

# TO ARM OR NOT TO: ANALYZING THE PROSPECT OF ARMING PRIVATE GUARDS AGAINST TERROR ATTACKS IN KENYA

<sup>1</sup>Denis Kimathi Kairemia, <sup>2</sup>Muhumed A Sheikh, <sup>3</sup>Amon Nyansera Nyakundi

RAYMOND COOPER SECURITY

---

**Abstract:** This article analyzes the prospect of arming private security guards in Kenya in the fight against terror attacks. Arming guards is a big jump from baton-bearing and the step cannot be made impulsively even in an ideal situation. All counter-terrorism measures must be geared towards raising the costs of a terror operations while increasing their expected disutilities and lowering the expected payoff of a terror operation. For guards to segue into bearing arms and be expected to perform optimally and effectively against would-be terrorists, they should meet a pre-set fitness standard based on the PULHHEEMS criteria before being subjected to tactical and weapon handling training in addition to legal issues surrounding their new status. They also ought to be well remunerated and people of certain code of conduct to safeguard against misuse of the weapons issued to them. The clients must also choose to accept the costs and the risks involved in employing the services of the armed guards compared to the revenue they can generate from the perceived amelioration in security or the loss mitigated thereof. The risks posed by arming of guards, the cost of arming them against corporate bottom-line and the effectiveness of armed guards against terrorists compared to the risk of a terror attack in Kenya does not warrant the arming of private security guards under the prevailing conditions. However, this could be re-evaluated upon changes in any of the factors. Statistically, armed guards would pose mortal danger to approximately 119 persons directly per year alongside many more who would be adversely impacted indirectly. This is against a potential of saving approximately 33.71 lives per calendar year assuming similar training and evaluation capacity to that of the Kenya police service. Clearly, arming private guards to save lives in probable terror attacks in Kenya is not a logical initiative.

**Keywords:** Kenya, Armed, Guards, Terrorism, Training, PULHHEEMS, Risk, Attacks, vulnerability, Arming.

---

## I. INTRODUCTION

Kenya, a country in East Africa trundled across the border into its then largely Militia governed neighbour to the East; Somalia in late 2011 in response to numerous cross-border incursions by the Al-Shabaab islamist militant group. These cross-border incursions in the frontier towns of the North Eastern region and in some coastal towns were mostly aimed at kidnapping of foreign aid workers and tourists which in turn led to a capitulation of the country's all important tourism industry. This and the piracy along the Indian Ocean lead to higher sea transport costs and reduced sea traffic to the port of Mombasa and consequently, the government backed the decision to pursue the militants into Somalia to save the country's economy.

Immediately the Kenyan troops crossed into Somalia, Al Shabaab, the militia controlling most of Somalia at the time, began conducting attacks inside Kenya. The mode of the attacks ranged from grenade attacks in social places, Improvised Explosive Devices (IEDs) in public transport buses and against security services convoys near the common border to mass casualty shooting attacks like those witnessed in Mpeketoni (a coastal town in Lamu county), Westgate shopping mall, Garissa University and more recently, the DusitD2 hotel complex in the capital Nairobi.

The emergence of companies that have trade secrets to keep, market liberalisation, the proliferation of small arms, the phenomenal increase in population and crime culture without a corresponding increase in state security apparatus in the last few decades and the concomitant security vacuum in large parts of the country could explain the emergence and rise of private security services provisioning in Kenya in the last decade and before. The Kenya Security Industry Association (KSIA) a body that brings together all the mainstream Private Security Companies in the country has registered over 50 smaller security companies operating in the country under amorphous umbrella groups in addition to a total of twenty seven(27) registered ones according to Security Research and Information Centre (SRIC) (2011). This therefore indicates that the private security industry is a product of long-term development rather than a phenomenon of relatively recent origin.

