

UNIVERSITY OF NAIROBI

INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

**TOWARDS A COLLABORATIVE SECURITY APPROACH IN AFRICA: THE
IMPLICATIONS OF ARMING PRIVATE SECURITY GUARDS IN KENYA.**

BY

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DECLARATION

I hereby do declare that this research project is my own original work and it has not been submitted for a degree at the University of Nairobi, or any other university.

Signature  _____

Date 22nd November, 2021

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This research project has been submitted for examination with my approval as University Supervisor.

Signature  _____

Date 22nd November, 2021

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SUPERVISOR

DEDICATION

This Research work is gratefully dedicated to my husband, Amos Khaemba, who always encouraged me and took care of our son while I was busy with the studies, and to my son who could not understand why I always went home late.

It is also a dedication to my dear parents and sisters who have encouraged me throughout this research and who taught me what resilience and a hope for tomorrow is all about.

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Scientific research, as based on its epistemological characteristic is a collective enterprise involving the work not only of the author but also many other individuals and institutions. I would therefore like to take this opportunity to acknowledge all those who shared their thoughts and ideas on the subject matter, a valuable background on which the conclusions and submissions of the project has been reached.

ABSTRACT

Private security guards in Kenya are at frontlines whenever there is a security breach. This is because they have become the go to whenever persons and properties need protection. High crime levels and inadequate police personnel has been a contributing factor. However, these guards lack equipment that matches those of criminals and terrorists in cases of attack, which has pushed the government into planning to arm them. This study thus sought to establish the implications of arming private security guards on the security of Kenya. The study was guided by three objectives which were, to examine the extent to which the whole concept of arming private security guards can influence security in Kenya, to investigate the cost effectiveness of arming private security guards on management of security in Kenya and to establish the challenges that would arise from arming private guards in Kenya. The research was guided by Securitization theory developed by Weaver as its theoretical framework and employed the pragmatic research design as its methodology. The study found that arming Kenya's private security sector will to a larger extent heighten security, but only with proper planning and formulation of necessary regulations and its implementation. The study recommends that the government fast tracks the implementation of the existing regulations, and the proposed ones to the latter for its success.

LIST OF ABBREVIATIONS AND ACRONYMS

CFR-	Central Firearms Registry
COTU-	Central Organization of Trade Unions
DRC-	Democratic Republic of Congo
FDI-	Foreign Direct Investment
ICG-	International Crisis Group
IPOA-	Independent Policing Oversight Authority
KNCHR-	Kenya National Commission on Human Rights
NGO-	Non Governmental Organization
NIS-	National Intelligence Service
NPSC-	National Police Service Commission
PSC-	Private Security Company
PSRA-	Private Security Regulatory Authority
UK-	United Kingdom
US-	United States

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CHAPTER ONE

INTRODUCTION AND BACKGROUND TO THE STUDY

1.0 Introduction

The beginning of the 21st century has witnessed an accelerated adjustment on security strategy with privatization of security becoming a key aspect thereby ending state monopoly on security by the state, a phenomenon that has now gone global. One of the key raging debates in the security circles is the concept of giving arms to private security providers. This study therefore looks into the possible resultant security implications of arming private security guards on state security in Kenya. This chapter covers: Background to the study, problem statement, research question and research objectives. It also presents the literature review, study hypothesis, justification, theoretical framework, methodology and finally the chapter outline.

1.1. Background to the study

Security remains vital to the continued socioeconomic wellbeing of any society. This was the driving factor that led to conception of the modern state that was to help mankind enjoy privileges and rights such as civil obedience, by ensuring their protection against both internal and external threats¹, while receiving the same from those governed. Growth in the private security sector in Africa and globally was driven by the inability of those tasked with the same to effectively perform their functions due to reasons such as overstretched state agencies and inadequate resources/ personnel.

The end of cold war created a new security matter which saw a reduction of interstate wars and instead a rise in the frequency of intrastate wars, popularly known today as civil wars. Famine,

¹ Tilly, C. "War Making and State Making as Organized Crime," in P.B. Evans; D. Rueschemeyer and T. Skocpol (eds.).

Bringing the State Back in. (Cambridge: Cambridge University Press, 1987)

poverty, violence, political oppression, religious based conflicts, proliferation of small arms, terrorism, civil conflicts, pandemic diseases, environmental degradation among others pose new threats to global security today². Contemporary security threats today are multiple, complex and transnational hence posing a challenge on states' abilities to secure their people. With the new threats highly transnational, cooperation between states and non-state actors is vital in combating them³.

This therefore calls for a collaborative security approach involving both the state security machinery and other non-state players in providing security. For example, both the public police and the private security sector share a common interest in crime prevention. However, according to Stewart, there are certain economic crimes which do not fall under the jurisdiction of the public police. This is due to their inadequate resources, technological and the expertise to track and comprehend hard core criminals. On the other hand, PSCs recourse to corporations and their partnership with the police makes them effective in prosecuting such criminals⁴. Crimes that require sophisticated technology therefore tend to be a bit hard for the police to investigate and prevent. In as much as private security is concerned, most of its consumers are commercial, ranging from industries, banks, international organizations, refugee camps, government agencies, NGOs among other entities. This clearly indicates the need for inclusivity in policymaking and implementation on issues concerning contemporary security.

² Maya Padmi, *Nation State as Security Provider in Human Security Issue*, Master Thesis, University of Bristol, 2014.

³ Rosenau, J.N. 'Governance, Order and Change in World Politics', in: J. N. Rosenau and E.-O. Czempiel (Eds), *Governance without Government* (Cambridge, Cambridge University Press, 1992).

⁴ Stewart K. J., *Public safety and private police*. (Public Administration Review 45: 1985, 758.)

Contemporary global private security industry's growth and development began in the Early 1990s factors of trade (demand and supply) were linked to the growth. However, most scholars have cited three main factors that have largely contributed to the growth of the industry. These include free market models of states which were dominant during the post-cold war era. These propelled traditional government into outsourcing its functions. The second factor was the availability of a pool of personnel for employment, who were former trained military that had been rendered jobless due to the global downsizing of state militaries. The third factor was the disengagement of major powers from the developing states⁵ which left these states with little personnel and resources to protection their boundaries.

In Africa, private security and military companies were associated with failed states. It is argued that Africa's private security is asymptomatic of state weakness and its inability to protect its people by establishing functioning security institutions. Countries like Ethiopia, Somalia, Liberia and Zaire (Current DRC) lost significant support with the withdrawal of their cold war patrons' aid and the possibility of military interventions. This resulted in African militaries being unable to defend themselves leading to increased state instability⁶. Various authors view Africa's private security as a 'dictated choice' where external actors are increasingly engaging in provision of security, a function that was initially viewed as an exclusive of the state. Lunde and Tylor argue that the fact that extensive and indigenous private security sector exists is an indicator of states' inability to provide adequate security⁵.

⁵ Lunde L., Taylor M. & Huser A., *Commerce or crime? Regulating Economies of Conflict*, (Fafo Report 424, Fafo:Oslo, 2003)

A number of states have today armed some of their private security guards as a strategy to fight insecurity, an action that has produced mixed outcomes. This has presented various interesting opportunities for scholars and practitioners to engage in debates around the issue of private security including armed private security, which aims at influencing policy making processes. Today, the debate on whether arming private security guards make the world safer or not, is gaining momentum. There are those who feel that availability of many arms in the hands of civilians would spur other ills, arguing that some countries have armed their guards yet insecurity is still high. Literature shows that arms have in fact contributed to increased local crimes among civilians. Those for the idea argue that some hostage situations and shootings especially in schools and hospitals may not have been deadly if the guards were armed.

Growth and development of a country is highly dependent on its crime and insecurity levels. This is because the two influence investment levels both internally and externally, citizens will to engage in sustainable businesses, agriculture, people's movement and exchange of goods and services across borders⁶. Kenya today is faced with a number of socio-economic pressures ranging from inequity in property ownership, a rapidly growing population, poorly planned urban centers, rural urban migration, low literacy levels and unemployment⁷, which largely contribute to a surge in criminal acts. As Kenya embraces the value of PSCs as one of their strategies in fight against insecurity, necessary precaution needs to be taken to ensure that whatever decisions arrived at does not work against its intended outcomes.

⁶ Thurania, N. N., & Munany, F. L., 'Collaboration between public and private security in Kenya', *International Journal of Social Sciences and Entrepreneurship*, Vol.1 No.3,(2013) pp. 303-318. Obtained from http://archive.unu.edu/env/govern/EI/Ino/CountryReports/inside/Kenya/SOCIOECONOMIC/SOCIO-ECONOMIC_txt.html on 9/5/2020.

1.2 Problem Statement

Arming private security guards is a noble idea whose time has come. This is because the world is moving away from state-centric provision of security and state monopoly on the use of force to a more broadened security approach where various non-state actors are taking on the responsibility of providing security through private security firms. However, as Kenya contemplates arming private security guards as a strategy to enhance security, have we thought of the policy framework, or engaged in a broad security regulation process that will ensure its success? The government of Kenya in 2003 introduced a minimum wage for security guards at Sh. 9,469. However, the same government has been reluctant in implementing this directive. Most guards in Kenya have meagre salaries, are poorly trained, overworked, have low morale and work in very poor conditions. This underscores the danger in trying to arm them with guns. Underpaid security guards are more likely to become insecurity sources rather than providers of the same due to their inability to cater for their family needs including their dependents.

Arming private security guards has its own share of pros and cons. Additionally, there is no evidence that such an action would promote security. For a country like Uganda, that has armed its guards, statistics show that terrorist acts have reduced but local insecurity is high with civilian shootings, thuggery and burglary on the rise. The guns also make these guards an easy target for criminals who need them for their criminal activities, endangering the lives of these guards. How then can a country harmonize all these so that they become advantageous rather than a challenge? It is therefore necessary that this study investigates how the country could navigate through this while enhancing security for its citizens and the nation at large.

1.3 Research Questions

The study seeks to provide answers to the below questions;

1. To what extent would the whole concept of arming private security guards influence security in Kenya?
2. How cost effective would arming private security guards be in Kenya?
3. What challenges would arise in arming private security guards in Kenya?

1.4 Research Objectives

The study was guided by the following objectives.

1.4.1 Main Objective

The main objective of the study is to assess security implications in arming private security guards in Kenya.

1.4.2 Specific Objectives

The specific objectives of this research are;

1. To examine the extent to which the whole concept of arming private security guards can influence security in Kenya.
2. To investigate the cost effectiveness of arming private security guards on management of security in Kenya.
3. To establish the challenges that would arise from arming private security guards in Kenya.

1.5 Literature Review

This section reviews both theoretical and empirical literature on the concept of arming private security guards and the implications this will have on security.

1.5.1 Theoretical Literature Review

This section uses two theories (Security Governance theory and Social Contract theory) to help examine the key debates around the whole concept of arming private security guards as one of the key measures to enhance security.

Security Governance Theory

Security Governance Theory was written by Krahmman. It assumes that modern security policy making and implementation are no longer the exclusive functions of nations. Instead, these functions today go beyond state boundaries. Other actors, apart from state have involved themselves in the process of policy making and implementation on security matters. Such include Non-Governmental Organizations, International Institutions such as Amnesty International and private companies. Krahmman argues that states today need to join hands and cooperate in order to combat insecurity arising especially from terrorism. This is because security threats have become multiple and more complex in nature, this being attributed to innovations in technology which has made the world a global village. These threats are thus borderless making individual states unable to handle them and effectively protect their citizens. States as sole providers of security and their monopoly on the use of legitimate force is thus being replaced by considerations of efficiency effectiveness⁸.

The theory is applicable to the study because it gives us an idea of what contemporary security entails and the modern challenges and threats in the sector. Since these threats are proving to be borderless, the theory thus gives us a way forward. It emphasizes on the need for states to draw on or cooperate with other states and non-state actors, both in machinery and policymaking and regulation to ensure that policy implementation concerning security is capable of circumventing

⁸ Krahmman, E., *Conceptualizing Security Governance, Cooperation and Conflict*, vol.38 no.1, (2003b) pp. 5-26.

the challenges and be successful. From the above, Kenya thus needs to harness all available support from different stakeholders, including non-state actors to develop a comprehensive policy framework that will guide the implementation of arming guards so as to achieve its objectives.

Social Contract Theory

Laskar Manzoor studied the Social Contrast Theory. His study brought out a gruesome picture of man's affairs in a state of nature where they lack a legitimate government to exert control on how they live among, and relate with each other thus living in fear and self-centered. However, man's desire for security and order made him enter into a contract so that he is assured of his self-preservation and protection. This would greatly help him avoid pain and suffering brought about by lack of security. To ensure this, Manzoor states that man thus surrendered his right and freedom to an authority which would be in charge of maintaining order and effecting obedience. The authority was to protect their lives and preserve their properties. This arrangement led to emergence of institutions like states which were led by sovereigns and with the monopoly of use of legitimate force within its boundaries to provide its residents with collective security. On Manzoor's study, Hobbes however notes that security management issue is shifting from being an exclusively state function as traditionally perceived to a more accommodating security sector that has incorporated the participation of non-state actors and individuals in planning and practice⁹.

