



# Nyayo House: Unravelling the Architecture and Aesthetics of Torture

By Nanjala Nyabola



*"I'm conflicted. Sometimes I want them to just tear it down. But it's also part of our history. If we don't deal with the legacy of that past then we are likely to repeat the same mistakes".*

Wachira Waheire spends several of the first minutes of our interview sizing me up. As he shares this observation with me, he is guarded and measured, uncertain that he will collaborate with me until he establishes who I am and why I need to speak to him. It is Saturday morning in the Kenyan capital Nairobi and the museum coffee shop where we are meeting is buzzing. Only when I show him samples of my previous writing on my phone does he begin to relax and speak a little more freely. "You know this story is very traumatising," he tells me. "Every time a journalist asks me to talk about it, I give a piece of myself away. I relive the experience again. It's very hard."

Waheire was bundled back into the vehicle and driven around for hours before he was dropped off in the bowels of a building he didn't recognise. "I was promised a short questioning - I ended up in prison for four years. But had I not been so young and healthy I'm not sure I would even be here today," he says, laughing mirthlessly.

This story is the 17 days Waheire spent in the tower looming over us during our interview, days in

which he was beaten, tortured and interrogated before he was finally transferred to a maximum security prison, where he was held in solitary confinement for four years. In 1986, Waheire was 25 and two years out from university when Kenyan Special Branch officers showed up at his office and asked him to follow them. The officers calmly escorted him to the back of a four-wheel-drive vehicle and took him to his home. There, they found a political poster featuring an ear of corn and an AK-47 that stated that food insecurity was the root of revolution. The officers argued that that was enough to charge him with sedition. Suddenly the mood shifted.

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The building where Waheire was held is Nyayo House, once the Nairobi provincial headquarters and administrative heart of the city. Commissioned in 1973 by the Ministry of Works, it was initially planned as the 14-storey "Nairobi House". In 1979, a year after he assumed office following the death of his predecessor Jomo Kenyatta, President Daniel arap Moi, also known by the sobriquet Nyayo, renamed the project Nyayo House. In a 2003 interview, the then chief government architect, the late A. A. Ngotho, said that by the time they broke ground, the decision to use the building for Special Branch offices as well as other government ministries had been taken.

Nyayo House is loaded with symbols of the relationship between the two presidents. It was for several years the second tallest building after the Kenyatta International Conference Centre, a nod to the way Moi, who served as vice president under Kenyatta, always positioned himself as secondary to his predecessor. Indeed, the word "Nyayo" is Kiswahili for footsteps - a nickname that Moi gave himself and his political philosophy to indicate that he would follow in the footsteps of his predecessor. Thus the building initially conceived as Nairobi House became Nyayo House on completion, and for almost 22 years, Nairobi's big men symbolically presided over the capital city until Times Tower was completed in 1995.

Both Nyayo House and Nyati House were at the heart of the Moi regime's torture network, and Kenyans who remember the 1986 to 1992 period still associate the two buildings with arbitrary arrests, detentions and disappearances. Growing up in Nairobi, we avoided walking past Nyati House, especially because of rumours that you could be arrested and held incommunicado for simply looking at the building in the wrong way.

The Moi regime was on shaky grounds from the beginning, but its most severe challenge was an attempted coup by the air force in 1982 that triggered a wave of punitive repression that arguably didn't end until the Moi regime itself ended and reached its apogee in sites like Nyayo House. Between 1982 and 1985, after the building had been finished, the government architects who oversaw the project were asked by the Special Branch to make several alterations to the original planning that would turn an office block in the heart of a major city into one of the most secretive and notorious prisons in the country. Twelve strong rooms in the basement were turned into pitch black holding cells and concrete slabs blocked elevator access to all but five floors. Access to the top three floors was blocked almost entirely, except through a single door.

In a 2003 interview with a local paper, the then police commissioner Bernard Njiiu argued that even he didn't have a sense of the full scope of what was happening in the building. "I knew what I read in the newspapers like anybody elsewhere," he told journalists, even though he was building a picture of his own from titbits of information he gathered independently.