However, since the attacks began in Kenya in late 2011, the private security services industry has experienced exponential growth reminiscent of that in the US post 9/11. This, as more and more public and private facilities wary of the attacks, contract guards to man entry points to facilities and frisk both vehicles and people entering to ensure they don't carry with them weapons that could be used to conduct attacks. It is for this reason that security guards have become a ubiquitous part of our security-conscious culture. The guards, most of whom are contracted from private security services provisioning companies vis a vis directly employed by the service recipients, are only armed with clubs/batons locally known as *rungus*, metal detectors and dogs in some instances.

According to Simonsen (1998), private security helps prevent crime by their physical presence at sites to protect and visibly deter the would-be criminals. They have a mandate to protect as per the policies of their client. To satisfy the clientele, the on-site security guards must be able to respond to different challenges in their environment, which includes the following specialties; physical security, financial services security, high rise facilities security, cyber security, private security management, information technology security, loss prevention and terrorism. Only few of which could be safer with the introduction of an armed guard at the entrances.

In spite of the ever rising insecurity from terrorism and the perceived role guards are expected to play, the social significance of security guards has received little attention in the sociological and terrorism and counter-terrorism studies literature. Studies of the role of security guards is almost exclusively housed within criminological fields where guards are viewed as law and order appendages (Prenzler 2011).

In all the terrorist attacks in Kenya from the 1998 American embassy bombings to the Westgate and the DusitD2 complex, despite the on-site presence of private security guards at the time of the attack, little was seen of their efforts in the prevention or at the very least reduce the loss of lives in the attacks by slowing down the tempo. However, guards have been hailed in some quarters for their role in the evacuation of persons during attacks especially in the recent DusitD2 hotel complex attack. It is in the backdrop of this, that the private security providers in Kenya and the Private Security Regulatory Authority (PSRA) have begun laying ground for arming of security guards manning critical places that are vulnerable to terror attacks.

The clamour for the arming of security guards in response to the latest terror attack has since attracted divided opinion in the country among security professionals, politicians and the ordinary citizen. Those on either side have postulated reasons for taking the side they do; to arm or not to arm private security guards. Those arguing for opine that proper regulation and better employment terms would make it a success, while those against feel that simply regulating and improving terms of employment of the guards alone may not be able to bring them to a standard where they could be effective enough against terror attacks and that the large availability of arms in the society would spur other ills and costs thereto.

It is in light of this division in opinion that this paper seeks to evaluate and present both theoretical and empirical arguments that could inform the discourse of the debate on whether to arm private security guards. This is in the backdrop of trying to optimize the utility of the ubiquitous security guards in the fight against terror.

## **II. THE ROLE OF SECURITY GUARDS IN THE FIGHT AGAINST TERRORISM**

Despite corporations' endeavour to minimize expenditure, the role played by the security guards in business continuity in the broad sense of the security of premises and personnel with respect to normal crime of theft, vandalism and pilferage in their current state cannot be lost. Being an additional resource to the public security against crime and client oriented, over time their criticality in organizations has grown into a core function. The same, however, cannot be said of their

effectiveness in protecting the businesses whose responsibility they are charged with against terror attacks. Is it in all possible for guards to play a role in safeguarding installations against terror attacks?

Private security is a for-profit service industry, providing services to the clients who enjoy a direct say in the type and quality of service that has to be provided. In the wake of terror threats taking over from the small crimes of theft and larceny which the service industry was much bent on, the clients are demanding for more. With the rise of private security companies, the service industry is becoming a highly competitive environment. This means that the security companies have to take a role against the increasing security threats to keep their clients happy at all costs. Could a guard force's ability to arm and effectively counter terror attacks and still make a profit give them a competitive advantage?

The terror attacks including those against University students in Garissa, the Westgate attack and the DusitD2 hotel among others were not stopped by the guards deployed to protect the facilities. In fact, there hasn't been a publicised incident where deployed private security guards have been able to repel or render resistance to terror attacks in Kenya since the year 2011 despite there being evidence that they were deployed in all of those places at the time of the attacks. These then gives rise to the question; do they have a role in preventing or mitigating terror attacks?