McDowall and Loftin argues that historically, when monopoly on use of violence did not exist, individuals would arm themselves and use violence amongst each other. But with the expansion

⁹ Laskar, M., Summary of Social Contract Theory by Hobbes, Locke and Rousseau. SSRN Electronic Journal. 10.2139/ssrn.2410525.

of state, such as police and courts, contemporary people have become accustomed to relying on government to protect them and maintain order. However, when people doubt the ability of formal collective security system to provide such protection, they may seek alternative options. They take over and provide security and justice for themselves. The passive ways to provide such security are to install alarm systems, window bars or special locks to prevent break-ins while more aggressive way would be purchasing a gun and organizing the neighbors in the programs such as community crime watch¹⁰.

Elke Krahnmann argues that the theory's contribution to protection of a country's internal and foreign invasions is not just by centralizing the means and use of force but through a collective private provision of security which leads to a pool of resources that citizens can use for their own protection. However, since there are always individuals or groups who have access to greater force, such an approach can never effectively ensure their safety. The central claim of this theory is that it invests in sovereignty of states while prohibiting private use of armed force. By so doing, citizens establish a social environment which permits peaceful interactions since it is assumed that they won't attack each other. Through mutual and voluntary assurance that individuals will not engage private force for their own security needs, peace and security is achieved. However, this is not convincing due to distrust among citizens as whether they will comply with voluntary assurance¹¹.

1.5.2 Empirical Literature Review

Using the three research objectives: to examine the extent to which the whole concept of arming private security guards can influence security in Kenya, to investigate the cost effectiveness of

¹⁰ McDowall, D. & Loftin, C., 'Collective security, firearms and suicide. ' *American Journal of Sociology*, vol. no. 88(1983)pp1146-1161.

¹¹ States, Citizens and the Privatisation of Security Krahnmann, 9781139483681 https://books.google.co.ke/books?id=5VtaYz_MI18C 2010 Cambridge University Press ER -

arming private security guards on management of security in Kenya and finally to establish the challenges that would arise from arming private guards in Kenya. This section thematically reviews the empirical literature with an aim of identifying the knowledge gap that will provide the focus for this study.

Extent to which arming private security guards influence security

Jones and Newburn see private security as an instrument of preventing crime because most its obligations revolve around preventing, monitoring or limiting crime levels in the society. Today, private security sector continues to perform duties similar to conventional policing¹². However, private security guards are never armed, yet they operate in an environment where accessing firearms by criminals and organized gangs is never a problem, making attacks towards security guards common. This has pushed countries into arming their private security guards as a strategy to enhance security, a move that yields both desired and undesired outcomes.

When US decided to arm its private security guards in some public schools, it aimed at putting a stop to school shootings that were prevalent at that time as Lichtblau & Rich state in their article in the New York Times¹³. However, this was not the outcome because for various reasons, gun shootings persisted. The National Rifle Association, N.R.A in 2012 published an article that advocated for arming private security guards in schools with claims that only good people with guns can stop bad people with guns. Together with other stringent security measures mostly the visible ones like metal detectors were employed in the fight against violence in schools.

¹² Jones, T. and T. Newburn, *Private Security and Public Policing*. (Oxford: Oxford University Press, 1998).

¹³ Lichtbau, E. & Motoko, R., (N.R.A. Envisions ‘a Good Guy with a Gun’ in Every School.) The New York Times, 2012. Retrieved from <https://www.nytimes.com/2012/12/22/us/nra-calls-for-armed-guards-at-schools.html>

¹⁸Lynn A.A., et al., “Adding Security, but Subtracting Safety? Exploring Schools’ Use of Multiple Visible Security Measures,” *American Journal of Criminal Justice* 43 (1) (2018): 102–119; National Association of School Psychologists, “School Security Measures and Their Impact on Students” (2018), available at https://www.nasponline.org/Documents/Research%20and%20Policy/Research%20Center/School_Security_Measures_Impact.pdf.

However, according to Lynn, studies on the impact of such strict actions established that these methods do not in any way improve the safety of the school, as it provides no supporting evidence of how good they are in stopping violence in schools¹⁸. For example, the fatal K-12 school shootings like Columbine High and Marjory Stoneman Douglas High school happened irrespective of the fact that armed security personnel were on site¹⁴. Additionally, some evidence shows that such stringent safety measures tend to create an environment which is less friendly to some students.

Contrary to the US and other states that arm their private guards, the UK has outlawed any member of public private guards to carry firearms for the purpose of close protection. In an article written by Intelligence Protection International Limited concerning security in the UK, Virginie Roux, the Head of Marketing noted that gun control laws are tough in the UK, a country that prides itself for having one of the lowest rates of gun-related crimes in the world. Armed protection is only provided by the Protection Command of the London Metropolitan police and other specialist police forces for diplomatic and royalty protection of high-profile state figures, royals, foreign dignitaries or diplomats. Even so, the recourse to this service needs to be assessed independently with the decision being approved by Home Secretary²⁰.

The UK banned possession of handguns and other weapons classified as firearms such as pepper spray, CS gas and the likes by private citizens in 1997, following mass shooting at Dunblane Primary School in 1996 that saw the death of 16 school children. This is a complete opposite of other countries like the US, where their move to arm private guards was a reaction to such mass school shootings. Even more interesting is the fact that only 5% of police officers in the UK are

¹⁴ Amy S., "How Do We Prevent School Shootings?", PolitiFact, February 15, 2018, available at <https://www.politifact.com/truth-o-meter/article/2018/feb/15/how-do-we-prevent-school-shootings/>

armed. The vast majority of police officers in the UK, with the exemption of Northern Ireland, are unarmed when on duty. Instead, every police force has its own firearms unit that is called upon and deployed to major incidents involving guns¹⁵.

Private security is a new and therefore developing concept in Africa. However, the desire to reduce the burden of security on the state agencies is rapidly facilitating its growth. The inadequate resources for equipping the state security organ and the increasing number of the propertied class who desire secure environment, also, contribute to the growth of private security according to Kirunda. Almost all countries in Africa have adopted private security. Even though, the concept of arming private security sector is varied across African countries, with some such as South Africa adopting the concept and others moving towards it¹⁶.

After the apartheid, South African government adopted private security to compliment the police. Ever since, the industry has seen tremendous growth from 5,491 private security companies in 2001 to 8,828 in 2011 worth R30 billion by estimate. In a briefing by the Gun Free South Africa on the research conducted by Natalie Jaynes, private security companies are a source of illegal firearms, which contribute to crime, injury and death in South Africa. This is due to unknown stockpiles of firearms and ammunitions by the Private Security Regulatory Authority (PSIRA) or the Central Firearms Registry (CFR). Importantly, the country has no systematic data collection concerning firearm related injury and deaths. Of importance to note is that there is no accountability concerning negligent PSCs and insufficient oversight over PSCs and PSIRA. Furthermore, the PSCs in South Africa undertake policing functions and therefore

¹⁵ *Ibid* Roux,

¹⁶ Kirunda, S.L., *Private Security in Uganda*. (Institute for Security Studies, 2008.) Retrieved from <https://issafrica.org/chapter-one-private-and-public-security-in-uganda-solomon-wilson-kirunda>.

operate as state law enforcers. These, married with the lack of harmonization of the training standards and key legislation across South Africa exacerbates crimes¹⁷.

East Africa as well has had its share of the rampaging insecurity necessitating the adoption of private security to compliment the state security organ. Somalia and Uganda are the best examples of the East African countries which have even gone further to arm these guards. Affi et al. exploring how the horn of Africa, Somalia counteracts terrorism found short-term prospects and that cannot hinder the long-term pitfalls. The use of private security in the shipping industry shows effectiveness on a short-term basis. However, the numerous pitfalls such as negative implications on human rights, confusion in the hierarchical control of ships and compromise of passage of ships pose a threat to this effectiveness on a long-term basis¹⁸.

Uganda, another East African country with a booming private security industry adopted the concept in the post-colonial error. Kaweesi in his dissertation notes that the first company was licensed in 1969 to provide security for business premises and home guarding. Several other firms came into play and they acquired firearms from private dealers. Ever since, the private security has supplemented the state security by providing security inexpensively to foreign missions, embassies, businesses and to individual among others. However, these firms operate on profit and therefore work in alignment with the client's feeling of security and not for the larger peacebuilding good. The profit-driven motives thus most of the times counteract the interests of the public. Importantly, these security guards work under poor conditions, lack

¹⁷ Gun Free South Africa. *The Private Security Industry in South Africa*, 2012 Retrieved from <http://pmg-assets.s3website-eu-west-1.amazonaws.com/docs/psi%20briefing.pdf>

¹⁸ Affi, L., Elmi, A.A., Knight, W.A. & Mohamed, S. (2015). Countering piracy through private security in the Horn of Africa: prospects and pitfalls. *Third World Quarterly Journal*, (2015)Vol. 37. Retrieved from <https://www.tandfonline.com/doi/abs/10.1080/01436597.2015.1114882?src=recsys&journalCode=ctwq20>

education and quality training thus worsening the security in the country rather than remedying it¹⁹.

The increasing rate of insecurity and the limited resources to equip the state security organ in Kenya has called for individuals and companies to opt for private security companies. Focusing his study in Karen estate, Nairobi, Githimi notes that the residents of this estate have opted for private security guards to cater for their security needs. Before then, the residents relied on alarm response and loss prevention for security. The study showed that the unarmed security guards were at danger in line of duty by encountering armed thugs. To effectively enhance security in this region, Githimi noted that there was need for coordination between the public and the private security and also to enact policies to regulate this sector²⁰.

The cost implications in the armament of private security guards in fight against insecurity.

According to Enders and Sandler, a corresponding action aimed at protecting targets is the justification of the real impact, which in any case it doesn't increase the cost but purposes to reduce the benefits that may occur during a terrorist attack²¹. According to Ayling and Shearing, private security if well managed it can help in budgeting, as it may allow state to channel their limited resources to areas that need them most. For example, if rich estates in a town like Nairobi can have a controlled and well managed security arrangement, more resources will be available to state bodies enabling them to secure poorer towns or improve education and health care in the

¹⁹ Kaweesi, F., *The Relationship between Public and Private Security Providers: An Analysis of the Regulation of Private Security Providers in Uganda*. A Master Thesis. University of Nairobi, 2011.

²⁰ Githimi, K. S. *Private Security Services and Crime Control in Karen Location Nairobi County, Kenya*. A Master Thesis, Egerton University, 2016.

²¹ Sandler, T. and W. Enders, "An Economic Perspective on Transnational Terrorism." *European Journal of Political Economy*, Vol. 20 No.2, (2004) pp 301-316.

country²². However, the cost of arming private guards by the private security firms would be costly to these firms. This is because it involves extensive training of the guards, implementation of the set regulations, incurring the cost of buying the guns and not to mention the fact that in case someone is shot by a guard, the courts would most likely favor the plaintiff making the firms incur more expenses on reparation.

Analyzing the socio-economic added value in Europe, the Confederation of European Security Services, using the economics approach found that a criminal as a perpetrator is a ‘reasoning criminal.’ Therefore, a criminal’s acts to maximize usefulness related to potential personal gain, risk of punishment and opportunity. Linking the act of committing a crime to the marginal costs, the decrease of crime is directly proportional to the detection and severity of the penalty. This means that the added value of the private security service is not of much effect since the acts of detection and severity of penalty remains in the public domain. However, in terms of human resources the added value is useful regarding employment and the use of modern technology²³.

During the twentieth century in the United States, the public police transformed from client-centered into bureaucratic organization of the police. This left a vacant behind, which was filled by the private security industry. Notably, the size and the expenditure on the private security is far much higher as compared to the public policing. On top of that, the private security industry is unable to handle certain security functions and therefore calls on the importance of the police. The private security officers do not have the sworn coercive authority to enforce criminal law. They can only maintain law and order of the private interests. In other words, armament of the

²² Shearing, Clifford D. and Ayling J. M. “Taking care of business: Public police as commercial security vendors.” *Criminology and Criminal Justice*, Vol. No. 8, (2008) pp. 27–50.

²³ Hilde D. C., *The socio-economic added value of private security services in Europe*. Confederation of European Security Service (2013).

private security industry will add on the already existing high costs. At the same time, due to restrictions of the law, the move will not give as much returns²⁴.

The annual cost of a police-based security officer in a school ranges between \$50,000 and \$80,000. This means that for a trained officer, the annual cost in every school may range from \$7 and \$11 billion. From estimation, the cost of an armed officers both in private and public schools in the United States is close to \$9.9 billion and \$12.8 billion a year, which is quite expensive. Importantly, to arm an officer, specialized training is crucial and their integration in the school is imperative. The move to arm the private security guards was due to the series of attacks in the country. However, according to Hill, the shootings are not always sudden but impulsive. However, profiling of these attackers is hard in that people who know that such attacks would happen do not report it. This means that the biggest attention should be directed to convincing people to talk in case they sense something suspicious²⁵. This together with proper information and intelligence gathering helps prevent crime and is a cheaper option compared to arming guards.

