

Humanitarianism, race, and denial: The International Committee of the Red Cross and Kenya's Mau Mau rebellion, 1952-60

Abstract

This article explores the humanitarian principles of universality, impartiality, and neutrality, and the moral boundaries of humanitarian action in the past. It does so through a case study of the International Committee of the Red Cross (ICRC) and Kenya's Mau Mau rebellion (1952-60). Drawing on the vocabulary of denial, and on the spaces in which something is both 'known' and 'not-known', it asks why the ICRC were reluctant to respond to allegations of torture in Kenya's detention camps and prisons, and explores reasons for its later positive assessment of detention conditions. The article advances two arguments about the ICRC and Mau Mau. Firstly, that ideas about race and cultural difference helped provide a moral justification for the avoidance of politically-sensitive decisions about Kenya and may have fed into the down-playing of evidence of abuse. Secondly, that the ICRC became entangled in the British Government's project of denial. By drawing on the language of detention and interrogation developed by the British, the ICRC fed into and confirmed an official version of events. In doing so, the article reveals the uneasy relationship between key humanitarian principles and denial, and highlights how the impartiality of classical humanitarian actors like the ICRC could be invoked by powers committing abuses and cover-ups.

Introduction

In our time, post-Cold War and 9/11, classical humanitarian principles such as universality, neutrality, and impartiality have come under sustained attack. International humanitarian organizations have been accused of facilitating conflicts and conferring military or political advantages, while states have increasingly used humanitarian norms to justify military intervention.¹ While the character of humanitarianism has changed significantly since the mid-1990s, histories of humanitarianism have shown that the challenges of providing neutral or impartial assistance are not new.² They have raised questions about the ways humanitarian organizations may become complicit with powers using torture, or embroiled in cover-ups of evidence, as can be seen with the International Committee of the Red Cross (ICRC) and the Italian Government during the Italo-Ethiopian War (1935-6).³ Not only have these accounts added a historical context for contemporary critiques of humanitarianism, but they have contributed insights into the ways that humanitarian organizations have evolved in response to geopolitical challenges.

This article is concerned with the moral boundaries of humanitarian action in the past, and the omissions, oversights, and justifications through which human suffering is overlooked. It draws on Stanley Cohen's work on denial, which alert us to the problematic relationship between knowledge about abuse and suffering, and action. Cohen invites us to consider how psychic and political spaces can be both 'known' and 'not-known',⁴ and proposes that we focus on three forms of denial: literal, interpretive, and implicatory. Literal denial is the most straightforward, concerning assertions that something did not happen or is not true. With interpretive denial, the facts are not denied but are given a different meaning ('what happened is not what you think it is, not what it looks like, not what you call it').⁵ With implicatory denial, meanwhile, the information itself is not questioned but the responsibility to act is denied through techniques of avoidance, evasion, and rationalization. Inaction and passivity are most frequently associated with implicatory denial, where knowledge of suffering does not carry sufficient moral imperative to act.⁶ Psychologists, sociologists and political scientists have drawn on Cohen's vocabulary in analyses of audience reactions to human rights violations and appeals, as well as in the context of humanitarian programmes such as Operation Lifeline Sudan.⁷ By focusing on the justifications and excuses that help bridge the gap between knowledge and action, Cohen's

account of denial also has much to offer to historians who are seeking to tease out the nuances of humanitarian action (or the lack of it) in the past. Importantly, it allows for the recognition that many humanitarian organizations and their staff have good intentions, yet work in contexts (institutional or political) in which they often have little control over events, receive at times incomplete information, and are uncertain about the best course of action.

This article applies these ideas by exploring the response of the International Committee of the Red Cross (ICRC) to Kenya's Mau Mau rebellion (1952-60). This case study is particularly appropriate for exploring humanitarianism and denial for two reasons. Firstly, Kenya marked the start of discussions among ICRC delegates on the practicalities and implications of a more visible presence in Africa. This was part of a broader concern to show that the ICRC mission was still relevant in the contexts of decolonization and the Cold War, despite being seen by many communist governments as a bourgeois organization of the West.⁸ Yet Kenya posed something of a quandary for the ICRC. Not only were there concerns over the legality of a mandate to intervene in what the British argued was an internal tribal uprising, but their discussions also exposed concerns about race (notably the supposedly psychological instability of black Africans) and the appropriateness of engaging with this problem as an essentially white European humanitarian enterprise. These concerns often hamstrung senior delegates of the ICRC and were used to rationalize their lack of action over Kenya.

Secondly, as historians of Mau Mau have demonstrated, the British Government and Kenya's Colonial Administration were keen to cover up the systematic violence with which they dealt with detainees in Kenya's detention camps and prisons.⁹ Abuses included regular beatings, rape, castration, and arbitrary killings, and were obscured through euphemisms like 'screening', 'dilution', and 'rehabilitation'. The Hanslope Park disclosures (2011-12), which contained 'lost' records from thirty-eight ex-colonial territories, including Kenya, confirmed what many historians of empire already suspected—that officials at the highest levels of the British Government had detailed knowledge of the scale of violence that was involved in this approach to counter-insurgency.¹⁰ The ICRC, wittingly or unwittingly, became entangled in these lies, cover-ups, and deceptions.