The deployment of the security guards is such that they are always the first contact with assailants at the entry points of the facilities targeted. The guards at the entry check points rely mainly on barriers for traffic control, metal detectors and surveillance cameras that are controlled in security rooms by supervisors or other guards. Thus, this means that in any terror attack the guards with their pedestrian equipment cannot be reasonably able to *actively* defend against the terrorists' offensive intrusion. Therefore, the terrorists manage to easily make entry having overcome and gained control of the facilities' first line of security with minimal resistance. Could their arming change this for the better?

It could plausibly be argued that indeed, security guards are the first line of defence against terror attacks, while they could also be viewed as the *first* first responders. Standing guard at entrances to buildings, malls, hotels and sporting events when terrorists or other assailants attempt their attacks, they stand a good chance of countering the attacks assuming capacity. Security guards are a visible and symbolic feature of security safeguards for any organization. A US Congressional report showed private security guards 'fill the gap' created by limited public resources and are by extension a much affordable and efficient way of providing security, safety and the appearance of certainty (Parfomak 2004). While the overburdened public security reacts to an already commenced terror attack, the private security could reasonably be in a position to make a delaying engagement to the terrorists' plan. Indeed, security guards by their deployment have a significant role to play in the counter terrorism security. The private security staff provide the 'eyes, ears and hands' before any attack thereby becoming an important link to a country's public security. Can the visibility of armed guards help deter terrorists while at the same time reassuring citizens?

To match this first line role and alleviate the problem of guards being rendered ineffective against armed terrorists due to their current run-of-the-mill equipment, some industry players have entreated for the guards to be armed to enable them perform their duties of protecting the key target facilities they are charged with the responsibility to protect. In their arguments, they have cited armed guards in other countries deployed to protect such facilities among them Uganda. Is the situation in Uganda with regard to armed private security guards an arduous inspiration?

### **III. VULNERABILITY AND TARGET SELECTION BY TERRORISTS**

During the Second World War, the United States were losing too many bombers over Europe to anti-aircraft fire and were considering armour plating the aircrafts. Consequently, Abraham Wald a respected Columbia academic was in 1943 selected by the U.S War Department to evaluate the prospect of armouring the war planes to reduce the losses. Increased armour metal on the planes made them heavier and reduced their performance and bomb loads necessitating prioritization of the places the armour would be put. After an extensive survey of the squadrons returning to base, Wald discovered most of the damage was on the wings and fuselage compared to the engines and cockpits. Initially, the War Department assumed the armour plating should protect the wings and fuselage, but Wald argued that approach was wrong. Armour placement was needed where there was no damage since bombers hit there never returned home to be studied. This problem faced by the U.S War Department brings to the fore challenges authorities may face in logically determining solutions to possible terror targets. It also highlights how cognitive biases are bound to negatively influence the prediction of future likely terror targets. can survivorship bias be avoided in probable terror target prediction?

Over the course of the period since 2011, the scope of terror attack targets in Kenya have varied so widely; that determining future possible targets and vulnerable locations has turned out to be hard and therefore more challenging in

identifying which ones should be accorded extra protection or assigned armed guards whereas limiting those with firearms in the society. Terrorists not only select targets because they are soft, but in part because of their representational or symbolic value and the likelihood of involving mass casualties. This is made clear by the attacks they have already carried out in the country. The mass casualty attacks in Kenya have ranged from a village in the coastal region to an upmarket mall in Nairobi, a University in Garissa more than 300km East of the capital and recently a hotel in an affluent estate in the capital. Can authorities effectively predict probable future terror targets in the country?