In Kenya, the 2019 DusitD2 terrorist attacks sparked a move to arm the private security sector to enhance security and combat terrorist activities. The move seemed to gain a lot of support so quickly that rose the debate concerning the economic implications of the same. In Kenya, security guards are more than the police. Iraki argues that arming security guards may not be cost effective. The argument stems from the fact that the government has recruited more police officers whose financial resources have been allocated already. This means that before more

²⁴ Gormley, W.T., *Privatization and Its Alternatives*. (The University of Wisconsin Press 114 North Murray Street Madison, 1991.)

²⁵ Hill, E.W. (2013). *The Cost of Arming Schools: The Price of Stopping a Bad Guy with a Gun*. (Urban Publications, 2013). Retrieved from https://engagedscholarship.csuohio.edu/urban_facpub/678

resources are allocated to the private security sector, those on the current police force and their effectiveness should first be accounted for.

Furthermore, a gun is a symbol of authority and power and therefore, there is perceived rivalry between the police and the guards as the police will start seeing it as competition. This will also promote inequality between those who can afford the private security and those who cannot. Importantly, the cost of private security will as well increase by arming them making it even harder for Kenyans to afford. Additionally, making such a decision after series of terrorist attack will be a confirmation that terrorism activities are the drivers of the national agenda²⁶. There are other measures that the government can thus involve the private security sector without arming it. This therefore calls for a proper analysis on which measures will be less costly but yield better results if undertaken.

The challenges faced in arming private security guards

The western countries, i.e. those in North America and Europe encourage the use of Private Security Companies for corporate and personal security. They have also accepted widespread use of armed force among these private security firms. The regulation and licensing of PSCs have limited the negative consequences since it has helped to determine who and where to deploy armed forces in domestic matters. As a result, there has been limited public perception of threat, victimization rates and the use of small arms in public²⁷.

However, there are still some challenges; those related to the changes, to the purposes and contexts in which the force is used, and legitimization of the use of violence. Those related to the

²⁶ Iraki, X., Why arming our security guards is bad for economy, 2019. The Standard. Retrieved from <https://new.standardmedia.co.ke/article/2001311164/n-a>

²⁷ *Op cit*, Hilde, 2013.

context and purpose of employing force include; fragmentation of domestic sphere into private and public spaces of insecurity and security; an increase in disparity between the public who can afford private protection and those who have to depend on the public; and lastly, the emergence and enforcement of private orders and regulations within private spaces. The challenge concerning legitimization of use of violence denotes that there is a possibility that the collective decision-making concerning what to be protected by armed forces, the kind of violence permissible by law and the accountability of the public will be replaced by private decisions.

Through various debates, private security has been likened to economic theories where demand for products is what generates profit, but only if free riders are prevented from accessing them. The debaters have argued that private security tends to promote exclusive, fragmentary and technical approaches to security problems at the expense of more holistic, developmental and political solutions. Driven by the desire to accumulate profit, security is thus represented as a commodity for trade which may consequently make commercial security discriminatory rather than holistic. Private security therefore, in most cases may ignore a solution that tends to fit all while emphasizing on tailor made individual security needs²⁸.

At the same time, through evoking and reifying threat perceptions, they expand their markets and employ deterrent and protective measures such as armed guards but are less likely to participate in activities that addresses the root causes of insecurity since its positive outcomes creates public goods accessed indiscriminately by all. They thus detach security from its wider

²⁸ Krahmman, E., "Security: Collective Good or Commodity?" *European Journal of International Relations*, Vol. 14, No. 3, (2008) pp. 379–404.

socio-economic and cultural context and instead treat it as a ‘technical’ problem requiring advanced specialty in fixing it²⁹.

A look at the Indonesian security under civilians shows that civilians can protect their countries from crime and terrorism if not interfered with politics, corruption and racism according to a report by International Crisis Group. Civilian security groups have been on the forefront in providing security in Indonesia. The fall of the Soeharto government in 1998, the distrust in police and the demand for security from private groups gave birth to vigilantism. The two provinces, Lombok and Bali are among the areas purely protected by civilian security. While the public believed that civil security would empower the local community to protect the villages from both infiltration of politicians and crime, a turn of events took its course five years later. The civilian security increasingly got involved in violence and extortion to the detriment of legal and political reform in both provinces³⁰. The interference of the civilian security with politics corrupted the group to shift its focus to a point that it is now a liability. This poses a challenge as armed private guards can easily be manipulated by politicians to cause chaos.

The business of private security in Africa is booming³¹. However, there is limited data concerning the industry in Africa, even with a sophisticated and extensive data capturing and regulation system like that of South Africa. Using the data available, Berg & Howell note that private security companies are often profit-driven which renders them ill-defined. The poorly enforced labor practices and regulatory framework is an ongoing challenge in most African

²⁹ Kempa, M. and Singh A. M., “Private security, political economy and the policing of race: Probing global hypotheses through the case of South Africa.” *Theoretical Criminology*, Vol. 12, No. 3, (2008) pp. 33–54.

³⁰ International Crisis Group, ‘The Perils of Private Security in Indonesia: Guards and Militias on Bali and Lombok’. *ICG Asia Report No. 67* (2003).

³¹ Berg, J. & Howell, S., The private security complex and its regulation in Africa: select examples from the continent,

International Journal of Comparative and Applied Criminal Justice (2 017) Retrieved from <https://doi.org/10.1080/01924036.2017.1364280> on 26/4/2020

countries. The industry is as well bombarded with both political and private challenges. Among them include; poorly paid security guards, with limited or no benefits, low skills, and lack of training often undertaking dangerous jobs in contentious spaces. Often, the private security officers are accused of certain criminal practices, for instance having links or committing human crime abuses or organized crimes while on duty. Importantly, there are various concerns in Africa that most of the private security companies are owned and run by the foreign nationals, hence repatriation rather than the money circulating in the economies of hosts.

In East Africa, while trying to find effective mechanism for regulations, both the states and the private security companies face numerous challenges. In Uganda, for instance, it is hard for the public to distinguish between public and private or formal and informal as it is claimed that the country is filled with spies for the state. Notably, corruption and lack of accountability deem effective regulations problematic. Arming of the security guards of a certain company depends on the kinship, ethnic or political connection. Importantly, Berg & Howell note that due to the connection needed in the industry, it is highly regulated by the state but loosely regulated by the laws and Inspector General of the Police obligations³².

The woes of terrorist attacks in East Africa have led to some countries arming their security guards. Uganda has armed its private guards since the 1980s and its low terror activities have been attributed to this. Somalia on the other hand gives contrasting outcomes in that despite there being too many arms in the hands of private guards and civilians, Al-Shabaab attacks still happen even at premises heavily guarded by armed private guards. Examining the private and public security in Uganda, Kirunda notes that privatization of security guards in Uganda only benefits the wealthy. The poor in the rural are still exposed to security risks and dangers. Even

³² *Ibid* Berg and Howell, 2017

though the country boasts of not having terrorist attacks due to enhanced security by arming the private security guards, the level of crime in Kampala is worrisome. These crimes are mostly attributed to the armed security guards. It is hard to trust an armed hungry guard according to the author³³.

The Kenyan Law requires that private security guards are unarmed. Therefore, the country has a policing partnership which Diphorn³⁴ calls “Surveillance of the Surveillers” or “arms for mobility.” Here, police officer who is armed teams up with private security officers in their company’s vehicle. While Diphorn asserts that this kind of partnership brings the policing actors together, he also notes that the arrangement makes the differences of the policing actors more prominent by repositioning and reaffirming the dominant role of the police in the country. There are also potential delays in effective responses where the private guards have to collect armed police from stations. In some instances, this may prove to be risky especially if police officers are out on other duties. Fears that poorly paid guards are increasingly becoming insecurity sources by conspiring with criminals against clients have been expressed. There is also the challenge of poor regulation of the industry.

1.6 Gaps in the Literature

The above literature shows that there is insufficient literature on how the whole concept of arming private security guards would influence security. It is also emerging that the cost effectiveness of arming private security guards with the view of improving security is not very

³³ Kirunda, S.L., *Private Security in Uganda*. (Institute for Security Studies, 2008.) Retrieved from <https://issafrica.org/chapter-one-private-and-public-security-in-uganda-solomon-wilson-kirunda>.

³⁴ Diphorn, T., “Surveillance of the Surveillers: Regulation of the Private Security Industry in South Africa and Kenya”, paper presented in a workshop at *ASR Forum on Surveillance in Africa* (2016), Retrieved from file:///C:/Users/HP%20840/Downloads/Diphorn-2016 SurveillanceoftheSurveillersRegulationoft.pdf

clear. This study will not only address those two areas but will also discuss the challenges that would arise in the implementation of the proposal to arm the private security sectors in Kenya.

1.7 Study Hypothesis

The study was guided by the following hypotheses;

1. H_1 _Arming private security guards will lead to enhanced security in Kenya.
2. H_0 _Arming private security guards is not cost effective in as far as the fight against insecurity in Kenya is concerned.

1.8 Justification of the Study

Kenya is on the verge of passing a legislation that will allow for arming of its private security guards, a process welcomed by many who feel that the move will help reduce crime and terror activities in the country, especially after series of Al-Shabaab attacks, but at the same time detested in equal measure. The country has however experienced a widespread misuse of firearms in the hands of civilians forcing the government to tighten firearm licensing, reconstitute the Firearms Licensing Board and introduce new conditions for gun ownership such as renewing registration after proper verification³⁵. This research aims at establishing the implications armed guards will have on the security of the country. The study will generate literature for academicians and other researchers who would wish to further explore on the topic.

Armament of the private security sector is still a new concept in Kenya and in most developing nations. This study is important especially to the ministry of Interior and Coordination of National government as its findings can be used to acquire knowledge that will immensely

³⁵ Obtained from <https://www.dailyactive.info/2019/04/16/will-arming-private-security-guards-be-a-solution-tosecurity-lapse-in-kenya/> on 30/4/2020

contribute to various debates on government policies in the security sector in trying to provide maximum security to every citizen and their property, while ensuring that the needs and well-being of the guards are considered. The study will also equip police makers in formulating national security policies and strategies that will result in the proper regulation and management of Kenya's private security sectors. It will also inform lobby groups who are championing the interests of the stakeholders in the security sector.

1.9 Theoretical Framework

This section examines the theory upon which this study premised. The study uses the Securitization theory to explain why the issue of unarmed private security guards has been classified as a security matter that requires immediate intervention hence the clamor to arm private security guards in Kenya.

Securitization Theory

Securitization Theory was initially formulated by Ole Weaver in mid 1990s³⁶. However, the book titled '*Security: A new Framework of Analysis*' by Buzan, Weaver and de Wilde gives an account-to-account details of the theory. The theory proponents view security as a social and intersubjective construction in that, a mere utterance of the word 'security' means that there is something being done. To them, security is thus a speech act. Buzan et al argue that something becomes a security issue by labelling it as such. A securitizing actor makes an ordinary issue to be treated with extraordinary measures for its survival just by stating that the issue is being threatened in its existence. This is because the statement makes the issue to be moved from the sphere of normal politics into the realm of emergency politics. Here, the

Weaver, O. *Securitization and desecuritization. In on security.* Ed. Ronnie Lipschutz NY: (Columbia University Press, 1995.)

issue is dealt with in a swift manner, without following the democratically set rules and regulations. Buzan et al thus conclude that security can be anything a securitizing actor says it is, meaning that it lacks any pre-existing meaning hence a social and intersubjective construction³⁷.

This therefore calls for the need to limit just ‘anything’ and ‘everything’ from being an issue of security. This can be effectively done by proper securitization. Successful securitization can be achieved through identification of existential threats (threats that if not dealt with, everything else would be irrelevant), emergency action (the need to go beyond binding rules and regulations) and effects on inter-unit relations (audience who need to acknowledge the threat) by breaking free of rules. For a case of securitization, the securitizing actor needs to convince the audience (political elites, military and not just the wider population) beyond reasonable doubt that the issue deserves to be treated in disregard to set rules and regulations. Securitization is thus based on power and capability and therewith the means to socially and politically construct a threat.

Securitization theory which originates from the Copenhagen School of Security Studies, is applicable in this study as it can be used to comprehend how the issue of unarmed private security guards has been constructed by the securitizing actors to become a security matter demanding emergency and swift action by the stakeholders. Following increased terror attacks especially on commercial buildings mostly guarded by unarmed private security guards led to the stakeholders labelling the existence of these guards as being threatened by the terrorists. The demanded emergency action was therefore a proposal to arm the guards.

³⁷ Buzan, Barry, Ole Weaver and Jaap de Wilde. *Security: A new framework for analysis*. Boulder, Colo: (Lynne Rienner Pub, 1998)

According to Weaver however, security should be viewed as a failure by states and those in charge to deal with matters concerning normal politics. He thus warns against framing issues in terms of security, in his critique of the theory. Arming private guards is thus viewed as failure by the authority to provide security to citizens. He thus favors desecuritization strategy. This is the reversal securitization and moving of issues out of threat defense sequence back to ordinary public agendas where they can be dealt with guided by set rules and regulations of the political system³⁸, in this case, the public police. Antonia argues that every securitization is made up of a security act (by speaking the language of security and asking for counter-measures) and a political act (a political decision to articulate the threat in such a way as to convince the target audience). To Antonia, these two components highlight the difficulty of drawing a clear line between securitization and politicization. He thus cautions security actors to be weary of the reasons driving securitization. This is for example seen when politicians are seeking reelection thus seeking to boost their popularity. Such acts make the securitization process a failure while promoting self-interest³⁹.