Archival records at the ICRC and in the UK National Archives illuminate why the ICRC was hesitant to respond to allegations of torture in Kenya's detention camps and prisons, and the implications of its actions when it did. The article starts by considering the types of information the ICRC received about Africa and the ensuing debates over the case

for intervention. It then turns to the first ICRC mission to Kenya in 1957, led by Henri-Philippe Junod, penologist and ICRC representative in South Africa, and Louis Gaillard, a medical doctor based in Geneva, before considering the events that led to the second ICRC mission to Kenya in 1959. To borrow Cohen's terms again, we can see here the interconnected nature of literal, interpretive, and implicatory forms of denial. Ideas about race and cultural difference helped provide a moral justification for the avoidance of politically-sensitive decisions about Kenya and may have fed into the down-playing of evidence of abuse. Yet the ICRC also became implicated in the British Government's project of denial. By drawing on the language of detention and interrogation developed by British colonial officials, the ICRC fed into and confirmed an official version of events. The British Government in turn seized on this, endeavoring to cover up the violence of detention, and using the ICRC's claims to neutrality and impartiality to bolster their case.

The ICRC, race, and Africa

The ICRC received an increasing number of reports on the uprising by those critical of the counter-insurgency response in the months following the declaration of a 'State of Emergency' in Kenya in October 1952. These reports, which included copies of articles and statements by British politicians Fenner Brockway and Leslie Hale, as well as petitions from anti-colonial organizations like the Kenya Committee for Democratic Rights for Kenya Africans, highlighted Kikuyu grievances over land rights and problems of racial discrimination in Kenya. The latter, according to Brockway, had resulted in 'humiliation' and 'psychological misery'.¹¹ The ICRC's Presidential Council considered Kenya as early as October 1952 as part of a broader discussion of internal troubles across Africa, notably in South Africa, Kenya, Tunisia, and Morocco. Above all, the Council advised the 'utmost caution' and for further thought to be given to a theoretical strategy towards Africa. It recommended that information be gathered on the requirements of the region and its different peoples, but that in doing so, it should avoid moving away from 'its traditional functions', staying only within a strictly defined 'humanitarian field'.¹²

Such hesitation and caution about intervention characterized the official stance of the ICRC towards Kenya until the late 1950s. It was not until July-August 1955 that the organization made its first approach to the Colonial Office and the British Red Cross Society (BRCS) to request access to the detention camps, and late 1956 before they made a second.

Internally, however, the Presidential Council and other delegates continued to discuss Kenya and how they should respond. In doing so, delegates highlighted three major obstacles: the lack of a mandate to intervene in colonial conflicts; the impartiality and essentially European nature of the BRCS, which in colonial conflicts was meant to be the main vehicle for humanitarian assistance; and fears about so-called African psychopathology and the applicability of international humanitarian norms. These raised questions about whether the conflict even lay within the ICRC's realm of responsibility, and served to distance its delegates (if not the institution) both morally and psychologically from reports of suffering. It is important to note that the humanitarian principle of universality did not represent a non-negotiable imperative to act. Classical humanitarian actors like the ICRC have always recognized that their place within conflicts must be negotiated.¹³ Nevertheless, the debates on Kenya highlight a disconnect between the ICRC's claim to operate 'above race, colour, class and creed', and what its delegates felt practically able to achieve.

One of the main concerns expressed by delegates with regard to Kenya was that they had no legal mandate to intervene under international humanitarian law. Not only did the United Kingdom not ratify the full 1949 Geneva Conventions until September 1957, but a loop-hole in Article Three of the Third Convention allowed the British Government to argue that the Conventions did not apply. Article Three stated that in the case of 'armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply' to a series of minimum humanitarian standards, including the prohibition of 'mutilation, cruel treatment and torture'.¹⁴ The problem lay in the lack of a precise definition for an 'armed conflict not of an international character'. In Kenya, as in Malaya, the British were careful to avoid any claims that they were engaged in a war or armed conflict. Mau Mau was instead an Emergency, a tribal uprising, civil disturbance, or anti-colonial rebellion. Indeed, a Colonial Office minute in July 1954 highlighted how undesirable it would be if the Kenyan 'Emergency' was treated as a war.¹⁵ The lack of a mandate did not prohibit the ICRC from approaching the British Government, but previous experience in Malaya had shown that any outside intrusion in the management of British colonial conflicts would be opposed.¹⁶ This alone is not sufficient to explain the hesitancy towards Kenya, however. The ICRC also suspected that the French would be opposed to missions during the Algerian War (1954-62), but took a different approach to that with Kenya: in January 1955, shortly after the outbreak of fighting, ICRC delegate William

Michel approached the French Prime Minister, Pierre Mendès France, to request access to Algeria's detention camps.¹⁷