Waheire gives credence to this argument. "It used to be a very busy government office," he recalls, "but we were always brought in at night, and they made it so that the office workers never knew what was happening in the basement." Thus, while by day bureaucrats pushed paper and traded water cooler banter, by night hundreds of political prisoners were held incommunicado in the basement, shuffled to the rooftop for painful beating and interrogation sessions, and then shuffled back downstairs for more torture in the form of sensory deprivation and environmental manipulation. Those in the offices may not have known the particulars, but certainly most of Nairobi suspected that all was not well within the building. There were too many "suicides" off the top floor. There were too many armed police officers milling about in the corridors and at the entrances, shouting at civilians to stay away from the staircases.

The scale of the operation was eventually so large that it couldn't be contained completely and locals would swear that even the air around the building was sodden with the stench of death. The fear and paranoia it triggered is still reflected in the way Nairobians who remember that time navigate the city, leaving a wide berth around Nyayo House even if it is the shortest route to their destination. It is seared in the collective memory of the city.

Do buildings have memory? The phrase "institutional memory" generally refers to the way ideas get preserved and transmitted across a network over time. But there isn't really a word to describe the ways in which negative energies become indelibly associated with buildings or constructed artefacts that have been used to violent ends. Yet violence like torture marks buildings not least with the physical debris of damaged human bodies: blood stains the walls and floors and soaks into the concrete; human waste in substantial quantities festers in poorly ventilated spaces.

Walking through such spaces, especially when these spaces have been built or altered to accommodate such uses, one often gets a sense of claustrophobia. Spiritualists may argue that this is the weight of tormented spirits that succumbed to unnatural deaths in these spaces, but non-spiritualists would probably observe that our perception of physical spaces is altered by the uses we associate with them.

Moreover, there's the more ethereal sense of oppression that lingers even after the torture. Walking through such spaces, especially when these spaces have been built or altered to accommodate such uses, one often gets a sense of claustrophobia. Spiritualists may argue that this is the weight of tormented spirits that succumbed to unnatural deaths in these spaces, but non-spiritualists would probably observe that our perception of physical spaces is altered by the uses we associate with them. The philosopher Saul Fisher argues in the Stanford Encyclopedia of philosophy that beyond aesthetics or beauty, our experience of the built environment contributes to our state of mind - "the ways we experience architectural objects may contribute to how we comprehend, and interact with, those objects." So an ugly building used as a space to save lives will evoke an entirely different emotion from a beautiful building used for torture.

The experience - even if second hand - of associating a building with torture, or even with deep uncertainty that is amplified by watching others' anxieties around such buildings, shapes the way we experience these buildings. You feel it when walking through the basement of Elmina Castle in Ghana, a major stopover for the transatlantic slave trade, where hundreds of thousands of slaves were held in near complete darkness before being shipped off to slavery between 1637 and the abolition of slavery in 1814. It is present in the small rooms of Tuol Sleng prison in Phnom Penh, Cambodia, where almost 20,000 Cambodians were tortured and killed during Pol Pot's regime. Long after the blood stains have dried and the smell of decaying flesh has wafted, the weight of history hangs in the air in these places, altering our experience of even the most banal bureaucratic

artefacts.

But does it persist forever?

Certainly, a collective memory of oppression changes the way people interact with buildings and constructed artefacts: a step is just a step until a parent tells you that it is the “naughty step” where you’re expected to wait out a time out. But buildings like Nyayo House in Nairobi or John Vorseter Square (Johannesburg Central Police Station) in Johannesburg, which both remain in quotidian use, raise the question of whether the legacy of torture is imprinted indelibly into the structures’ DNA. Like Nyayo House, John Vorseter Square was at the heart of a violently oppressive state in which political prisoners were arbitrarily detained, tortured and killed. The similarities don’t end there; John Vorseter Square is also an architecturally uninspiring building that would be left out of any city tour of Johannesburg were it not the site of so much of the apartheid state’s machinery of murder. As with Nyayo House, none of this is a secret, but governments continue to use these buildings.

It’s been 25 years since the last confirmed incident of torture at Nyayo House, and in the lead-up to the International Day in Support of Victims of Torture, the city has still not resolved what to do with the building. The Truth Justice and Reconciliation Commission (TJRC) convened in 2008 and suggested that it should be turned into a museum, a move that Waheire - who worked with the commission - supports. “It’s a symbol of unfinished business because it remains there and it remains in use,” Waheire reflects. Yet, Waheire isn’t convinced that demolishing the building would give victims the closure that they need. “It should remain,” he tells me, “and they should retain the name to retain the essence. If they change the name they can change everything. It should remain Nyayo House so that the history is encapsulated.”