1.10 Research Methodology

According to Creswell, methodology is a plan of action that links methods to outcomes⁴⁰. This section therefore discusses the methodologies that were used in carrying out the study. It covers the Research design, target population, sampling design, instruments for data collection and data analysis techniques as well as sources and methods of data collection and analysis are discussed.

³⁸ Weaver, O. *Securitization and desecuritization. In on security*. Ed. Ronnie Lipschutz NY: (Columbia University Press, 1995.)

³⁹ Does, A., *The Construction of the Maras: Between Politicization and Securitization*. Genève: Graduate Institute Publications, 2013. Web. <<http://books.openedition.org/iheid/716>>.

⁴⁰ Creswell, J. W. *Research Design: Qualitative, Quantitative and mixed methods approaches*, (4th ed.) (Thousand Oaks, CA: Sage, 2014)

1.10.1 Research Design

Research design is what constitutes the blueprint for the collection, measurement and analysis of data as defined by Kothari⁴¹. The study employed a pragmatic research design which involves using the method which appears best suited to a research. It draws upon the mixed-method approaches where both qualitative and quantitative methods could be used as it produces a relevant approach to a given research question⁴². This design produces knowledge and understanding of the research problem that can be used to increase the generalizability of findings applied to theory or practice, making it suitable for this study. The method also gives room for triangulation where there is room for use of several means i.e. methods, data sources and researchers to examine the same phenomenon. The two methods involved, qualitative and quantitative also complement each other in their findings therefore will help the researcher gain in-depth understanding and corroboration while offsetting the weaknesses inherent to using each approach by itself.

1.10.2 Study Area

This research study was carried out in Nairobi, which is the capital city of Kenya. Nairobi was most preferred since many private security firms are concentrated in the region due to its high economic activities. Additionally, the city has been rated highest in crime levels, with insecurity levels increasing each day⁴³. The town hosts the rich and middle-income earners capable and willing to spend on private security. It also has cases of estates with extreme poverty (slums)⁴⁴

⁴¹ Kothari, C. R., *Research Methodology: Methods and Techniques*. (New Age International (P) Ltd Publishers, 2004.)

⁴² Takashori, Abbas and Charles Teddlie. *Mixed methodology; combining qualitative and quantitative Approaches*. Applied Social Research Methods Series, 46; (Thousands Oaks: Sage Publishers, 1998)

⁴³ Eddy Mwanza, Most dangerous places in Kenya. <https://www.kenyans.co.ke/news/56900-most-dangerous-places-kenya-report>, updated on 30th August 2020.

⁴⁴ Shannon Elder, 10 worst slums in the World, retrieved from <https://borgenproject.org/10-worst-slums-in-the-world/> last updated on 11th April 2017.

where criminal acts are believed to be conceived and planned, at times in collaboration with some of these private guards who are supposed to offer protection against the same.

1.10.3 Target Population and Sampling Design

Target Population

Cooper and Schindler define population as a group of people or objects who possess one or more similarities, and which form the subject of study in a particular survey⁴⁵. Saunders et al define target population as the actual focus, collection of elements about which a researcher wishes to make some inferences⁴⁶. The target population for this study comprised of the management of the private security firms, the private security guards, public police officers and the academicians (See table 1.1 below)

Table 1.1: Target population, Sample and Sampling procedure

NO	Target population	Sample	Sampling procedure
1	Police officers	15	Purposive
2	Private security guards	25	convenience
3	The management of the private security firms	7	Stratified
4	Academicians	10	Simple random
	TOTAL	57	

Source: Researcher, 2021

1.10.4 Study Sample

Study sample refers to the pool of participants used in the study. A study sample is chosen because it is nearly impossible for a researcher to study every person in the population of

⁴⁵ Cooper, D. R., & Schindler, P. S. *Business Research Methods*. (New York, US: McGraw-Hill/Irwin, 2011).

⁴⁶ Saunders, M., Lewis, P., & Thornhill, A., *Research Methods for Business Students*. (London, UK: FT Prentice Hall, 2016.)

interest. There is no consensus on what an appropriate sample size for any study should constitute. Saunders_ *et al* argue that researchers use statistical probability to generalize populations from data collected using any probability samples. Therefore, large sample sizes have lower likelihoods of errors in population generalization. Determining a sample size is complex and involves several qualitative and quantitative considerations⁴⁷. The study therefore used a sample size of 57 respondents as the target population (See table 1.1).

1.10.5 Sampling Techniques

According to Benedetta and Datta, sampling technique is the procedure concerned with the selection of a subset of individuals from within a statistical population to estimate characteristics of the whole population⁴⁸. The study employed both probability and non-probability sampling techniques discussed below and as listed on table 1.1 above

Stratified Sampling- This is a probability sampling technique. It is modified from the simple random sampling in which the population is divided into strata based on one or a number of attributes. The study used this technique to select a number of management of private security firms to be interviewed. This sampling technique increases a samples efficiency to provide adequate data for analyzing the various strata⁴⁹.

Purposive Sampling- This is a non-probability sampling technique. The study used this method to select public police respondents. This is because not all police officers deal with crime and terrorism matters hence the need to target those in that field.

⁴⁷ Malhotra, N. K. (2013). *Essentials of marketing research*. (Harlow UK: Pearsons Education Limited, 2013.)

⁴⁸ Benedetta, J. J., & Datta, S., 'Discrete Autocorrelation-Based Multiplicative MRAs & Sampling.' *Sampling Theory in Signal & Image Processing*, vol.10 no.6 (2011) pp 111-133.

⁴⁹ Cooper, D. R., & Schindler, P. S. *Business Research Methods*. (New York, US: McGraw-Hill/Irwin, 2011).

Simple Random Sampling – This is where each participant is chosen by chance and each has an equal chance for participation. The technique was used to select participants from the academician’s category.

Convenience Sampling- Is a non-probability sampling used to select participants from the private security guards. Here, participants are selected based on availability and willingness to participate.

1.10.6 Methods of data collection

Malhotra defines methods of data collection as the precise and systematic gathering of information relevant to the research objectives by use of methods such as questionnaires, interviews, observation, focus group discussions, narrative and case studies⁵⁰. The study used both primary and secondary sources to collect data. Primary data is data that is collected from first-hand sources using methods such as surveys, questionnaire, interviews or experiments. Secondary data on the other hand can be defined as information collected by someone else than the researcher for some other purpose than the research project at hand⁵¹. It is gathered from studies, surveys or experiments that have been run by other people or for another research.

The study mainly used interviews for data collection (see appendix II). Face to face interviews was used where respondents were available, phone interviews was used especially where the respondents feared the risk of contracting Covid19 virus. Using interviews, especially the face to face allows the interviewer to read the non-verbal cues, which may communicate more than just words alone. Interviews are also flexible, has a better response rate and gives room to those

⁵⁰ *Op cit* Malhotra, 2013.

⁵¹ Ligthelm, T., & Van Wyk, M., *Marketing Research in Practice*.(Pretoria: Unisia Publishers,2005).

who cannot read and write to participate. Interviews can however promote bias due to prejudgments in cases of face-to-face, are very costly, and time consuming.

1.10.7 Data Analysis and Presentation

This is the process of examining data collected and making deductions and inferences. It involves uncovering underlying structures, extracting important variables, detecting any anomalies and testing underlying assumptions⁵². The reason for data analysis is to lessen data size to a sensible size, create summations, search for examples and apply statistical techniques. Data collected was summarized, coded, tabulated and checked for mistakes and exclusions. Both inferential and descriptive statistics was used in analyzing the data. The responses were analyzed using a computer Statistical Package for Social Science (SPSS) version 25. Quantitative data was analyzed using descriptive statistics such as percentages. Inferential statistics was used to analyze the connection and regression analysis to establish the relationships among study variables. The data was presented using tables, graphs and charts in order to enhance clarity.

1.10.8 Ethical Considerations

Throughout the process of undertaking this research, emphasis was put on the following ethics: The researcher sought Informed Consent where the interviewees had to agree to be interviewed after a clear explanation of what the research intended to accomplish. Participation in the research was voluntary while ensuring respondents' privacy is respected. The research was conducted with utmost honesty without undue bias.

⁵² Kombo, D. K., & Tromp, D. L., *Proposal and thesis writing: an introduction*. (Nairobi, Kenya: Paulines Publication Africa, 2006.)

1.10.9 Scope and Limitation of the Study

This research study was carried out in Nairobi, which is the capital city and largest city in Kenya. Nairobi is situated in the south-central part of the country in the highlands at an elevation of about 5500 feet. It has a population of 4.397 million according to 2019 census data⁵³. The city also has the biggest number of security firms and guards. During the study, a series of problems were encountered that would have adverse effects on the quality of the results obtained. Some of them included non-cooperation of the respondents, time and money constraints, which limited the sample population accessed, and the Covid19 pandemic which posed a challenge to the face-to-face interviews since some respondents were unwilling to meet for fear of contracting the virus.

1.11 Chapter Summary

Chapter One introduces the topic of our research study by first setting the broad context of our study, the problem statement, justification, theoretical framework, literature review, hypothesis and the methodology of the study.

Chapter Two looks at the extent to which arming of the private security guards influence security in Kenya.

Chapter Three looks at the cost effectiveness of arming private security guards on management of security in Kenya.

Chapter Four analyses the security challenges that would arise from arming private security guards in Kenya.

Chapter Five provides conclusions of the study, gives recommendations and provides suggestions on areas for further study.

⁵³ Kenya National Bureau of Statistics; Counting Our People for Sustainable Development and Devolution of Services 2019 Kenya Population and Housing Census, volume 1

CHAPTER TWO

EXTENT TO WHICH ARMING OF THE SECURITY GUARDS INFLUENCE SECURITY IN KENYA

2.0. Introduction

In Kenya today, debates around gun ownership and the proposed decision by government to arm private security guards is gaining momentum. One side of the debate believes that guns are a menace to public safety while the other side argues that guns are an essential tool to self-preservation. In other words, the influence armed private security guards will have on the general security of Kenya, whether positive or negative, are still debatable. This chapter discusses the extent in which the proposal to arm private security guards will influence the security of the country by looking at how armed private security guards deter terrorists and criminals, enhance quick response to crime, contribute to improved general security to the public and enhance professionalism in the private security sector.

2.1. Demographic characteristics of the study population

Gender of the Target population

The respondents were asked to state their gender and the results are illustrated in figure 2.1 below.

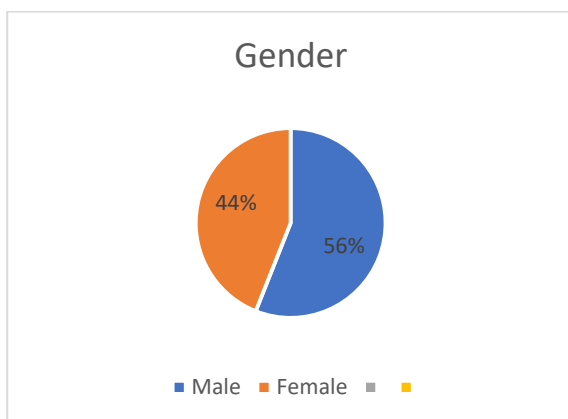


Figure 2.1: The Gender of the Target Population

Source: Field Data, 2021

Figure 2.1 show 56% (32) of the respondents were male while 44% (25) were female, making the male gender a dominant. This is a clear indication that the profession is predominantly male dominated. The above figures indicates that both genders were proportionately represented in the study, which is a good idea because different genders are affected differently by the key research. The variables being investigated. In view of the disparity of the figures in favor of the male gender, it indicates that security sector is largely male dominated.

Age of the Target Population

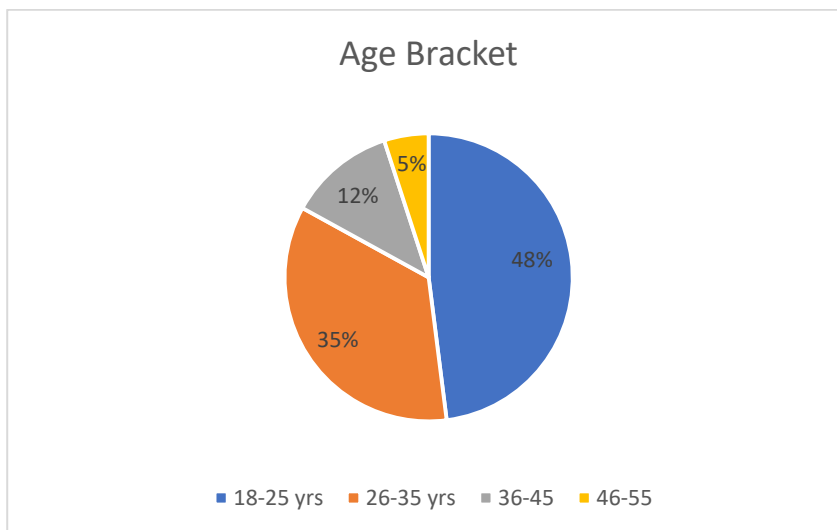


Figure 2.2: Age of target population

Source: Field Data, 2021

Figure 2.2 shows the age bracket of respondents. The youth, aged between 18-35(18-25 years at 48% and 26-35 years at 35%) years were majority respondents at a total of 83% while for the rest of the respondents, 17% composed of those aged between 36-55 years (36-45 years at 12% and 46-55 years at 5%). The above data indicates that all working ages were

represented, from ages 18 to 55 years which is close to the retirement age in Kenya. This is important to the study as it helps get the input of varied experiences in the private security sector.