The known opposition of the British to intervention certainly contributed to a concern for 'prudence'. But delegates also made frequent references to questions of race and racial difference, feeding uncertainty over the best possible course of action. Much of this stemmed from the limited nature of the information delegates received about Africa. Post-war reductions in staff meant that by the early 1950s the ICRC had only two delegates in sub-Saharan Africa—Geoffrey Cassian Senn, ICRC delegate in British Central Africa, and Henri-Philippe Junod, based in South Africa.¹⁸ They sent delegates in Geneva regular summaries of political developments in their respective regions, as well as clippings from English-language newspapers on such topics as legislation, trade unions, medical services, and the work of national Red Cross societies. This was supplemented by information from other Swiss travellers and commentators. One important source of information during Mau Mau was a former Swiss missionary in Cameroon, Jean Rusillon. Although Rusillon did not visit Kenya during the years of the Mau Mau rebellion, he was interviewed by Pierre Gaillard, Head of the Africa Section, in 1953, who also read and annotated a copy of his book on African culture. Rusillon's beliefs were characteristic of much of the literature on Africans at the time: he understood the changes brought on by European civilization as an immense psychological stress for the 'African mind'. Rusillon noted that 'the moral structure of blacks differs profoundly from our own'. Unlike societies in the West, Africans remained rooted in their own communities, and were unable to function fully as individuals. Civilization, and particularly European technology, had 'uprooted the blacks' and bore 'a direct responsibility for the moral distress of coloured peoples, who are now pushed to the worst extremes, as we see in Kenya'.¹⁹ In this way, Rusillon confirmed for the ICRC much of the British propaganda on Mau Mau, which had since 1950 portrayed the conflict in the European media as a savage movement of 'terrorists', unstable to the point of psychopathology.²⁰

Such sources provided delegates with a sense of the difficulties they might encounter should they wish to establish their presence on the continent, but they were less helpful in showing how their concerns might translate into action. Such uncertainty was expressed by the External Affairs Committee when it met in June 1953 to discuss a possible programme in Africa to ensure, 'despite the crises and present difficulties, the diffusion of the basic principles and action of the Red Cross in the dark continent'. Prominent among their concerns was the 'primitive state of populations' and the fact that the 'cultural and psychological level'

of the people was generally so little evolved as to make inaccessible ‘the notions of charity and solidarity that are at the root of the Red Cross’.²¹ The pragmatic option, they concluded, was to organize a general survey of Africa by an ICRC delegate to learn more about African culture and politics, and to assess the applicability of international humanitarian norms.²² These ideas were further developed in a note on Mau Mau prepared by Gaillard for the Presidential Council in April 1954. Gaillard stressed that there were ‘physical and psychological’ challenges raised by such ‘barbaric’ African conflicts, making the outcome of ICRC action highly uncertain: ‘It involves populations whose view of life is entirely different from our own. All notions with which we are familiar, are effectively challenged. For Africans, death generally has no unfortunate meaning, nor does captivity. As for charity, it has little place in the primitive tribal conceptions of the Mau Mau’.²³ As Gaillard noted, ‘it is sometimes necessary that ICRC action is preceded by a phase of ‘education’ for those among whom the ICRC intends to intervene’. If trust for the ICRC’s neutrality ‘pre-exists in a western environment, it is not necessarily going to be so in an environment of colour’.²⁴

The ICRC recognized that as an essentially white European institution they would have difficulties in convincing Africans that they were a neutral and impartial body and that their mission was universal. Yet discussions on the topic framed this problem as one caused by national Red Cross societies. Red Cross branches existed across Eastern and Southern Africa, including Kenya, but these were settler-led organizations that were not always as impartial as they claimed. For the Presidential Council, one of the main problems was that the Red Cross societies ‘do not include blacks among their leading members’. ‘Any eventual ICRC action in these countries’, therefore, ‘would be very difficult, if not impossible, because their national Red Cross societies appear as enterprises entirely in the hands of whites and essentially acting in favour of the non-indigenous population. At a time when we anticipate the worsening of racial conflicts, the Committee should be aware that the African continent is practically closed to it’.²⁵

ICRC delegates sustained a lively criticism of national Red Cross societies in Africa throughout the 1950s. Senn, based in Southern Rhodesia, was particularly outspoken, ensuring that he was widely distrusted by those involved in Red Cross work in the region. Although he did not visit Kenya during Mau Mau, he sent delegates in Geneva lengthy commentaries on the failures of the BRCS, which had decided to focus their attention on assisting women and children in resettlement areas, rather than those in detention camps.²⁶ Writing in February 1955, Senn stressed that ‘I have not heard of any welfare organizations

who take an active interest in the fate and/or well-being of the detainees... I do not see a difference in the position of the British Red Cross concerning the Camps in Kenya, and the position, 20 years ago, of the German Red Cross concerning the Concentration Camps in Germany'.²⁷ The BRCS were not the only society to be subjected to this scrutiny, however. In a letter discussing violence in the Belgian Congo in 1959, Senn noted that across the region, 'the basic principle of the Red Cross - "above race, colour, creed & class" - is in practice completely disregarded. The reason is that a colonial is simply convinced that for him the principle just cannot exist, as it were against all colonial tradition concept & custom'.²⁸ In South Africa, too, unease over the lack of Red Cross action in the disturbances that followed the Sharpeville Massacre of March 1960, led to a flurry of correspondence between delegates in Geneva and South Africa. This included a seven page letter from Jean Pictet, an expert in international humanitarian law, in which he inserted a series of quotations and commentary on the historical development of the principles governing Red Cross action.²⁹