In as much as possible, the vulnerability of the various likely target locations can be addressed to reduce their susceptibility. In general terms, physical protection of critical infrastructure usually leads to target-hardening, which is intended to make it harder for terrorists to strike against selected targets. However, a fundamental problem in this context is that terrorists adapt their behaviour to changes in the security landscape. It is well documented in the terrorism studies that fear of terrorism attacks has an impact far beyond any actual damage than terrorism in itself causes (Howie 2014). It is in this respect therefore, that terrorists' threats have become fundamentally different from safety issues and limits the extent to which experience with safety policies can help make better security policies aimed at preventing future terror attacks. Can terrorists adapt to deployment of armed guards in their targets?

#### **IV. CONDITIONS COUNTER-TERROR INITIATIVES MUST SEEK TO ACHIEVE**

Counter-terrorism initiatives are never meant to be ends in themselves but rather means to some ends. For instance, arming of guards with the intention of foiling or extenuating the effects of acts of terror in a given instance is a means meant to make the terrorists drive to attack and the consequences thereof less than desirable to them through deterrence. Owing to the earlier discussed difficulty involved in predicting future terror attack targets, all measures and initiatives taken in the precepts of anti-terror attacks must be aimed at achieving conditions that discourage their planning and launch. Other than hasty measures that could create an arms proliferation, all security measures taken should be geared towards attaining the following:

##### **Raising the cost of the terror operations (increasing the attackers expected disutilities)**

Every terrorists' operation involves costs in materiel, time, suitable personnel, and other resources to successfully execute the operation and adapt to the consequences for the terror group (RAND 2009). The cost of operation includes direct costs in terms of time, money and the lives of suicide attackers and other operatives as well as cost of unplanned personnel losses such as those that result from mishaps in handling explosives or when apprehended before executing the operation. Possible expected disutilities might also include inadvertent loss of repute for the terrorist group or the political effects. In light of this, security and counter terror exertions could aim to increase the cost of carrying out the operations or they could be designed to impose higher costs on the terror group to stage the operations.

The cost of terror operations could be raised by; making un-conventional-weapon materials more scarce than they might otherwise be, thus increasing the expense and danger to obtain them thereby driving up the material cost; for instance the control of fertilizer through controlled purchases with authorizations from local agricultural extension officers, effective border and immigration controls increasing the cost of positioning foreign attackers in the country and thereby forcing operational planners to recruit personnel who would not be identified through terror watch-lists. Other interventions could make it more difficult for attackers to gather the information they require to plan operations thus necessitating that they spend more time on or involve more people in operational preparation. In the Kenyan context for instance, the porous border with Somalia has made it possible for terrorists to bring in their trusted attackers across the border at minimal costs while sub-optimal control of unconventional-weapon making materials haven't made them too expensive for the terrorists. Arming of security guards could in theory, increase the number of terrorists required to breach the facilities egress control points manned by the guards and therefore raise the costs of the operations.

##### **Lowering expected payoff of an operation**

The expected payoff of an operation involves the terrorist judgement or discernment of the likely utility of an operation after accounting for uncertainties about which among many possible outcomes the attack will produce. Distinction must be made between true expected payoffs and terrorists perceptions of the likely payoffs. Usually, it's a terrorists perception that will drive their targeting, planning and possibly their decision to attack (RAND 2009). The expected payoff is reduced when countermeasures effectively diminish the terrorists perception of a high payoff for an operation (Stevens 2009).

Payoff may be diminished by improved initial resistance delaying the attack and improved response and recovery capabilities. Theoretically, armed guards if assessed by the attackers as an effective threat to their ease of entry into target premises, such an attack may be viewed by the terrorists as likely to be disrupted and achieving lower casualties. Failure by the terrorists to be deterred by the deployment of armed guards, either because of their failure to know the guards are armed or knowingly attacking despite the armed guards and they end up delayed or stopped leading to mitigation, then this would be a reduction in the terrorists' payoff. If the employment of security measures makes terrorists operations more difficult or risky, the payoffs are reduced in those instances than in places where the security measures do not lead to target hardening.