Level of education of the target population

Figure 2.3 below is a chart presenting the education level of the respondents. The data shows that all levels of education were represented, which is a good thing as the reasoning level of people vary with the kind of education earned. Primary level had the greatest number of respondents at 46%. This indicates that most of the respondents have little formal education which amplifies the need for training before issuance of guns, and could be a basis for argument against their armament the reason why most of them are underpaid.

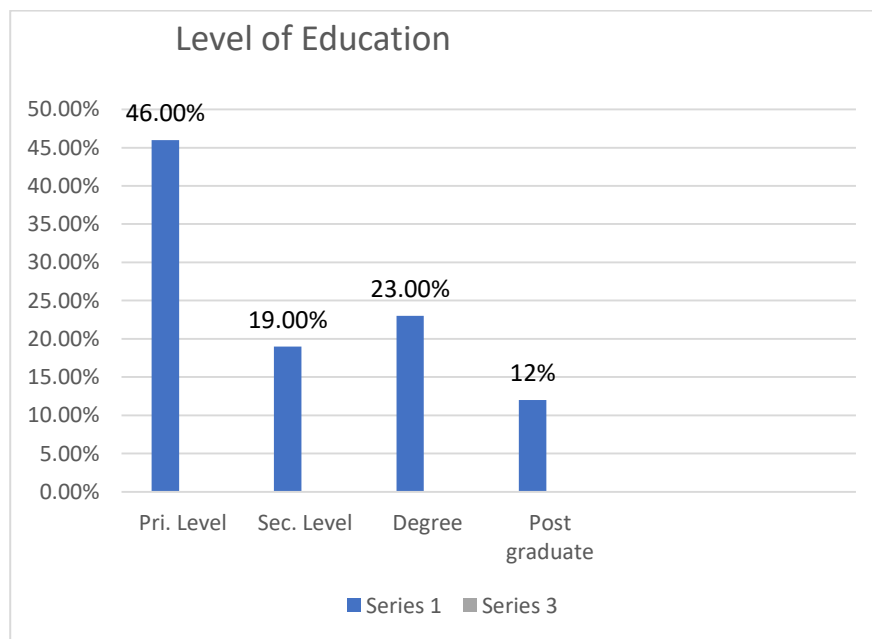


Figure 2.3 Level of Education of the target population

Source: Field Data, 2021

Years of work in the security sector of the target population.

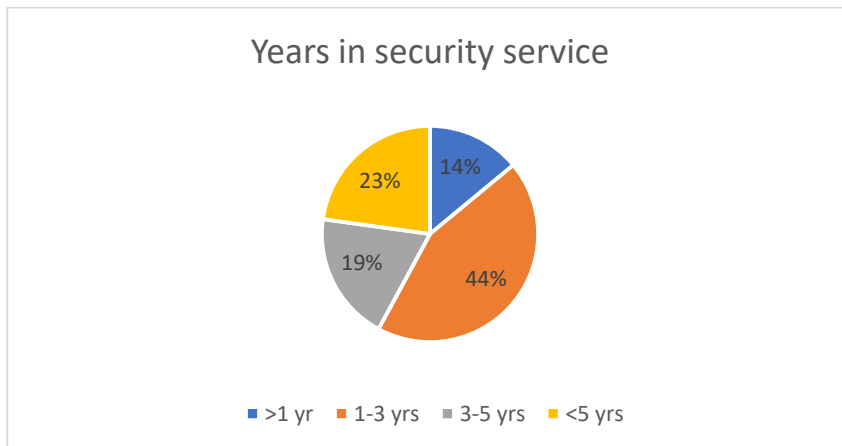


Figure 2.4: Years of work in the security sector of the target population

Source: Field Data, 2021

Figure 2.4 is a representation of years of experience in the security service sector. Determining the years in this sector helps 44% of the respondents have served in the security sector for between 1-3 years, making them the majority. 23% have been in the industry for more than five years, 19% up to three years while 14% of the respondents have been in the security sector for less than a year.

Marital status of target population

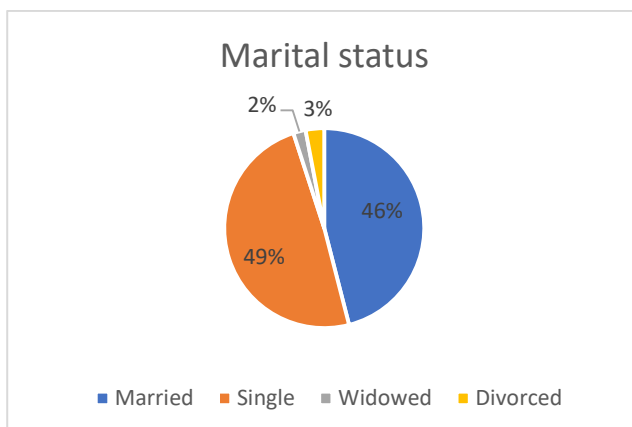


Figure 2.5: Marital status of respondents

Source: Field data, 2021.

The data above shows that most of the respondents are not married, followed by the married individuals at 46% while the widowed were least in number at 5%. The figures indicate that on marital status, all status were represented which is a good thing since when it comes to working hours, different relations are affected differently especially if the hours are longer than it should be.

Number of dependents of the target population

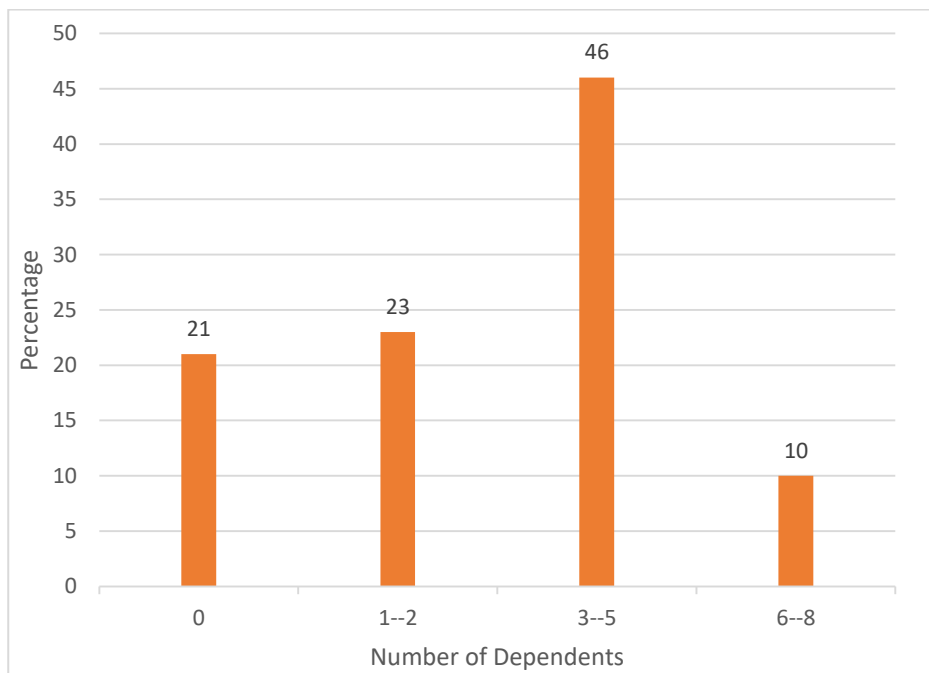


Figure 2.6: Number of dependents of the target population

Source: Field data, 2021

Figure 2.6 above shows that the respondents with 3-5 number of dependents were the dominant, at 46%. These are followed by those with 1-2 dependents at 23%, those without at 21% and those with between 6-8 dependents at 10%. These figures are very important when it comes to determining whether the salaries earned by these individuals fairly cater for their needs and those of the dependents, such that arming them may or may not prompt them to use the weapons illegally to gain extra income.

2.2 Extent to which arming of the security guards influence security in Kenya.

Majority of the respondents (70%), who were largely drawn from the guards, police and the management of the private security firms observed that arming private security guards would to a larger extent reduce insecurity in Kenya. Below is a discussion on the responses on how the proposal enhances security supported by secondary data and the analysis of the same, to create an understanding of the reasoning to the questions.

2.2.1 Deterrence of terrorists, organized crime and other criminal activities

Of the 57 respondents, 70% felt that arming the private security guards would improve the security of the country to a greater extent by deterring crime and terrorists but only if proper preparations are done and the exercise is regulated effectively. They argued that if the presence of security guards makes a criminal think twice before committing a crime, then an armed one will definitely heighten it. In this sense, armed private security guards offer optimum and professional deterrence compared to unarmed ones. This means that arming the private security guards give a higher sense of security.

The authors of Rational Choice Theory argue that private guards, whether armed or not can deter criminals from committing various crimes. This is because their mere presence increases levels of potential risks to the criminals, of which they use to measure their chances of success of their heinous acts. The theory points out that crimes such as burglary leading to larcenies and terrorism require proper planning and perpetrators will most likely conduct a background research on the targeted area beforehand. If they notice an armed security guard, they may be forced back to the drawing table. In an article to WYF4, Carla Field notes that

the National Rifle Association studies indicated that firearms prevent crimes just by their mere presence, even without being shot⁵⁴.

A gun is a symbol of power. The sight of a gun should make a criminal retreat and have second thoughts, or go back to a drawing table. This could have been one among the reasons why the management of the security sector in Kenya, through the cabinet secretary for Interior Affairs, Fred Matiang'i, gazetted new rules that would see the private security guards armed and take police duties such as arresting criminals.⁵⁵ Kenya has been faced with a number of external and internal security threats. Some of the predominant threats that the country continues to face include but not limited to terrorism, burglary, arson, drug trafficking, maritime disputes, clan/tribal clashes, cattle rustling, election violence and proliferation illegal arms.

These crimes are at most cases committed by use of sophisticated weapons such as guns. Comparing private security guards and the police in Kenya, the guards are at a better position to effectively and reliably deter criminals because the police have inadequate resources and personnel to ensure safety and security especially for private entities. In addition to that, the government also sets limits on amounts it can spend on provision of security, which is not the case with the private security firms since their services offered depends on amounts paid by clients. It is therefore time that the government, through proper planning and implementation arm the private security sector for their own protection and for the security of Kenya at large.

⁵⁴ Carla Field, *How often are guns used to stop crimes?* <https://www.wyff4.com/article/how-often-are-guns-used-to-stop-crimes/10033021#> (Last updated February 2019)

⁵⁵ Mosoku, G. & Ombati, C., "Guards to carry guns and make arrests in new rules. The Standard. 2019. <https://www.standardmedia.co.ke/kenya/article/2001333876/new-rules-allow-guards-to-carry-guns-make-arrests>

2.2.2 Quick response to crime

Out of the 57 respondents interviewed, 65% felt that arming private security guards will enable them to act swiftly and timely to criminal activities. They felt that since the private security guards are the first line of defense, arming them will lead to a quick response in case of a terror threat.

According to Kenya 2020 OSAC Crime and Safety Report, threats to insecurity in Kenya mostly arise from terrorists' acts such as armed assault, suicide bombers, kidnappings, bombs and Improvised Explosive Devices (IEDs). How fast the police or the security guards respond to such criminal activities determines whether the crime will be stopped thus saving lives and or properties. It also determines whether the perpetrators of the crime will be arrested and charged or not.

Lyons in his study notes that a small number of private security firms in Kenya have entered into partnerships with the police to provide escort and emergency services in cases of need. It is therefore proper to deduce that Kenya's critical infrastructure is protected by the private security guards⁵⁶. Abdirahman Mohamed, the Ismax Security managing director, in his interview to Aljazeera said that arming the guards would enable them handle the issue swiftly because when responding to a security situation all they do is call the police, which is not convenient as it takes a long time.⁵⁷ It is argued that even though a business or premise might have put stringent policies on how to respond to crime, it always involves calling and waiting upon the police. Due to the armed security guard's advanced training, they can

⁵⁶ Lyons, William (2002). *Partnerships, information and public safety: Community policing in a time of terror*. *Policing: An international journal of police strategies and management*,

⁵⁷ Aljazeera. (2019). Kenya to arm private security guards after al-Shabab attack. <https://www.aljazeera.com/news/2019/1/19/kenya-to-arm-private-security-guards-after-al-shabab-attack>

respond timely to any crime as they wait for the police to arrive. Because the police guards at the DusitD2, Westgate, and Garissa University were unarmed, it was impossible to take action as they were in more danger.

Important to note is that the Kenyan police lack enough personnel and equipment to handle crimes effectively. Wairagu et al did a study on private security companies in Kenya and found that compared to police, private security firms have better equipment and more personnel, patrol vehicles and other resources. It therefore means that a call to the police in case of an ongoing crime may not guarantee that the police will act immediately as they may lack transport at the very moment. These PSCs resources are also spread wide both in rurals and urbans hence easily accessible⁵⁸. It is therefore correct to state that armed private security guards are in a better position to respond to crime effectively rather than having to wait on the police.

