”

He had taken room at Muthaiga Club where he told those who cared to listen that he was “waiting to die.”

Then Grogan, much to the chagrin of his friends, disappeared with Mrs Towler. He was a great friend to Humprey Slade, the Speaker of National Assembly. He was asked to take a prospecting licence.

Grogan’s friends were upset when he vanished. We were sad because he wouldn’t have liked to be anywhere else.”

The end of empire was also ending in almost exits. The more significant lesson from Grogan and the State House Girls is that demolition of structures can be evaded by negotiations. But that does not mean squatters invade someone’s land and negotiate from within. Nai But the owners have a responsibility to not just look like Gertrude Kirima and make a move after buildings have been completed.

Gerry, who died on Wednesday, was born in 1935 in Newcastle upon Tyne in northern England.

He started off as a junior reporter with The Northern Echo, a newspaper founded in 1870 and which is based in Darlington, northern England. He later had an editing stint with the Newcastle Evening Chronicle.

He first came to Kenya in 1960, the same year NMG was launched in Kenya by the Aga Khan.

He was an editor at NMG for four years before leaving. He would later return to The Lebanon’s Beirut’s Sheba for at least seven years. His second stint at NMG also involved reporting from Uganda, South Africa, Zambia and Tanzania.

After NMG, he moved into the international press, which could be his berth for 18 years. The bulk of that time was spent with the United Press Interna- tional (UPI), an American wire service. He was UPI bureau chief in Beirut, Paris and Moscow before being appoint- ed head of international news in New York. He took up the New York job in 1976, according to a biography of Gerry’s on Henshaw Press website. It adds that while he was the bureau chief for UPI, he was once taken hostage by Pales- tinian guerrilla movements.

When he retired, he returned to his hometown, Newcastle upon Tyne, from where he did most of his articles for the “Letter from London” column.

“He pens the occasional short story and quaffs the occasional single malt whisky,” says a bio of Gerry’s on 96tho- pice.com. One of the short story titles Gerry wrote is The Leopard’s Reward: Short Stories. He first came to Kenya in 1960, the same year NMG was launched in Kenya by the Aga Khan.

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