Resulting from such conditions, more can be done to harden and reduce the yields from any planned operation. A coordination of systematic steps as seen, ranging from de radicalization to media management and architectural design tweaks as counter measures can deter and achieve more than the allocation of arms aimed at preparing for face off engagements during attacks.

## **V. SUITABILITY TO BEAR ARMS**

Small Arms as would be issued to the guards should they be allowed to bear arms in Kenya are lethal and can maim very easily if inappropriately used. It is in this backdrop therefore that in-depth vetting is done in the selection of individuals in the professions of arms. For illustration, professions of Arms across the world, during recruitment and annually over the course of the entire Service period, employees undergo a medical evaluation abbreviated PULHHEEMS ( P=Physique, U=Upper limbs, L=Locomotion, HH=Hearing, EE=Eyesight, M=Mental capacity and S=Emotional Stability) to determine their aptitude to effectively and accurately utilize the Arms entrusted to them (UK GOVT 2010).

While it can be efficaciously argued, and to good effect, that the guards need not have the same degree of fitness as is expected of persons in the Police Services or the military, it should be expected that they must meet a certain level of fitness in the appraisal criteria. Whereas a guard may not be expected to have a visual acuity of at least 20/20 or better as may be expected of police and military recruits, it would be nefarious to allow someone with the visual acuity of 20/100 or worse for instance to bear arms as guards. The same may be postulated for other parameters in the fitness evaluation criteria, including Physique, Upper limbs, hearing and sometimes Mental capacity but never for emotional stability. The standard of emotional stability expected of a police or military recruit must also be the same expected of a guard to bear arms. This is because, both are expected to bear highly lethal weapons and use them selectively for only the intended purposes regardless of the hassles abound.

The requirement of the guards to bear arms to meet a specified degree of qualification of fitness under the PULHEEMS criteria brings forth a number of key concerns that needs to be addressed to determine whether arming them in Kenya would be a tenable enterprise. In the civilian medical field and from shared military medical research work, medical practitioners in the civilian domain have or can easily attain the capacity to evaluate and grade prospective guard force recruits on their physique, Upper limbs, Locomotion, Hearing, Eyesight and Mental capacity. However, the ability to evaluate the emotional stability of prospective recruits requires specific experience as well as tailored atmosphere which maybe a challenge at the onset but one that could be surmounted in due course. This evaluation could therefore be achieved but with the initial help of the professionals in the armed services as the rest build capacity. It must however, be pointed out that the setting of a PULHHEEMS degree below that required in the armed government services means that they will play second fiddle to any possible attackers who have at times been able to tackle even the government's best.

The ability of the guard forces to get enough personnel who meet the required standards of fitness to bear arms as maybe required could, in theory pose a challenge. This, however, in actual sense may not be a concern considering the level of employment in the country and the demographic structure that has most of the population in the youthful ages.

For the Kenyan private security industry to be considered even remotely prepared for arming its' personnel, it must have the capacity to appraise its current and prospective employees earmarked for bearing arms under the PULHEEMS fitness evaluation criteria and also attract and retain those that meet the required standards. The industry can attain this capacity by just contracting the players in the medical industry and facilitated by those in the government security services. The government must however commit to help them develop this capacity besides helping them determine the standards against which prospective armed guards must be evaluated.

## **VI. TRAINING AND BUILDING CAPACITY**

The kind of arms expected to be borne by the guards as well as the complexity, to some extent, of their handling requires that a certain standard of training be achieved by the guards in both tactical and weapon handling considerations. If a given guard is unable to handle the weapon he is entrusted with competently, he may as many cases have been reported even among well trained police officers, negligently or accidentally discharge the weapon leading to death or injury of a bystander.