In many ways, it was easier for ICRC delegates to criticize national Red Cross societies than to formulate a strategy to overcome similar issues in their own work. Yet the caution towards Kenya was increasingly a point of tension among delegates, particularly Senn and Gaillard, who stressed the implications for the ICRC's claim to act 'above race, colour, creed and class'. Having described the challenges that race and racial difference posed for a mission to Kenya, Gaillard asked the Presidential Council how they could continue to ignore the conflict. Being 'anxious to give our work a character of real universality, it would be highly unfortunate if the ICRC appeared only as a white 'enterprise', forgetting its fundamental principles, when people of colour and primitivity are involved'. Even if the ICRC were not able to succeed in Kenya, Gaillard added, 'would it not have at least tried something?'³⁰ Senn similarly complained to Council member Lucie Odier in November 1954 that over two years of inaction was becoming difficult to justify: 'The longer the more do I consider that the ICRC should take the initiative and exercise its right to look after human beings - although they are rightly accused of behaving sub-human! - and then let the world know the findings... I should like to emphasize that such a report would be the best propaganda for the Red Cross Idea in the whole of Africa - and probably further'.³¹ In April 1955, Senn wrote again to Odier, stating that '[you] write in your letter that "much prudence is needed" with regard to Europeans and to Africans, as it is difficult to change the present outlook of both of them. This may be so, but in the meantime the well-being of the detainees is at stake':

the ICRC has never ceased to do welfare work among the Greek political detainees, and, to be frank, I am unable to see any essential difference between those and the detained “Mau-Mau”: both are terrorists; both have committed crimes in the eyes of the law-abiding community and according to the law. I cannot assume that a difference is made on the grounds that “Mau-Mau” are Non-Europeans and pagans. Is [it] not always pointed out very emphatically that Red Cross is “above race, colour and creed”?...If the competent Authorities decline admission, at least the ICRC has done its duty.³²

By 1955, the ideas about race and racial difference that had helped provide a supposed moral justification for hesitation and caution were no longer sufficient. Information about the rising number of detainees, which by June 1955 had reportedly reached 83,000, provided clear signs that the situation was not improving. In that same month, the Presidential Council finally resolved to request permission for a mission to Kenya. In July, delegate Marcel Junod met with F.H.D. Pritchard, Secretary General of the BRCS, and in August, with two middle-ranking members of the Colonial Office. The answer was blunt: in no case would the British Government allow an ICRC delegate to visit Kenya’s detention camps or prisons. As Lady Limerick, Vice-Chairman of the BRCS stressed, there was no need for the ICRC. In Kenya, she summarized, the ‘situation was quite different from that in North Africa and Guatemala, both of which cases were cited to us, and there was no question of a state of civil war existing. In Kenya there had been a sectional tribal outbreak of an exceptionally savage nature which was now getting under control, and Red Cross services had been provided by the British Red Cross Society from the outset, especially in the Detention Camps and Reserves’.³³ It would be a further eighteen months before the ICRC was granted access to Kenya.

Euphemisms and violence

In January 1957, in the face of mounting internal political and press pressure, the British Government authorized an ICRC mission to Kenya. The delegates would be limited to examining the conditions of detention and were to refrain from commenting on the reasons for detention.³⁴ In February-April 1957, Henri-Philippe Junod, ICRC delegate in South Africa, and Louis Gaillard, a medical doctor, visited fifty-two camps and prisons and twenty villages, so reaching a potential 28,504 detainees and 5,613 convicts. Junod summarized their

interviews and visits in written notes for the ICRC and the delegates finished by presenting oral and written recommendations to the Colonial Administration, the British Government, and the BRCS. Their final report was extremely favourable. Discipline was ‘in keeping with humanitarian principles’ and they found no evidence of ‘branding or identification marks, prolonged standing in line or roll-calls, or punishment by forced physical exercise’. Their concerns included the rarity of medical visits, the lack of underwear given to women, and the fact that punishment cells at Mageta, Seyusi, and Embakasi ‘were too cramped and without sufficient ventilation’. At worst, the delegates drew attention to the severity of corporal punishment—twelve strokes—but added that they had been assured that these were rarely applied. ‘The most severe punishment’, they noted, ‘consists of confinement in a punishment cell on a reduced diet’.³⁵ Breaking their agreement to avoid any publicity, the delegates wrote a letter to the *East African Standard* openly praising conditions in the camps. In their opinion, everything has been ‘done to respect the international principles accepted in the custody of detainees and convicts, within the rules embodied in the Emergency Regulations’.³⁶