Memory is an idea that Waheire obsesses over, especially as he watches the state erase the truth about Nyayo House torture from the minds of younger generations by leaving it out of the current school curriculum. In other countries, such buildings are decommissioned and turned into museums - spaces where a community can reckon with an ugly chapter of its history. But Nyayo House is a staggeringly tall tower in the heart of a city struggling for space. There simply aren’t enough artefacts from the 12-room cell below and the three stories at the top to fill every space of the building as a museum.

Waheire sees a compromise, arguing that the basement alone should be turned into a museum, instead of its current use as a storage space and dumpsite for office waste from above. “The government hasn’t accepted the idea [of Nyayo House as a historical site] so they are attempting to delete that history. It’s filthy. It is a dumpsite. It was cleaned in 2013 during the [TJRC] hearings but since then ...” he trails off. Preserving the memory of these dark years is Waheire’s main work that he does as a volunteer, pushing for the public to rally and protect this memory so that it may never happen again.

Nyayo House is one of a pair of buildings in downtown Nairobi indelibly marked by a legacy of torture, the other being Nyati House, a squat and architecturally uninspiring stack of gray concrete that once served as the headquarters of the dreaded Special Branch, a clandestine arm of the police force that was instrumental in arresting, detaining and torturing real or imagined dissidents during the Moi era. In a 2012 interview with a local newspaper Wanyiri Kihoro, a former detainee, observed of Nyati House that “people would get shivers just from passing by the building’s entrance. It was shrouded in so much mystery that it would seem your own personal demons came alive with each step towards it.”

Over time, stories began to leak, especially when it became impossible to ignore the

sheer number of “suicides” reported at Nyayo House. It seemed strange that while no one was allowed access to the top three floors of the building, and at a time when suicide was technically illegal in Kenya, a dead body having allegedly jumped off the top floor would show up every few days. Growing up in Nairobi in the 1990s, I remember being advised to walk past the building quickly in case a body was falling.

Nyayo House, on the other hand, has at least some architectural merit. The dull orange exterior dominates the intersection of two of Nairobi’s main thoroughfares – the Uhuru Highway and Kenyatta Avenue – and its phallic symbolism is all the more prominent as it towers past the trees of the three parks that comprise the southern boundary of the central business district.

Although fundamentally an archetype of the sterile brutalism of Nairobi in the 1980s, it is not an entirely uninspiring example. Rather than a solid rectangular shape, it has a doubled-H shape, and is essentially three towers connected by a corridor. The orange of the two outer towers contrasts slightly with the dull brown of the core tower, and its corners are rounded where other towers have sharp edges. Combined with the flamboyant two-tone colour, the structure of the building adds a touch of quirkiness to the austere design.

In 1985, when it was opened, Nyayo House reflected a style that was perceptively different from the city’s Kenyatta International Convention Centre (KICC). The latter conformed to the flamboyance of the African modernist frenzy of the 1960s and 70s – the euphoria of the independence era leading to fanciful, extravagant designs that birthed a rotating restaurant flaring from the ceiling of a tower like an elaborate head dress, while a squat plenary hall echoing the lines of a traditional hut sits nearby. Nyayo House, on the other hand, was a concession to the pragmatism of the economic austerity of the 1980s – clean, tame lines with only the smallest concessions to artistic flare.

Both Nyayo House and Nyati House were at the heart of the Moi regime’s torture network, and Kenyans who remember the 1986 to 1992 period still associate the two buildings with arbitrary arrests, detentions and disappearances. Growing up in Nairobi, we avoided walking past Nyati House, especially because of rumours that you could be arrested and held incommunicado for simply looking at the building in the wrong way. In a 2014 interview with the local press, John Ng’aari, a pro-democracy activist in the 1980s, said that he still felt an urge to urinate in fear whenever he walked past Nyati House and that “seeing it evokes memories of the old terror days when speaking out was a crime. Amongst our prayer items in those days was ‘may God save us from Nyati House’”.