It is to be noted that having a weapon and possessing the courage to face an offensive adversary are rather different issues. Reports concerning cowardice of soldiers in the battlefields since the world wars to current military engagements like the operations against IS are not new. Other than negligent or accidental discharges from poor weapon handling as result of inadequate training or natural incapacity, the courage to confront an unexpected terrorist in an ordinarily otherwise peaceful environment would rarely guarantee that in the nick of time the guard will draw his arm and halt the terrorist as so expected.

Hence, training for persons to qualify as armed guards is not only restricted to weapon handling as it might be perceived by many, but must also comprise some form of tactical training above and beyond other security related training that will help them effectively employ the weapons they carry to protect the facilities and the people they are charged with the responsibility to safeguard. According to a US Federal government funded research by the Rand Corp in 1975, guards must receive a minimum of 120 hours of training, not including instruction in the use of firearms (Wildhorn 1975). That time stated as needed to train was based on limited threat and not the complex security perils posed by terrorists today and the complexity of the regulations given the advancement in surveillance technology as well as the expansion of civil liberties. It therefore means as at now, research needs to be done to establish how much more time is required to train and appraise the capacity of the novices to bear arms efficiently. Failure to tactically qualify armed guards leaves them especially vulnerable in armed skirmishes with the terrorists they are required to stop as they cannot effectively employ their weapons while ensuring they aren't inadvertently killed before they can make any significant delay on the attackers. In addition, if it becomes easier for terrorists to kill them and recover their weapons in the panic of the attack they might prove to be an on-site armouries for the terrorists.

The kind and standard of training expected under this requirement must be given by qualified instructors who understand weapon handling, tactics and the regulations governing the conduct of anyone employed as an armed guard. This cannot be sensibly expected to be an issue considering the number of retired military and police personnel available to be employed to conduct the training should the PSCs hire their services.

The training and capacity building of the armed guards should not be viewed as a one off event, tactical training and weapon handling must be conducted regularly and the guards qualified on the weapons they handle to ensure they match up the required yardstick. The fact that this should be the onset of the arming of guards, it can be expected that the regulations will be tweaked a lot in the first few years to ensure that they conform to other laws as well as the culture, traditions and practices of the society and the collective values.

In its' current state, the Kenyan guard force industry has not yet proven to have the capacity to train and or qualify guards for any form of arms handling. However, the capacity needed to attain this ability is manageable with the right regulations especially for short range hand-guns. The training must however be very well regulated and monitored to ensure that the standards set for the schools and the trainees are achieved by every graduate of the training schools.

## **VII. ARMED GUARDS AND CORPORATE BOTTOMLINE**

The bottom-line of every corporation is to maximize profitability by minimizing expenditure or increasing earnings as going concerns. Corporations in Kenya are not immune to this and thus always endeavor to increase their profitability to sustain themselves in a competitive market. For corporations to consider and embrace the contracting or recruiting of armed guards, they must evaluate how the added costs thereto affects their bottom-line.

Armed guards require a lot more resources to train and appraise and even much more to remunerate them at a level they can be expected to be diligent in the handling of the weapons they are entrusted with and the duties thereof. The amount of resources essential to train individual guards to the standard required to bear arms in public places with minimum risk of accidental discharges harming civilians are costly. Increased risk of serious casualties including death and permanent maiming from poor handling of the weapons could in effect lead to increased insurance premiums to cover inadvertent

third party casualties from own security guards. These costs are beside the capital costs of acquiring those weapons as well as laying down secure infrastructure to store them as the regulations by the government might necessitate, whether bought by the corporations themselves or by the contractors providing armed security guard services, the cost of acquiring such weapons will be borne by the corporations enjoying protection from those weapons whether instantaneously or amortized over a period of time.