Historians who have considered the 1957 mission to Kenya have asked whether Junod and Gaillard were duped by the British, or if Junod, who was a personal friend of Governor Evelyn Baring, deliberately ignored evidence of abuse.³⁷ They have drawn attention to Terence Gavaghan, an officer in charge of rehabilitation, who wrote that Junod ‘did not attempt to impress his Red Cross Mission or his own compassion on anyone, but quietly left me more determined to avoid abuses. “Do not distress yourself” (*Ne vous inquietez pas*), he said; “Compared with the French in Algeria, you are angels of mercy.”’³⁸ Certainly, there is evidence that those in charge of the camps deliberately misled the delegation by removing detainees who had physical signs of mistreatment and by threatening detainees with violence if they made complaints. When the ICRC sent a second delegation in 1959, they were informed by detainees at Manyani that there ‘had been a sharp increase in persecution and bad treatment in reprisal for the complaints they had made to the delegates’ at Takwa and Lodwar, and that ‘some detainees who had made complaints had been flogged, and expressed the fear that the same thing might recur after the current visit’.³⁹ Victor Shuter, a Kenya Prisons Service officer, also recalled how when, “...on one occasion, we officers received a warning that Mariira Works Camp was to be visited in a week's time by the International Red Cross, the legless man and two others who had their arms in plaster were sent off with some warders into the forest where they remained out of sight until after the inspection.”⁴⁰

It is most likely that the explanation for the ICRC's positive assessment of Kenya's detention camps lies somewhere between the two positions. In their reports to Geneva as well as to the British Government, Junod and Gaillard skirted the boundaries of racial and cultural exclusion, exhibiting sympathy with the problems faced by those in charge of detention and 'rehabilitation', and trying to soften their conclusions by putting the conditions they found in the camps into a broader socio-cultural context. They might not have witnessed torture first-hand, but they navigated an uneasy line between complicity and moral passivity. I make two points here. Firstly, that Junod and Gaillard actively drew on euphemisms used by the British to describe the processes of detention and rehabilitation. By doing so uncritically, they contributed to the distortion of the nature of the practices used in Kenya and became entangled in an official project of lies and cover-ups. Secondly, that the delegates expressed uncertainty about whether the conditions they witnessed were appropriate given their understanding of the 'pathology' of Mau Mau and of material conditions in Kenya. In this way, they may have been drawn to overlook signs of mistreatment.

The language used by the British and Colonial Administration to describe the processes of detention and rehabilitation contained euphemisms, technical jargon, and a sanitized vocabulary of abuse. This included the system of the 'pipeline' (the network of camps through which detainees passed), the 'dilution technique' (which involved 'compelling force' and was linked to the wider application of torture from early 1957), and 'screening' (interrogation, carried out by loyal Kikuyu militia, known as the Home Guard, and by teams of European and African officers in detention camps). Detainees were classified as black, white, or grey; as Z or Y; as 'hard-core', 'hardened' or 'unmanageable' (those who refused to confess), or as 'rehabilitated' (those who had confessed). Distinctions were also drawn between different types of 'force'—'overpowering', 'beating', 'compelling', 'manhandling', 'robust', 'restraining', 'legal', and 'illegal'. Much of this vocabulary of detention can be found in the delegates' notes—in summaries of conversations had with camp officials and others in Kenya, and in their own personal observations—but with few comments on their meaning. Junod referred to Gathigiriri as a 'rehabilitation camp' like many others, where detainees were engaged on a daily basis in 'work', 'rehabilitation', and 'education'.⁴¹ At Thiba, where the delegates met John Cowan, the officer who would later implement a violent system of forced labour at Hola, they noted that there was a programme of 're-education in the camp'.⁴² At Athi River, moreover, detainees underwent a period of 'intensive' rehabilitation, in order that they might have the chance to progress into camps in the

districts.⁴³ In their written reports at least, much more attention was given to living conditions, clothing, nutrition, and pay.

To note this use of language is not to imply an orchestrated cover-up, but to argue that it served usefully to obscure the nature of detention. Indeed, the depersonalized language used to differentiate between detainees recurs in the delegates' notes. At Manyani, a camp for the 'hardened', the situation was said to be very 'delicate', but the delegates were informed that new arrivals gradually became 'diluted'.⁴⁴ At Mara River, the delegates noted that there were 129 cooperators in the camp; the other 562 were the 'hards'.⁴⁵ While at Othaya, the delegates visited the section where the 'most difficult cases (called 'Z')' were housed.⁴⁶ Repeated references to the challenges faced by those in charge of the detention camps, particularly with regard to the 'hardened', were reinforced by discussion of the mental state of detainees. These included summaries of conversations on the psychology of Mau Mau with Colonel R.Y. Taylor, Dr Louis Leakey, and Tom Askwith, Secretary of Community Development and Rehabilitation, who 'described the principles of rehabilitation, the psychological effect of Mau Mau oaths, and the freedom that follows public confessions'.⁴⁷ The delegates also spoke with a doctor at Manyani, who explained that the psychology of Mau Mau was difficult to study. At present, they faced 'passive resistance' more than an 'active battle'. The delegates had arrived 'at the end of this tragedy, and the cases were becoming more and more hard core'.⁴⁸ Junod himself reflected this idea of Mau Mau as a pathology. In one of his most detailed explanations of the 'screening' process, he noted visiting a small building with eight small rooms in which he saw two Mau Mau men, one young and one old, telling their story to a small group of loyalists, who wrote down everything they said. In Junod's opinion, detainees who ended up 'vomiting' the 'ungodly oaths' they had taken, 'often under coercion', resulted in many cases in a profound 'psychological liberation'.⁴⁹ At Marigat, moreover, they met a medical assistant, Julias Waiharo, who seemed 'very intelligent'. Junod remarked, as an aside, that some Kikuyus looked 'very refined': 'One finds it hard to believe that these almost civilised and sophisticated faces' could embody a mentality capable 'of uttering the obscene Mau Mau oaths'.⁵⁰