Waheire’s ambiguous position on Nyayo House is indicative of the less categorical perspective that Nairobians have towards Nyayo House compared to Nyati House. Unlike Nyati House, which is still used as a police building, and is therefore, closed to the public and shrouded in secrecy, Nyayo House has always been a mixed-purpose building. Since 1983 when the building was completed, it has been home to the Department of Immigration, the provincial administration where Nairobi residents applied for various permits and official documents, as well as the head office for the first privately owned television station in the country’s history, the Kenya Television Network (KTN). Given this expansive use, it has always been and remains one of the busiest buildings in the country, with queues for new passports and permits often snaking around the parking lot and into the street. All of this went on even while people like Waheire were moaning in misery – beaten, deprived of food, sleep and water – in the basement below.

Buildings like Nyayo House are integral to the process of administrative massacres because they allow authorities to bureaucratise the process of torture and killing and to normalise the process as a function of the state.

Ngotho, in the *Saturday Nation* of 5 May 2012, insisted that Nyayo House was not deliberately built for torture, but testimony given at the Kenya Truth, Justice and Reconciliation Commission argued otherwise. In their summary findings, the commission argued that “the infamous Nyayo House torture chambers were designed and built [...] specifically for the purpose of terrorising those who were critical of, or perceived to be critical of, the established regime.” Waheire concurs. “After the 2002 change of government,” he tells me, “they tried very hard to destroy evidence of all the torture that had happened but when they tried to demolish the torture chambers, the architects told them that if they did that it would undermine the structural integrity of the whole building. That suggests that the torture chambers were part of the structure from the beginning.”

Ngotho argued otherwise. He told a newspaper in 2003 that the sound- and waterproof rooms that would become the main torture chambers were designed as strong rooms for the storage of important documents produced by the government officers upstairs. They were poorly ventilated because people were not expected to spend extended periods of time there, he insisted. Similarly, the elevators to the basement only served certain floors because only the occupants of those floors required access to the money and the secret documents kept in the basement at any time.

Another architect working on the project concurred with Ngotho. Gideon Mutemi Mulyungi told the TJRC that the rooms were initially designed to store cash and sensitive and valuable government documents, and that they were built with reinforced concrete so that they would be fire resistant, and that because of the lack of natural ventilation, air was piped in through special air vents in the roof and walls to assist in climate control.

Still, Ngotho conceded that the Special Branch did, in fact, have a hand in the final design of the building. He recalled that two senior Special Branch officers and a British national, a “Mr. Parkins”, regularly briefed his team on changes that needed to be incorporated into the structure. And to make the situation really work, the building’s administrators put in place several restrictions on the structure’s use. For instance, the original elevators to the basement only served five of the 27 floors: “those government offices that really needed them”, recalled Ngotho. When public elevators were made available, civilians were prohibited from using the staircases even to the first floor, meaning that the lifts at Nyayo House were always crowded. Eventually, the flow of everything from people to recycled air was structured around restricting access to the extremities of the building.

Eventually, the building could no longer contain its secrets. Over time, stories began to leak, especially when it became impossible to ignore the sheer number of “suicides” reported at Nyayo House. It seemed strange that while no one was allowed access to the top three floors of the building, and at a time when suicide was technically illegal in Kenya, a dead body having allegedly jumped off the top floor would show up every few days. Growing up in Nairobi in the 1990s, I remember being advised to walk past the building quickly in case a body was falling. The suicide theory held up only as long as the autocratic regime remained in power. Soon after the democratic vote in 2002, survivors and security officers who had worked in Nyayo House confirmed that those who died during the torture would be thrown off the top of the building to mask the extent of their injuries.

In a 1995 article for the *University of Pennsylvania Law Review*, law professor Mark Osiel defined an administrative massacre as “large scale violations of basic human rights to life and liberty by the central state in a systematic and organised fashion, often against its own citizens.” An administrative massacre is particularly horrifying because it involves building a bureaucracy around human rights violations in order to sanitise them and create an illusion of legality. The political theorist Hannah Arendt first used the term to describe the horrors of British colonialism, especially in India, when colonial administrators would justify widespread murders and deportations of locals in the most sterile bureaucratic terms, a practice that extended to Nazi Germany, where SS officials kept

meticulous records of the machine they built to exterminate Jews, Romas, homosexuals and other groups deemed “undesirable and irredeemable”.

Architecture is an integral part of an administrative massacre, particularly where the state in question wants a visible monument to both contain the horror and make an example of those who endure it. Buildings like Nyayo House that are geared primarily to this purpose are not designed to horrify - a remarkable building that stood out from the rest of the architecture would quickly become a focal point for protest and possibly revolt. Rather, the more banal and routine the exterior, the more citizens are likely to accept that what goes on within is a normal part of state function - even if this banality is a function of how quickly the buildings are put together by an autocratic state.