According to (Kairemia 2019), whether corporate security can be considered to have a revenue potential is dependent on a customer's assessment of their duty of care. If this adjudged duty of care ( $\dot{e}c$ ) is greater than zero, a yield latitude for the organization theoretically subsists; if it is zero, and therefore no reverence of care lies in the perspective of the customer within their own responsibility, no revenue can be precipitated for the organization. In essence, therefore, the value of corporate security in terms of revenue to the organization is driven from the customer's perception of the need for security from that given corporation. In order to derive revenue from the corporate security function it must be empirically proved that the corporations target customers perceive a duty of care on their part. The more the revenue the corporation can pull from corporate security the higher the positive effect the function has on the corporation's profitability.

$\dot{e}c > 0 \rightarrow$  revenue potential

$\dot{e}c = 0 \rightarrow$  no revenue potential

This is particularly achievable in the services industry and more specifically in catering where a customer considers that it is the duty of the service provider to assure their security while they are in their premises. This therefore means that when one is offering security in their premises in an environment of perceived or existent insecurity by having armed guards, they can draw revenue from this in two possible ways, they could, in theory charge a premium on the service they offer to generate additional revenue from the security they are offering, or they can generate the same through increased number of sales as customers flock to facilities they feel more secure in. This is however, predicated on the assumption that customers consider the presence of armed guards as a sign of better security from would be terrorists.

Corporations need not only judge the impact of perceived security on the bases of tangible increase in profitability or earnings but must also factor in other contributions like revenue not lost due to actual or perceived insecurity. By employing armed guards, a business may not be able to get more customers or charge existing customers a premium for the increased security costs but should also evaluate the proceeds from business continuity without disruptions as a result of the security outlay.

The revenue potential theory of corporate security is premised on the supposition that insecurity does actually have a negative effect on a business, which in monetary terms can justify the costs incurred in addressing the security. In an environment where businesses are not risk averse, it may not make a lot of sense in investing in costly security where the risk of a security incident needing to be addressed using weapons by armed guards falls below a given threshold.

## VIII. EFFECTIVENESS OF SECURITY GUARDS AGAINST TERRORISTS

Putting ourselves in the terrorists' shoes could in all probability enable us to answer a number of questions with regard to this subject. For example, of relevance to this argument, when terrorists attack military bases or armed security forces, what guides their preference and motivation? While it can be argued that there exists statistical evidence of reduction in crime in places where guards are armed, doubts exist over their effectiveness against assailants who have little regard for their self-survival but rather to fulfill their intentions. Criminals intent on committing crimes other than terrorism may evaluate their success on their ability to get out safely and will have qualms about killing anyone unless they really have to. Terrorists on the other hand view their deaths and those of their victims while fulfilling the mission as a success in itself and will not be deterred by security they think they can deal with albeit at the cost of their lives.

According to a study conducted on 17 well trained and experienced police officers in the US, it takes on average 0.895 seconds for one to mentally justify firing a weapon. Further studies on 101 police officers by Dr Bill Lewinski a professor at Minnesota State University established that it takes 1.19 seconds to draw a hand gun from a holster, 0.59 seconds to raise the handgun and a further 0.365 seconds to pull the trigger with the safety open. The study further established that someone who has already made up his mind to shoot and his finger on the trigger will only need 0.365 seconds to discharge a round. That considered with the fact that the terrorist shoot indiscriminately while guards need to be diligent in their shooting means that a sizeable number of guards are needed to even return fire in an unexpected attack.

After terror attacks in Paris, the French government explored the idea of arming guards and this led to a French terror expert Francois Bernard Huyghe wondering of the chances an armed guard stood to actually kill a terrorist using his weapon. Similarly, on an article in the Business Daily of Monday 21 January 2019, Tony Watima (Watima 2019), argued that armed guards have never deterred or effectively stopped AlShabaab attacks in Mogadishu, like the attacks on the Sahafi Hotel.

One phenomenon about the Garissa University attack that got lost in the details is that, at the time of the attack, there were armed policemen in the University but were overcome by the attackers as they surprised and overwhelmed them with automatic rifle fire. According to a press release by the Commission for Administrative Justice signed and dated 06 May 2016, there were supposed to be four armed administration police officers in the University in the night of the attack.