The vision of Mau Mau as a disease to be eradicated provided, of course, a justification for violent suppression in Kenya. Furthermore, assumptions about racial and cultural difference, as expressed through the various accounts of the supposed group psychology of Mau Mau, could serve to blur the moral boundaries the delegates assumed in evaluating the appropriate treatment of detainees. Junod remarked how they had spoken to an official at

Mariira who stated that it was impossible to treat detainees like normal men when they refused to collaborate and continued to ‘flout’ the rules. Gaillard had then examined some of the detainees, including an old man with contusions, but had concluded that the evidence pointed only to superficial wounds. Junod finished by noting that although he did not have an in-depth knowledge of Kikuyu, he and Gaillard had tried to make the detainees ‘understand the futility of their resistance’.⁵¹ The delegates also expressed their surprise at the lack of regular medical supervision in many of the camps, along with the failure to provide amputees with crutches.⁵² Although the delegates suggested that the British arrange for monthly medical and sanitary inspections, they also sought to contextualize the rarity of medical visits: ‘they ascertained, however, that the camp medical officers were in charge of districts containing from two to three hundred thousand inhabitants and that, consequently, the detained persons were thus better placed than the general population for receiving medical care’.⁵³ The delegates’ notes suggest that they were sympathetic to the challenges expressed by those in charge of the detention camps and prisons.

Members of the Colonial Administration certainly believed that Junod understood the need for violence. In a letter to the Secretary of State to the Colonies in June 1957, Governor Evelyn Baring stated that he had discussed the problem of rehabilitation privately with Junod, ‘who I knew well in South Africa and who has spent his whole life working with Africans and most of it with African prisoners. He has no doubt in his own mind that if the violent shock was the price to be paid for pushing detainees out to the detention camps near their districts, away from the big camps, and then onward to release, we should pay it...I agree and if we get into trouble would be quite prepared to ask Dr. Junod, at the invitation of the Kenya government to visit us again and examine the methods used’.⁵⁴ These remarks came in the wake of the more systematic application of violence, particularly through compulsion to work, a practice which was extended through the Mwea Camps in 1957 in order to deal with the remaining ‘hard core’ detainees. As concerns over the legal implications of these methods grew during the summer of 1957, Baring suggested to the Attorney-General that Junod return to Kenya ‘to appreciate the extent and importance of the problem with which we are faced in the rehabilitation of the worst type of Mau Mau detainees, to observe the methods and techniques which we are employing, and to advise us whether we are on the right lines and, if so, whether we should make any change or modifications in our methods, and if not, what alternative course we should follow’. Junod was the ideal advisor not just because he was an expert in penal systems in the African context, but ‘his endorsement of our policies would go

a long way towards persuading H.M.G. to accept our proposals and towards mitigating uninformed and malicious criticism which might arise in the political sphere if and when the manner of our dealing with these most difficult detainees becomes generally known'.⁵⁵

In July 1957, Baring wrote to Junod to request his assistance with the remaining 'hard core' and for his advice on the use of force that was 'robust and not merely restraining'.⁵⁶ Junod forwarded a copy to Geneva, asking for their opinion on the merits of a private visit.⁵⁷ The response was clear: it would be incompatible with Junod's role as an ICRC delegate. The role of delegates was to guarantee the humane treatment of prisoners and detainees, not to advise on methods that would qualify as 'brutal', even if this was described as 'rehabilitation'.⁵⁸ In his response to Baring, Junod expressed sympathy for those dealing with such problems in Kenya: 'I can more especially understand the nature of the ambiguity created by the acceptance of a measure of violence in the treatment of hardened cases'. However, had he visited, he would have been obliged 'to ask for the abandonment of these measures'.⁵⁹ The archival record on the matter ends there. No suggestions for a new mission were raised at the Presidential Council and, after September, no further correspondence between Junod and Baring was shared with the ICRC. Perhaps the ICRC believed Baring's response that 'matters have so much improved in the moving forward of detainees towards their homes that the problem which worried me has almost ceased to exist'.⁶⁰

Impartiality and inquiries

Over the next two years, members of the British Government, under increasing pressure to respond to allegations of abuse, drew on the ICRC's positive assessment. Denying the systematic nature of the counter-insurgency violence, they highlighted the ICRC's claims to impartiality, and the thoroughness of their visit. In June 1958, MPs discussed complaints received from prisoners at Lokitaung and published in the *Observer*.⁶¹ These included allegations of beating, inadequate rations, lack of medical attention, and restrictions on water. Challenging the article's accuracy and dismissing calls for an inquiry, Secretary of State for the Colonies Alan Lennox-Boyd referred to two investigations (the Heaton Report, 1956, and the ICRC mission, 1957) that had vindicated the work of camp officials in Kenya. As Lennox-Boyd noted, the ICRC delegation had visited fifty-two prisons and camps, including an establishment similar to Lokitaung (Lodwar). Significantly, he noted the delegation's published statement of 'its considered opinion that all had been done, and was being done' to

respect accepted international principles concerning custodial arrangements and its conclusion that no reason had been found to justify a further inquiry into detention conditions.⁶²