2.2.3 Improved general security to the public

The study sought to find out whether arming private security guards improve the general security in Kenya and in what ways. On this, 50% of the interviewed respondents felt that arming the private security sector will greatly improve the general security of the country. They argued that the armed private security guards will take up duties such as manning important installations. The arms for mobility policing partnership as put by Diphorn⁵⁹ won't be necessary. In addition, officers assigned to VIPs will be reduced such that those who need extra protection can hire the private guards. If well handled, it will help free up

⁵⁸ Wairagu, F., & Kamenju, J. A. (2004). *Private security in Kenya*. Security Research and Information Centre (SRIC), Nairobi:

⁵⁹ Diphorn, T., "Surveillance of the Surveillers: Regulation of the Private Security Industry in South Africa and Kenya", paper presented in a workshop at *ASR Forum on Surveillance in Africa* (2016), Retrieved from file:///C:/Users/HP%20840/Downloads/Diphorn-2016 SurveillanceoftheSurveillersRegulationoft.pdf

national police from performing duties such as guarding cash in transit, protecting VIPs and banks, and then releasing them to protect members of the public. The fact that private security guards are today in places like banking halls, yet the police have to be present too confirms the fact that armed private security guards offer optimum and professional protection compared to unarmed ones.

The Kenya police force is estimated to have a total of 109,000 officers according to 2017 data. With these number, and more officers graduating every year, Kenya is said to have personnel to civilian population ratio of 1:390, surpassing the UN recommended ratio of 1:450. One may be thus led to thinking that there would be enough officers on the streets and in police posts to respond to criminal activities thus enhancing security in the country. However, this is not the case. Out of these officers, 12000 and more are assigned to VIPs as bodyguards, cooks and messengers. The DCI has around 13000, 9000 in GSU, 2000 in the Anti-Stock Theft Unit while more than 4000 in administration police guard vital installations. About 4000 helps in traffic movement across the country and hunt for drunken, careless and unlicensed drivers while others are deployed to escort cash in transit. These leaves around 55000 officers to guard and protect over 40 million Kenyans, of which, some are high ranking officers who do not do patrols⁶⁰.

Armed private security guards are able to defend themselves effectively as opposed to when unarmed. Today, advancement in technology coupled with globalization has seen advanced terror activities where terrorists and organized criminal gangs arm themselves with advanced weapons for mass killings such as AK47 guns, explosives, undetectable bombs and suicide bombers. Comparing these with the private security guards at commercial spaces, malls and

⁶⁰ Ombati, C."Concern over huge number of police officers assigned to VIPs" *The Standard*, (Nairobi), 17th May 2017.

schools, it is almost impossible for a security guard in Kenya today to fight a terrorist let alone protect themselves. As a matter of fact, most of these guards' lives are at risk in such scenarios since they are at frontline and the first people terrorists, thugs and other criminals eliminate in order to access the premises. This was evident at the shooting at the Dusit d2 hotel in Nairobi where the private security guards at the entrance were the first to be killed before the terrorists accessed the premise. Their protection needs therefore to be enhanced to match those of whom they guard against.

2.2.4 The proposal will enhance professionalism in the private security sector

Arming private security guards will ensure that a huge number of these guards acquire the required skills and competency, which not only benefits the clients but also the government and the public at large. During the study, the researcher sought to determine the preparations that would ensure that the proposal to arm the private security guards would be a success and will put Kenya at a better place to tackle the unforeseen. The study established that training was the most fundamental preparation after 90% of the respondents felt that adequate training was required for every private security guard. The respondents felt that the training should incorporate the knowledge about arms; how, when and when not to use them, matters of integrity, ethics and emotional integrity. Notably, the respondents felt that there should be a minimum educational requirement to be met by any security guard.

Training and education preparations mentioned by the respondents are in line with the remarks by Mr. Fazul Mohammed, the C.E.O for the Private Security Regulatory Authority while presiding over the pass-out of 30 Securex security guards at the Skills Academy Training

“We are finalizing a standard curriculum that everyone within the industry will be required to undergo. We are also liaising with the relevant government bodies to come up with sector-specific courses; such that an officer manning a gate in Kileleshwa for example will not then be allowed to switch over to secure a Cash-In-Transit vehicle. All officers will receive training specific to their assignments, be it aviation security, maritime security or V.I.P protection. Even I will undergo the training myself.”⁶¹

Importantly, the armed security guards will have to be thoroughly trained to know when to draw their weapons and when not to. Besides that, they will also be trained on normal security guards’ duties and will have to be up to certain standards. The PSRA regulations provide that a set of standards will be used to assess the trained security officer's preparedness before they are licensed to hold a weapon. The PSRA regulations call for proper background checks for all the trained guards before handling weapons. The background checks ensure that these people do not have criminal records and are in the right state of mind to handle the guns. Therefore, any private security guard with a gun should be considered fit to serve. Imperatively, the security guards act as surveillance personnel that spot any crime and the first line of defense in case of a crime. Besides guarding the premises, they are tasked with monitoring the premises' security systems, thus detecting malicious activity. According to Brownyard⁶², most ex-military officers often get involved with the private security sector which gives a plus when it comes to professionalism in the business.

⁶¹ Securex africa. “Private Security C.E.O Fazul Mahamed Oversees Graduation of 30 Securex Security Officers.” N.d. <https://www.securex africa.com/tag/private-security-regulatory-authority/>

⁶² <https://www.asisonline.org/security-management-magazine/articles/2016/11/guns-and-security-the-risks-of-arming-security-officers/>

2.3 Summary of the chapter key findings

As the government plans to regulate the sector and arm its guards, the researcher through this study has established the extent to which the move will affect the general security of the country. The study established that armed private security guards deter criminals and terrorists who may have the intentions of carrying out their heinous acts, they are at a better position to protect themselves and their clients and or properties from armed criminals as opposed to when unarmed. For a guard to be armed, they will have to undergo vigorous training and background checks and this promotes professionalism in the industry. Armed guards will also be allowed to take up duties of the police hence able to quickly and immediately respond to a crime rather than calling on police and waiting as is the case now.

CHAPTER THREE

THE COST EFFECTIVENESS OF ARMING PRIVATE SECURITY GUARDS IN KENYA

3.0 Introduction

Decisions undertaken by the government in enhancing citizen security come with their own pros and cons. However, the government has to ensure that the cons do not outweigh the pros and that it stands to gain more. This chapter discusses the cost effectiveness of arming the private security guards, with a keen eye on establishing whether the proposal helps it save in the management of security. It thus looks at the cost implications of arming private security guards, the savings, gains and losses to be incurred as per given circumstances, if the proposal is implemented. The chapter ends with a summary of the key findings from the discussions.

3.1 The Cost Implications of Arming Private Security Guards

When the Kenyan government, through the Ministry of Interior gazetted the new rules that would see the private security guards armed in 2019, it did not state as to who would incur the costs that come with the process⁶³. However, proper planning is key to any success and this planning requires resources such as money. In that respect, the researcher sought to determine the preparations that would ensure that the proposal to arm the private security guards would be a success and will put Kenya at a better place to tackle the unforeseen. The study established that training was the most fundamental preparation after 90% of the respondents felt that adequate training was required for every private security guard. The respondents felt that the training should incorporate the knowledge about arms; how, when

⁶³ Mosoku, G. & Ombati, C., "Guards to carry guns and make arrests in new rules. The Standard. 2019. <https://www.standardmedia.co.ke/kenya/article/2001333876/new-rules-allow-guards-to-carry-guns-make-arrests>

and when not to use them, matters of integrity, ethics and emotional integrity. Other preparations included establishment of rules and regulations to govern the sector, preparing a new curriculum for education and training, ensuring that security guards are members of the Guns Association, establishing an armory for proper storage of the guns and the actual cost of securing the guns.

The perception of being more secure with guns will lead to a rise in the cost of private security services as stressed by 95% of respondents. This will be in addition to the costs of obtaining a rifle and the insurance costs, among others, making other firms more attractive than others and thus rivalry. This will push smaller firms out of market leading to job loss. Brownyard argues that there is a high likelihood of breaching policy claims because when a security guard decides to discharge their gun, the results are detrimental. Therefore, the firms with armed guards will highly likely buy higher liability limits⁶⁴. Importantly, whether the cost of buying or leasing the arms will be passed to customers is yet to be established. However, high costs of security services pitches security as a private good only accessible to the rich. The poor shall thus be left unprotected with all forms of crimes shifting to their localities. This will therefore contribute to an increase in the inequality gap between the poor and the rich of this country.

Kenya is listed among the ten countries worldwide with high levels of inequity. Government figures shows that around 17 million Kenyans live in abject poverty while most of the country's resources (46% of wealth) are controlled by few elites who are about 10% of the

⁶⁴Brownyard, T., "Guns and Security: The Risks of Arming Security Officers." 2016
<https://www.asisonline.org/security-management-magazine/articles/2016/11/guns-and-security-the-risks-of-arming-security-officers/>

population⁶⁵. According to a Kenyan report by Rita and Michael on Globalization of Private Security, most insecurity feelings vary a lot according to income since it is argued that crime and insecurity follow the lines of wealth; in Kenya today, security is packaged as a commodity to be bought. The rich and the affluent barricade themselves behind high walls with surveillance technologies and alarm systems making thugs unable to reach their properties. This moves crimes to poorer neighbourhoods making the poor victims of crime⁶⁶.

Also stressed upon by 87% of the respondents, which made it a matter of interests was the salary increment. The study established salary increment as one of the implications that will arise from arming private security guards. A hungry private security guard cannot be trusted with a symbol of power within their reach. They will be tempted to misuse the weapon for malicious gains. This therefore implies that firms that will arm their guards will incur more costs in paying salaries as compared to before armament. A study conducted by Murunga found that the private security guards in Kenya work for long hours (52hours a week) and are highly demoralized by the low pay (ksh. 4,000 to 15,000) and delay in payments. The additional allowances are inadequate to meet the rising cost of living and taking care of the dependents. Thus, most of them ended up leaving in search of other jobs.⁶⁷ It can be inferred from this study that in the case the private security guards are armed and the salaries continue being poor, then they will end up devising means to cater for their needs. This could involve getting involved in criminal activities, thus making it a very crucial concern to be addressed.

⁶⁵ Government of Kenya,(2003) *Economic recovery strategy for wealth and employment creation 2003-2007* (Nairobi), p1 Daily Nation (2004) 'Our unequal kenya'(Nairobi; October 27)p1

⁶⁶ Abrahamsen R. and Williams C. M. *The Globalization of Private Security*, Country Report, Kenya (2005)

⁶⁷ Murunga, P.L. "The Effects of Working Conditions of Private Security Guards on Service Delivery: Case of Secure Force Security Company - Nairobi County." Sept, 2014.

The Private Security Regulation Bill 2010 proposed to allow guards to carry guns as a deterrent to crime. The study sought to establish if the move by the government to arm private security guards will be economically viable. Of the 57 respondents, 30 (53%) respondents felt that the country will not save anything while 27 (47%) observed that it will, as shown in figure 3.1 below.

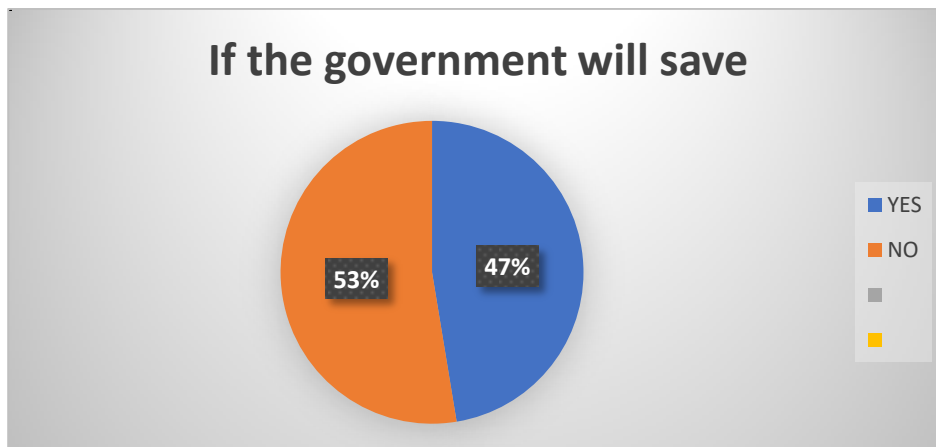


Figure 3.1 If the government saves by arming the private security firms

Source: Field Data 2021

The respondents who felt that the government will save by arming the security guards cited reasons such as decline of criminal and terrorist activities, since the armed guards can effectively respond to the armed threats. In doing so, the security will improve and government will save on the expenditure of countering terrorism in the country. Others, however, added that to see these benefits, the government must support and work closely with the private security sector.