Examples of this type of building can be found on every continent. Many have been turned into museums, like Tuol Sleng in Phnom Penh and the Stasi prison in Berlin. Some are still in continuous use, like John Vorseter Square. The US government’s Guantanamo Bay detention camp in Cuba is the most notable addition to the list, although similar smaller sites, like Richmond Hill prison in Grenada, also exist. Oftentimes buildings that facilitate administrative massacres are modified from other functions, but rarely are they as architecturally striking as the Escuela de Mecanica de la Armada in Buenos Aires - the largest detention centre used during Argentina’s Dirty War from 1976 to 1983. Even though it was an educational facility like Tuol Sleng, this classical revivalist building, with its four imposing pillars, looks more like a museum than any of the other buildings on this list, and so the transition into a museum of the period was perhaps smoother.

Nyayo House was part of the administrative massacre of Kenyans in the 1980s. Unlike generalised violence in neighbouring countries like Uganda and Somalia, it percolated slowly and relied on the acquiescence of the public rather than on widespread demonstrations of force. It focused on fear as a method of control rather than outright destruction, and caused significant physical harm to a few in order to impose psychological control over the majority. It also altered the character of the city significantly - until the mid-2000s, pedestrian traffic around Loita Street was uncharacteristically light for a bustling African city, as civilians avoided walking past both Nyayo House and Nyati House in order to avoid getting caught in the dragnet of a paranoid state.

Although the Truth, Justice and Reconciliation Commission (TJRC) recommended that the Nyayo House torture chambers be converted into a museum, the government has so far resisted this recommendation for many reasons. Quite simply, the state refuses to acknowledge the magnitude of the suffering it inflicted on its citizens.

Buildings like Nyayo House are integral to the process of administrative massacres because they allow authorities to bureaucratise the process of torture and killing and to normalise the process as a function of the state. It is, therefore, almost predictable that the most banal exterior should house a bloody history of violence because the form of a building that truly manifested the function of such buildings might prove too grotesque to contemplate. Similarly, the decision to use buildings close to the proximity of the city centre serves not only to speed up the process of arbitrary arrest and detention, but also serves as a visual reminder of what the state is doing. An administrative massacre relieves the perpetrator of the need to entirely mask what they’re doing: they need the public to suspect just enough so as to incite paranoia and paralysing fear.

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the suffering it inflicted on its citizens. Many of those who ended up in office after the end of the authoritarian Moi regime had served under that regime. Mwai Kibaki, the president who set up the TJRC, was once vice president under Moi and also served as chair of the National Security Committee that oversaw internal security at the time that the Nyayo House machine was being deployed. Beyond having knowledge, it is possible to infer that he was complicit, and thus had no incentive to adopt the recommendations of the commission. Kibaki's successor Uhuru Kenyatta, who received the final report of the TJRC in 2013, has also failed to adopt the commission's recommendations.

This leaves survivors like Waheire in limbo. On the one hand, they have been financially compensated following prosecutions against the state in the days after Moi left office, but, on the other hand, they sense that without a physical monument to their suffering their place in history is being systematically erased. Kenya is a young country with an average age of 18.1 years, meaning that an entire generation has already emerged since the last prisoner left Nyayo House: an entire generation that doesn't know why people walk quickly and look up when passing Nyayo House.

Waheire believes that such collective amnesia is disrespectful and undermines the stability of the country in general. As a founding member of the Nyayo House Torture Survivors Association, he battles the state on preserving the memory of the era. (The organisation remains unregistered because the state said its mission was prejudicial to national security.) Waheire volunteers to keep information archived and organised, sharing the Kenyan story at regional and international meetings of torture survivors but is pushing back against apathy from other survivors who, once compensated, argue that the past is better buried.

The sole "good" dimension of the administrative massacre is the meticulous record-keeping that makes such memory projects possible. "We have all the information we need," Waheire tells me. "We know 98 per cent of the names of the people who were held there and my long-term goal is at least to be able to memorialise them in a plaque or statue of some kind."

Until then, the tower remembers for everyone. The torture cells below can be buried underneath reams of waste paper but they cannot be detached from the building, which also means that they cannot be physically erased from our collective memories.

*This article was initially published in Disegno Magazine, #15, June - August 2017.*

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