The ICRC was invoked again in February 1959 during a debate on the establishment of a new inquiry into detention conditions, a motion that had been signed by nearly 200 MPs.⁶³ Julian Amery, Under-Secretary of State for the Colonies, airily dismissed complaints raised by Opposition MPs, which included ‘the famous Lokitaung letter’, as a ‘smear campaign’, referring to the naivety of putting ‘on a pedestal’ people who have ‘chips on their shoulders’, ‘grudges against the Kenya Government’, and a willingness to ‘disregard the International Red Cross’. For good measure, Amery added, ‘two delegates from the International Red Cross were there for three months, and I should have thought that they knew their job well enough’.⁶⁴ MP Bernard Braine similarly raised the findings of the ICRC, proclaiming: ‘Is there any more impartial organisation than the International Red Cross?’⁶⁵ Claims by MPs like Barbara Castle that the ICRC had been duped and ‘carefully steered past huts containing men who had injuries from being beaten up’, were dismissed.⁶⁶

While the British Government were using the ICRC to defend conditions in Kenya, the ICRC continued to receive reports of abuse. Many of these came from Senn, who raised questions about whether Junod and Gaillard ‘did not notice’ or ‘were not informed’ of incidences of mistreatment. Referring in July 1958 to a *New Statesman* report, which described how detainees were “‘shut up without food and water for four days””, Senn stressed how ‘To leave them without food might be necessary (in order to “break the spirit”, as the saying goes), but 4 days without water reminds one forcibly of German “SS-methods in Concentration Camps: or of those of the “MVD” in Russia; or (newest addition) of the “Paras” in Algeria - of whose activities you must know a good deal!’⁶⁷ Repeating his on-going unease with the ICRC’s timid attitude towards such matters in Africa, Senn continued: ‘is it not time to take steps for a second visit....to fulfil a traditional task of the ICRC as well as to establish among the indigenous people of the African Continent the Authority [sic.] and importance of, and the confidence in, the Red Cross as the humanitarian institution above race, colour, creed and class. I fear that you in Geneva do not attach the necessary importance to this matter, as far as it concerns Africa’.⁶⁸

The ICRC did not act on these reports. Nor does there appear to have been any internal discussion of the debates in the Houses of Parliament until Amery requested in February 1959 that the ICRC report be made public. Roger Gallopin, Executive Director, responded that it was ‘the rule...not to give any publicity to its delegates’ reports’, both as a

courtesy to the State which had allowed access and to avoid ‘controversy in regard to situations which are often of a delicate nature’, but that there was no objection to the request.⁶⁹ Gallopin used the opportunity, however, to ask if the British would be prepared to allow a second mission to Kenya. He made this request one week after an operation to compel detainees to work at Hola Camp, on 4 March 1959, had resulted in eleven detainees being beaten to death. By 1959, Hola contained the ‘inner core of Mau Mau hard core’, who were considered to be ‘sullen, suspicious and entirely fanatical’.⁷⁰ Rehabilitation comprised the ‘Cowan Plan’, which had at its heart a system of forced labour. Should detainees refuse to cooperate, “they would be manhandled to the site of work and forced to carry out the task”. As Baring noted, ‘Any reasonable person would construe these words alone as carte blanche to use whatever force might prove necessary to ensure performance of task’.⁷¹

The Hola massacre, and the immediate attempts to cover up the killings, resulted in outcry in the British press and renewed pressure on the British Government for an independent inquiry. Lennox-Boyd complained to Baring that they had ‘been turning over how best to meet the inevitable demand for an “impartial judicial enquiry” with a bias to raking up muck’. The answer, both agreed, was for two investigations: one by a prisons officer ‘experienced in Colonial and not in United Kingdom conditions’, and another by the ICRC, ‘particularly if Monsieur Junod could again be associated with this work, since he has great experience of prisons and detainee camps and a wide knowledge of Africans’.⁷² In this way, the ICRC’s impartiality was again invoked in attempts to obscure the nature of conditions in Kenya.

Junod and J.M. Rubli, a medical doctor, led the second ICRC mission to Kenya, which lasted from June to July 1959. Their main stated objective, as in 1957, was ‘only to examine the conditions of detention and not the reasons for such detention’.⁷³ Over two weeks, the delegates visited eight camps, containing a total of 1830 detainees, and in contrast to 1957, they found much cause for concern. They highlighted the ‘serious uneasiness [that] prevails in most of the places of detention’, and a range of ‘errors’ made by the administration, including ‘abuses committed in applying corporal punishment’ and ‘brutal treatment during questioning’.⁷⁴ These included water and sand being poured into detainees’ mouths, as well as flogging and forced labour.⁷⁵ While the Report stopped short of implicating superior officers in the abuse, the ICRC still felt the comments delicate enough to send a delegate to London to provide a verbal briefing in advance of the written report.⁷⁶ It is unclear whether the mistreatment of detainees was more visible during this mission, or if the delegates were no

longer able to overlook evidence of abuse. Either way, the political climate that had facilitated the previous denials of atrocious treatment had changed, and the report was noticeably more outspoken.