The majority of the respondents (53%) felt that the government will not save citing that the government will spend in securing the arms, training and educating the private security guards regarding the same. Also, coming up with new curriculum, rules and regulations and involving the public will cost the government. Importantly, because the security guards will

not receive the same training as the army or police, they may still not be in a position to deal with terrorists who are highly trained and skilled. Furthermore, the consequences of misuse of firearms maybe costly and detrimental for instance, if the move makes it easier for illegal arms from war-torn countries such as Somalia to be smuggled in the country. Business daily reports that illicit guns from the neighboring war-torn Somalia filter into the country leading to increased firearm-related crime.⁶⁸ The same paper quotes the words of Mr. Munyoki, who is the chairman of the Kenya Security Industry Association “*We may wipe out gains made on the security front if we arm private guards. It is possible to do that in future, when proper systems on training, handling, and storage are established.*” This means that arming the guards with the necessary preparations might lead to detrimental results as compared to the benefits. Below are the discussed ways as to how the government can gain or lose following the implementation of the proposal.

3.1.1 Youth unemployment and crime

Employment reduces idleness in youths who would rather indulge in crime. The private security sector is one of the major sources of employment in Kenya. According to KSIA, there are 2500 Private Security Companies in Kenya today including foreign ones. It is estimated that the sector has about 500,000 employees with K.K Security alone having 11000 employees in Kenya⁶⁹. This means that, with most guards having between 2-3 dependents (see figure 2.6) the sector could be supporting more than a million Kenyans indirectly. According to Ponge, violent behavior among individuals is at times triggered by lack of jobs which leaves youths angry and frustrated. Joblessness leaves one with too much

⁶⁸ Business Daily. “Dilemma over arming private security guards” September 12 2010. <https://www.businessdailyafrica.com/bd/corporate/companies/dilemma-over-arming-private-security-guards--1969460>

⁶⁹ Shuwen Zheng and Ying Xia, *Private Security in Kenya and the Impact of Chinese Actors*. Working Paper No. 2021/44. China Africa Research Initiative, School of Advanced International Studies, (Johns Hopkins University, Washington, DC, 2021) Retrieved from http://www.sais_cari.org/publications.

time hence able to think and plan on how to carry out criminal activities. He also argues that strong links exist between unemployment and the tendency to commit crime.⁷⁰ Responsible and successful armament of the private security guards will mean more responsible youths in the society as a boom in the business will see more youths employed. This means that fewer youths will be idle to commit crimes. A crime free society saves the government money which otherwise would have been spent on repairs and replacement of infrastructure among other issues.

3.1.2 Gains from tax collected

According to KSIA, Kenya has around 150 active foreign private security companies⁷¹. These include K.K Security and G4S which are among the world's leading PSCs. Apart from the tax collected in this sector from local firms, foreign private security firms provide corporate tax to the government. The tax collected is used to provide essential public goods and services to the citizens. These firms also provide FDI which is injected into the economy in form of infrastructure and equipment, which leads to growth of the economy. The employed guards are also taxed by the government on their income, enabling it to run smoothly and provide services efficiently. Arming the sector will mean more taxes especially from the procurement of firearms and increased quality of services leading to higher pay by clients hence a pay rise to the guards.

3.1.3 Corruption and Proliferation of small arms.

Due to high levels of corruption in Kenya especially in the police sector, the proposal to arm private security guards might lead to more weapons filtering in the arms of criminals as

⁷⁰ Ponge A. *Graduate Unemployment and unemployability in Kenya*. Transforming university education to cope with market demands and reasons for Africa. (International journal of Social Science, 2013) p1-12.

⁷¹ Ibid Shuwen and Ying, 2021.

expressed by 82% of the respondents. Armed criminal activities will lead to drop in economic growth as security is a backbone to the success of any business. The expose by Citizen TV on how police lease guns to criminals is one such example⁷². The porous nature of Kenyan border and corruption has made it easier for individuals to smuggle arms across the country. Daily seizures of arms being smuggled from Somalia to Nairobi are reported as stated by Peter Gastro. Gastro in his study affirms of the well-established smuggling channels linking Somalia and Nairobi via the UN refugee camp in Daadab. Small arms smuggling has thus changed how individuals handle internal security threats such as cattle rustling⁷³.

Corruption in the police sector poses grave danger to a country's general security. This is because criminals can easily bribe their way out leading to increased crime rates. By taking bribes, the police give a blind eye to crimes thus giving room to an upsurge in illegal activities and services. Such negatively impacts on a country's economic growth by discouraging FDI and may also stain a country's global image by projecting it as unstable and highly insecure. Such has seen country like USA issue advisory travel alerts to its citizens travelling to Kenya, which in turn affects the tourism sector⁷⁴. KNCHR has claimed to be aware of organized criminal gangs that have secured their protection from the same police who should be fighting them. This makes it difficult for them to act on challenges of national and transnational⁷⁵.

⁷² Ezra M. "Citizen tv expose reveals how police lease weapons to criminals for ksh. 1000" Nairobi leo.co.ke news (Nairobi) April 18th 2021.

⁷³ Library of Congress, Federal Research Division, '*Nations Hospitable to Organized Crime and Terrorism*' (Washington, DC, October 2003), p.14, available at www.loc.gov/rr/frd/pdf-files/nats_hospitals.pdf

⁷⁴ Hope, *The Political Economy of Development in Kenya*; Hope, "Kenya's Corruption Problem."

⁷⁵ Kenya National Commission for Human Rights, *A Country Under Siege: The State of Security in Kenya: An Occasional Report (2010–2014)* (Nairobi, Kenya: KNCHR, 2014), 31.

3.2 Summary of the chapter key findings

The government of Kenya's proposal to arm the private security sector in management of security comes with its own costs and expenditures. Someone will have to incur costs on development of the education and training curriculum, training of the guards on matters of handling guns, procurement and insurance of the guns among many other requirements. The respondents who said that proposal is not cost effective on the government side argued that the increased number of weapons in civilian hands will lead to their filtration into the hands of criminals. Gun linked crimes will thus rise making investments into the economy to shrink hence no gains but loses. The government will also spend more on fighting crime rather than development. However, the government stands to gain large if proper planning is involved. This is because the proposal will ensure that the sector is properly regulated thus decline in criminal and terrorist activities. This will lead to increased general security leading to increased investments from foreigners thus taxes and FDI, tourism among other benefits to the government. The proposal will also ensure employee needs are properly addressed before their armament hence responsible use of firearms.

CHAPTER FOUR
SECURITY CHALLENGES THAT MAY ARISE IN ARMING PRIVATE SECURITY
GUARDS IN KENYA

4.0 Introduction

When undertaking any form of project, one, and in this case the government of Kenya needs to anticipate challenges that may arise during and after the implementation process. It is for this reason that this chapter explores the challenges that may arise in the process the proposal to arm private security guards in Kenya is implemented. The chapter covers among others the challenges like the proliferation of small arms, misuse of guns by the guards, creation of rivalry between the private security guards and the public police and the challenge of implementing set rules and regulations. The chapter then suggests some of the ways the management can wade through these challenges to ensure success, and finally the chapter summary of key findings.

4.1 Proliferation of small arms

Proliferation of small arms and light weapons has largely contributed to Kenya's struggle with insecurity for a long time. It is beyond doubt that arming private security guards in Kenya might increase the number of weapons in civilian hands, as echoed by 95% of the respondents. The respondents observed that too many weapons among Kenyans will lead to increase in gun related crimes thus furthering insecurity. Firearm related challenges faced by Kenya are both internal and external with economic, social and political causes having raised the demand for and proliferation of small arms. According to Faltas *et al*, with Kenya's porous border, political

instability and armed conflicts experienced within its neighbours such as Somalia, have also played part in the small arms challenges facing Kenya⁷⁶.

Kenya has for long been experiencing effects of small weapons accessibility and their improper use. The porous nature of Kenya's border and corruption has made it easier for people to smuggle weapons across the country. In his research, Peter Gastro, found that ten or more seizures were reported along Garissa-Nairobi highway daily, headed to Nairobi from Somalia. Smugglers of small arms have carefully crafted smuggling channels linking Somalia and Kenya via UN refugee camp in Daadab. It is important to note that small arms movement has resulted to new perspectives in internal wrangles such as cattle rustling, which has become a cross-border threat facing Kenya and has impacted on the overall security of cattle farmers⁷⁷.

In the past, rustling was associated with use of traditional weapons by pastoralists who took livestock without causing chaos. With an increase in the number of smuggled weapons among pastoralists, this became chaotic. Currently, the country is experiencing arms race between pastoralists of the north and those from eastern Kenya leading to escalating violence in those areas. Cattle rustling is now a large-scale operation involving stealing cattle, which results in death and destruction. For instance, the rustling case of the year 2005 left 76 villagers dead⁷⁸.

Recently, electoral violence has become a major threat to national security. Each time Kenya approaches election period, violence is witnessed in many parts of the country. Many at time the violence is tribal in nature. Since the inception of multiparty democracy in Kenya, the political

⁷⁶ Faltas S., McDonald G., and Waszink C., *Removing Small Arms from Society: A Review of Weapons Collection and Destruction Programmes*, July 2001

⁷⁷ Library of Congress, Federal Research Division, *'Nations Hospitable to Organized Crime and Terrorism'* (Washington, DC, October 2003), p.14, available at www.loc.gov/rr/frd/pdf-files/nats_hospitals.pdf

⁷⁸ BBC News, 'Hunt for Child Killers in Kenya', July 14, 2005, available at <http://news.bbc.uk/2/hi/africa/4678211.stm>

system has been characterized by fractured political parties motivated by ethnic competition for power. The spillover of politics into ethnic polarization has had major implications for security and stability. In some instances, political competition has taken precedence over national security matters, for example between ODM and PNU in the run-up to 2007 election⁷⁹. The 2007 post-election violence made the discussion about the reduction of small arms in the country top on the national agenda.

In the recent past, the Kenyan government has engaged in various disarmament programmes in the country mainly in the North Rift, most of which have been in futility. As reported by Florah Koech in the Daily Nation, the gun mop-up exercise carried out in January 2021 in a bid to drive out armed criminals elicited reactions from experts and residents who claimed that similar exercises have been done in the region over the years yet more attacks are reported and the smuggling of illegal guns has not stopped⁸⁰. A posting to Good Governance Africa (GGA) by Odour states that gun related deaths in Nairobi alone are 33 for every 100,000 people per year. With 3.5 million citizens, one can therefore estimate that a gun death occurs every 0925hours on average. This is tied to the fact that there are six illegal guns in the hands of 100 Nairobi residents⁸¹. With these statistics, one can therefore conclude that the government is as for today unable to manage the illegal gun business in the country. Arming private security guards will therefore add more guns into civilians' hands, making gun related crimes sore considering the fact that Kenya has more guards than the public police.

⁷⁹Kenya National Dialogue and Reconciliation, "Annotated Agenda and Timetable", February 1, 2008.

⁸⁰ Florah Koech, Kenya: Inside the governments' failed disarmament in banditry-prone North Rift. Daily Nation, Nairobi. 23rd June 2021

⁸¹ Eddy Odour, Gun trouble in the green city under the sun, GGA, Nairobi. March 19th 2020

4.2 Misuse of firearms by the guards

A hungry private security guard cannot be trusted by a symbol of power within their reach. They will be tempted to misuse the weapon for malicious gains. Of the total respondents, 95% of them felt that untrained, poorly educated and economically poor security guards are a danger to themselves, to their colleagues, their family and friends and the public at large. There is a high likelihood for the security guards to engage in gunfights thus endangering their lives and the lives of their colleagues. Having a gun might tempt the security guards to harass the civilians. The respondents also feared an increase in extrajudicial killings besides those witnessed from the police. Writing to the Business and Human Rights Center warned that, *“Three special powers have also been granted to registered private security officers and guidelines for their exercise given. These include the power to arrest, the power to search and the power to temporarily withhold identification documents. Care has been taken, however, to ensure that they are exercised in a way that does not infringe on individual rights.”*⁸²

A study conducted by Murunga found that the private security guards in Kenya work for extra hours (52hours a week) and are highly demoralized by the low pay (ksh. 10,000 to 15,000) and delay in payments. The additional allowances are inadequate to meet the rising cost of living and taking care of the dependents. Thus, most of them ended up leaving in search of other jobs.⁸³ It can be inferred from this study that in the case the private security guards are armed and the salaries continue being poor, then they will end up devising means to cater for their needs. This could involve getting involved in criminal activities, thus making it a very crucial concern to be addressed.

⁸² Nkaari, M., “Kenya: New regulations on private security firms to help improve guards' pay & working conditions, says columnist.” Business and Human Rights Resource Center. <https://www.business-humanrights.org/en/>

⁸³ Murunga, P.L. “The Effects of Working Conditions of Private Security Guards on Service Delivery: Case of Secure Force Security Company - Nairobi County.” Sept, 2014.

In an interview carried out by Stephen Ouma with Mr. Sakwa, a representative of Secretary General of COTU on importance of remuneration in controlling property crimes, he noted that *“The importance of remuneration in controlling property crimes among guards in PSCs is high. You cannot expect a person who looks after properties worth a lot of money and is paid poorly to remain honest forever”*. On the same, Mr. Andabwa, the Secretary General of KPSWU stated that *“PSCs pay low salaries and few or no benefits to guards. As a result, guards face poverty and live in slums where they interact with criminals. This makes them vulnerable to commit crime or omit to prevent crimes in their work station. The importance of remuneration in controlling property crimes among guards in PSCs is therefore high.”*⁸⁴

The government of Kenya in 2003 introduced a minimum wage for security guards at Shs. 9,469. However, the same government has been reluctant in implementing this directive. Most guards in Kenya have meagre salaries, are poorly trained, overworked, have low morale and work in very poor conditions. This underscores the danger in trying to arm them with guns. Their poor salaries makes them unable to take care of their needs and those of their dependents, making them to look for other income sources which could involve misuse of the firearms, leading to insecurity. Notably, the meager salaries paid to the private security guards might drive them to look for more. The symbol of power that the gun gives someone will drive the private security guards to extort money from innocent civilians through threats or even engage in criminal activities such as robbery, theft, or even murder. If not, they could end up leasing to criminals. The criminals could as well steal the weapons. These problems could arise due to poor strategy implementation, inadequacies in regulation, and corruption, which might lead to impunity.

⁸⁴ Ambogo, S.O., ‘Effect of remuneration in private security companies on the control of property crimes in urban areas in Kenya: a case of Nairobi Central Business District. A Master thesis, University of Nairobi, 2014

4.3 Increased rivalry between the public police and the private security guards

The Kenyan Law requires that private security guards are unarmed. Therefore, the country has a policing partnership which Diphorn⁸⁵ calls “Surveillance of the Surveillers” or “arms for mobility.” Here, police officer who is armed teams up with private security officers in their company’s vehicle. While Diphorn asserts that this kind of partnership brings the policing actors together, he also notes that the arrangement makes the differences of the policing actors more prominent by repositioning and reaffirming the main role of the police in the country. The police officers have thus for long viewed private security guards as inferior due to lack of a symbol of power, the gun.

The idea to arm the private security sector has thus not been well received by the public police. The police are against the idea of arming guards. A study by Tessa Diphorn in 2019 indicated that all the police officers interviewed disagreed with the idea to arm guard. Although most of them gave reasons like lack of proper training and experience among the guards, some police officers fearlessly stated that the move would jeopardize their authority positions. According to Diphorn, a large number of the officers shared a feeling of entitlement, arguing that they should be sole handlers of guns. They claimed that the firearm only belonged to them⁸⁶. It is evident that arming private security guards would increase the rivalry between the two, on who is superior to the other. These fights may hinder the original objective of arming the guards, which is to enhance security. It is therefore necessary that the boundaries between the two are properly set by the authorities before arming the guards.

⁸⁵ Diphorn, T., “Surveillance of the Surveillers: Regulation of the Private Security Industry in South Africa and Kenya”, paper presented in a workshop at *ASR Forum on Surveillance in Africa* (2016), Retrieved from file:///C:/Users/HP%20840/Downloads/Diphorn-2016 SurveillanceoftheSurveillersRegulationoft.pdf

⁸⁶ Diphorn T., ‘Arms for Mobility’; Policing Partnerships and Material Exchanges in Nairobi, Kenya. *International Journal of Research and Policy*, vol 30, pp 136-152

4.4 Implementation of Regulations and Policies

Arming private security guards in Kenya today requires proper planning and implementation and adherence to laid down rules and regulations. Any action taken without a proper check may throw the entire country into a series of insecurity. However, Kenya's private security sector has largely operated without regulations. The few set regulations in the sector have not been adhered to. A good example is the minimum wage directive. The government of Kenya in 2003 introduced a minimum wage for security guards at Shs. 9,469. However, the same government has been reluctant in implementing this directive. Most guards in Kenya have meagre salaries, are poorly trained, overworked, have low morale and work in very poor conditions. To date, some of the security guards are paid as low wages.

The proposal to arm security guards however changed the 2003 wage amount. The new rules set by the Private Security Authority requires that private security guards are at least paid the minimum wage. This is sh. 27993 for night guard in cities like Nairobi, Mombasa and Kisumu and sh. 25641 for those guarding during the day in the same cities. Towns such as Nakuru, Kakamega and Nyeri between sh. 23208 and sh. 25905, and between 13,575 and sh. 16119 in other small and rural areas⁸⁷. A report by Tony Watima in the Business Daily states that the proposed legislation on minimum wages of private security guards in Kenya was however dismissed by the Parliamentary Committee on Delegated Legislation, which was chaired by Hon. Gladys Shollei who made the following remarks "*The requirement for compliance with the minimum wage ought to be further discussed as it is apparent that not even government agencies that have procured private security services are yet to comply with Minimum Wage Order*"⁸⁸. Of

⁸⁷ Nkaari M., "Kenya: New regulations on private security firms to help improve guards' pay and working conditions" Daily Nation, (Nairobi), 19th July 2019.

⁸⁸ Watimu T., "House Team failed Private Security Guards" Business Daily (Nairobi) 16 December 2019.

importance is the fact that salaries paid to these guards will largely have an effect on whether the guns in their possession will be misused for personal gains or not.

4.5 Some of the ways the government can deal with the challenges envisioned.

When asked on what the government should do to ensure maximum benefits from the proposal, 82% of the respondents observed that proper planning was necessary. This was in form of coming up with required rules and regulations regarding the remuneration and working conditions of the guards, procedures to be followed in case of gun misuse, establishment of an armory among other issues. It is true that lack of planning is planning to fail. In this case, poor research, planning and implementation will result in detrimental effects on security of Kenya. It is therefore proper that the government improves the welfare of the guards, ensure proper background checks and training of these guards before handing them guns. The set rules and regulations in the private security sector should also be implemented to the later. It is also advisable that the guards are armed in phases and assessment done in each phase to determine whether or not to carry on.

4.6 Summary of the chapter key findings

The study established that the proposal to arm private security guards, like any other proposal will encounter its own challenges especially after arming the guards. These challenges range from increase in number of small arms, guns misuse, challenges in the execution of set rules and regulations among others. It is therefore necessary that the government of Kenya does not rush into arming the guards without proper plans, set rules and regulations. This is the only way the objective of the proposal to arm security guards will be realized.

CHAPTER FIVE

SUMMARY OF KEY FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

5.0 Introduction

In this chapter summary of the key research findings is presented. At the same time conclusions are drawn from the findings. Also presented in this chapter are recommendations and points that needs more study. Conclusions and the recommendations puts more emphasis in solving the objectives the research.

5.1 Key Findings

Based on objective one of this study which was to examine the degree in which the influence of arming private guards can have on Kenyan security, this study has established that armed private security guards deter criminals and terrorists who may have the intentions of carrying out their heinous acts, they are at a better position to protect themselves and their clients and or properties from armed criminals as opposed to when unarmed. For a guard to be armed, the will have to undergo vigorous training and background checks and this promotes professionalism in the industry. Armed guards will also be allowed to take up duties of the police hence able to quickly and immediately respond to a crime rather than calling on police and waiting as is the case now.

Based on objective two of the study that intended to establish how cost effective it is to arm private guards in the management of security in Kenya, this study has established that the government of Kenya's proposal to arm the private security sector in management of security comes with its own costs and expenditures. Someone will have to incur costs on

development of the education and training curriculum, training of the guards on matters of handling guns, procurement and insurance of the guns among many other requirements. The respondents who said that proposal is not cost effective on the government side argued that the increased number of weapons in civilian hands will lead to their filtration into the hands of criminals. Gun linked crimes will thus rise making investments into the economy to shrink hence no gains but losses. The government will also spend more on fighting crime rather than development. However, the government stands to gain large if proper planning is involved. This is because the proposal will ensure that the sector is properly regulated thus decline in criminal and terrorist activities. This will lead to increased general security leading to increased investments from foreigners thus taxes and FDI, tourism among other benefits to the government. The proposal will also ensure employee needs are properly addressed before their armament hence responsible use of firearms.

Based on objective three for this study which was to establish the challenges that would arise from arming private security guards in Kenya, this study has established that the proposal to arm private security guards, like any other proposal will encounter its own challenges especially after arming the guards. These challenges range from accretion of small arms, guns misuse, challenges in the execution of set rules and regulations among others. It is therefore necessary that the government of Kenya does not rush into arming the guards without proper plans, set rules and regulations and ensure full implementation. This is the only way the objective of the proposal to arm security guards will be realized.

5.2 Study Conclusions

On the first objective which was to examine the extent to which the whole concept of arming private guards can influence security in Kenya, this study has concluded that time is ripe for

arming private security guards in Kenya. However, the manner in which it is being handled may lead to repercussions since there is a complete lack of public engagement. The timeline given for the implementation of the regulation by the PSCs is also limited since this requires carefully crafted step by step planning, starting with addressing the guard's welfare, enacting proper regulations to govern the guards, establishing armory storage, thorough training of the guards on guns handling among others. When all these are considered, then armed guards would greatly enhance security.

The second objective which was to investigate the cost effectiveness of arming private security guards on management of security in Kenya has concluded that the Kenyan Government stands a chance to reap maximally from the proposal to arm private security sector. This is in-form of taxes, FDI which will maximize due to good security, employment to especially the youths the overall growth of the economy since good security is good for the economy of any country.

The studies third objective which intended to determine the challenges that would arise from arming private security guards in Kenya has concluded that the challenges envisioned in the process of the implementation of the proposal to arm the private security sector can be avoided through proper planning research and implementation of set rules and regulations. If not, armed private security guards will be sources of insecurity to the public and the country at large, wiping out the little gains and strides already made in the sector and particularly on security matters.

5.3 Recommendations

On the first objective, the study recommends formulation of proper regulations and ensuring they are implemented to the latter. The government needs to formulate laws and regulations

that will run the private security sector before arming guards their safe storage, a lawful procedure in cases of misuse of the guns, compensation of civilians in cases they are injured, among others.

On the second objective, the study recommends that for the government of Kenya to reap maximally from the proposal to arm the private security sector, it must upscale its fight against corruption especially in the public security sector, and proliferation of small arms. This will ensure minimal guns in the hands of civilians which in turn helps reduce crime thus enhanced security leading to economic growth.

On the third objective, the study recommends implementation of the minimum wage bill. The government, private security owners, and other stakeholders in the security sector need to focus on the implementation of the minimum wage bill for the guards. This will help prevent misuse of the arms from earning an extra coin. Their working conditions should also be improved and in general, their overall welfare.

5.4 Areas for Further Research.

The study examined the implications of arming private security guards in Kenya and the research has established that further research should be done on how the private security sector, the public and police officers can harmoniously work together to fully reap the benefits from the two sectors, which will greatly make Kenya a more secure place.

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APPENDICES






Appendix 1: Letter of Introduction

I am Hilda Nambanga, a student at the University of Nairobi conducting a study on the topic, 'Towards a collaborative security approach in Africa; The implications of arming private security guards in Kenya'. The purpose of the study is purely academic and participants' privacy is highly observed. Kindly, feel free to give your feedback and opinion. If you may have any questions about this project, please feel free to reach me on my email, hildahtes@gmail.com.

Your contribution will be highly appreciated.

Thanks in advance.

Appendix II: Research License

 REPUBLIC OF KENYA	 NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY & INNOVATION
Ref No: 395010	Date of Issue: 26/August/2020
RESEARCH LICENSE	
	
This is to Certify that Ms., HILDA ELIZABETH NAMBANGA of University of Nairobi, has been licensed to conduct research in Nairobi on the topic: TOWARDS A COLLABORATIVE SECURITY APPROACH IN AFRICA: THE IMPLICATIONS OF ARMING PRIVATE SECURITY FIRMS IN KENYA for the period ending : 26/August/2021.	
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395010 Applicant Identification Number	 Director General NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY & INNOVATION
	Verification QR Code 
NOTE: This is a computer generated License. To verify the authenticity of this document, Scan the QR Code using QR scanner application.	

Appendix II: Interview Schedule

Kindly use a tick () inside the brackets to indicate correct answer(s) where choices are given, or provide the information required in the spaces provided.

1. Please answer appropriately

i. Gender

Male () Female () Intersex ()

ii. Your Age

18_25 years	
26_35 years	
36_45 year	
46_55 years	
55years and Above	

iii. Your level of education

Primary certificate	
Secondary certificate	
College certificate	
Diploma	
Higher diploma	
Degree	
Post graduate	
Other (Specify)	

iv. Marital status

Married	
Single	
Divorced	
Widowed	

v. Number of dependents if any _____

vi. Your carrier/place of work _____

vii. Area of residence _____

viii. How many hours do you work per day? _____

2. How many years have you been a player in the private security sector?

Less than 1 year	
1-3 years	
3-5 years	
More than 5 years	
Others (Specify)	

3. What kind of equipment are available in the line of duty for private security firms that are used to enhance security? _____

4. Do you think the salaries earned by private security guards can enable them effectively handle guns without using them for their personal gains? _____

5. What preparations do you think the authorities should make before implementing the new proposal of arming private security firms? _____

6. How would the provision of arms influence the fight against terrorism in Kenya?
7. As a player in the private security sector, what are your main concerns that you feel need to be addressed before arming the sector? _____
8. In your own opinion, do you think the government stands a chance to save after arming private security firms as a strategy to enhance security?
 Yes () No ()
 Explain further _____
9. In your own opinion, what are the key challenges that would arise from arming private security guards to;
 - a. The security guards? _____
 - b. The management? _____
 - c. The general security? _____
10. To what extent would the whole concept of arming private security guards influence security? _____