Conclusion

In their discussions, correspondence, and reports on Kenya, ICRC delegates drew racial and moral boundaries between themselves and black Africans, justifying an extra degree of interpretative caution and restraint precisely because of the African context, and the institutions' unwillingness to respond to instances of mistreatment. From the beginning of the Mau Mau rebellion, the ICRC highlighted the difficulties they would have in appearing as a neutral or impartial body, should they decide to play their traditional role, because of colour differences, colonial politics, and questions about the psychological stability of Africans. While delegates such as Senn pointed out that this made the ICRC's claims to operate 'above race, colour, class and creed' highly problematic, these reasons also comprised key justifications through which the ICRC were able to overlook human suffering and failed to identify those responsible. Humanitarian action would carry potential risks not only for European delegates, but for Africans. As Gaillard noted, such were the obstacles facing the ICRC in Africa, that the outcome of humanitarian action would be especially uncertain.

When delegates Junod and Gaillard finally visited Kenya in 1957, they employed the language of detention developed by the British, using terms such as 'rehabilitation' and 're-education' (with minimal explanation) and depersonalized categories to differentiate detainees. They exhibited sympathy with the challenges faced in the administration and rehabilitation of detainees, stressed the need to pay attention to socio-cultural context, and reinforced the preoccupation of the ICRC with psychology. Whether or not these concerns led the delegates to overlook evidence of mistreatment or omit certain aspects of their visit, their positive assessment of the work being done gave credibility to attempts to deny and cover-up the systematic nature of violence in Kenya at the highest levels of the British Government and Colonial Administration. It was precisely the interaction of the ICRC's impartiality with the British Government's desire for obfuscation that enabled a culture of denial to prevail.

The case of the ICRC and Kenya's Mau Mau rebellion reveals the uneasy relationship between key humanitarian principles and denial. Firstly, the ICRC may not have entirely whitewashed the scale of counter-insurgency violence in Kenya, but the range of justifications

and excuses that were mobilized in support of the policy of caution towards Africa, represented implicative denial, and served to widen the gap between knowledge, claims to universality, and action. Secondly, the invoking of the ICRC's impartiality by the British Government in their attempts to denounce allegations of abuse as a 'smear campaign', reinforces more recent critiques of humanitarianism, in-so-far as the principle of impartiality itself can be abused and humanitarian actors be made complicit with the very powers that commit abuses and cover-ups. Junod and Gaillard contributed to this by breaking with the policy of avoiding any publicity at the end of their 1957 tour, publishing a statement that praised the Colonial Administration for their work in the detention camps and prisons. As Rony Brauman has noted, the ICRC has long maintained a policy of discretion and silence, but when the ICRC speaks publicly, it speaks with one voice.⁷⁷ Statements by individual delegates such as Junod and Gaillard could carry the same weight as the organization itself.

It is important to note that delegates expressed a range of conflicting concerns over attitudes towards Kenya and the implications these had for the ICRC's claims to act 'above race, colour, class and creed'. The British viewed the two delegates in Africa, Junod and Senn, differently: the former was particularly well-liked by Baring because he believed he would be sympathetic to their cause; the latter, Senn, however, was openly mistrusted by senior figures in the BRCS. Senn had volunteered for the mission to Kenya in 1957, but both he and delegates in Geneva acknowledged that he would never be regarded as neutral by the British. While this clearly hindered Senn's official duties as an ICRC delegate, his outspokenness was defended by his superiors. As Presidential Council member Jacques Chenevière noted on Senn in 1957: 'A true delegate of the ICRC can never avoid having difficulties with the authorities'.⁷⁸

The challenges faced by humanitarian actors during the wars of decolonization, as scholars such as Fabian Klose have pointed out, demonstrated the need for improvements to international humanitarian law, particularly in relation to internal conflicts. The ICRC worked to revise the Geneva Conventions in cooperation with the United Nations General Assembly. Two additional protocols were passed, after some delay, in June 1977.⁷⁹ Yet this period also sheds lights on how the ICRC responded to issues of race and racial difference as the organization started to look beyond Europe to the increasing number of conflicts in Africa. Here, fears about the applicability of international humanitarian norms would prompt the ICRC to explore how best to diffuse knowledge about the Geneva Conventions in Africa. Although the need for an education strategy in Africa was first raised in discussions about

Kenya as early as October 1952, it would not be until the early 1960s, in the context of violence in Leopoldville and Southern Rhodesia, that plans for radio propaganda, leaflets, and a 'Handbook' for military leaders would be considered in earnest. These activities, it was hoped, would open the way for increased acceptance of the ICRC in Africa, but they came too late to make a practical difference in Kenya.

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