The challenge with fighting terrorism even by the conventional forces is their ability to mass whenever they want to conduct an attack beside being the ones to choose the time, location and course of the attack. In quintessence, therefore, attackers will mass to a number they think is sufficient to overcome the employed security and choose a time, location and course that is most convenient to them. This could have the undesired effect of escalating such attacks as the numbers of assailants increase make incidents much more fatal.

## **IX. THE RISK PERSPECTIVE**

Under this topic two forms of risks will be evaluated; the risk associated with the occurrence of acts of terror or the susceptibility of identified installations to be attacked by terrorists and the risks associated with arming guards.

Terrorism risk can be viewed as having three components: the threat to a target, the target's vulnerability to the threat, and the consequences should the target be successfully attacked. Terrorists represent threats when they have both the intent and capacity to successfully attack a target. The threats to a target can be computed as the probability that a specific target is attacked in a particular way during a specified period (Henry H. Willis 2005). Without access to privileged government intelligence, we can only base our risk analysis on previous attacks that meet the criteria in this paper.

Since the year 2011, there have been three major terror attacks in installations where armed guards would have been deployed in Kenya under the proposed paradigm; Westgate mall attack in September 2013 leading to 67 fatalities, Garissa university terror attack in April 2015 with 148 mortalities and the DusitD2 hotel complex attack in January 2019 that led to 21 reported deaths. These attacks led to a total of 236 fatalities and a sizeable number of injuries. Spread over the entire period of increased terror attacks in Kenya beginning October 2011 to February 2019. A total of 236 fatalities associated with terror attacks in key vulnerable facilities over a period of approximately seven years. On average, therefore, Kenya has averaged 33.71 fatalities per year due to terror attacks under these criteria.

Losses due to terror attacks in those installations are not only limited to loss of lives but also economic losses. Economic losses however, in these instances are hard to assess on this paper considering the metrics that would have been used to analyze are not public information and the losses to the small traders involved may not be documented.

Research conducted by Berkowitz (Berkowitz 1967) indicates that the presence of a gun in a situation increases the frequency and intensity of aggressive behavior. He demonstrated "the weapon effect" that participants engaged in a more severe aggressive behavior when they see a gun than when they see a button or a tennis racket. This brings to the fore the question, whether the presence of guns would lead to an escalation of violence in an otherwise ordinary situation not involving assailants.

In many instances, in countries that have security guards bearing arms, some have been accused of using them inappropriately. Case in point, the people and leaders in some parts of Uganda have argued that the level of crime, especially armed robberies and burglaries, has increased because of the presence of armed Private Security Companies (PSCs). They believe that PSC personnel are involved in armed criminal activities.

According to an article on the Council of Foreign Relations publication (Gavin 2018), the crime rate in Kampala is worrying. This is specially so when it involves members of security meant to protect the public. Worse still it involves mostly personnel from Private security organisations. They reasoned that Private security companies should be properly vetted before being licensed to operate in the country. Many families being protected by some security firms have to top up the guards' pay since the companies pay them peanuts while they take the windfall. This is dangerous because it is risky to entrust a less than contented guard with a gun (Gumedze 2017).



Criminal activities including bank robberies, murder and theft increases with increase in arms in civilian hands (Kirunda 2008). The police are fretful about the rate at which the PSCs purportedly become involved in criminal activities. In another case re-counted in Uganda, 'two armed security guards suspected of erecting an illegal roadblock in a city suburb were arrested as they extorted money from passengers.

In Kenya, the Kenya police service officers undergo extensive intensive training upon recruitment for periods of not less than 9 months in police training colleges purposely equipped for such training. However, according to a report carried in a Daily Nation article in 2016, (Otieno 2016); Fatal shootings by Kenya police officers averaged 3.2 per million in the first 8 months of the year 2016, a time the Kenyan population was approximated at 49.7 million. This loosely translated to around 238 police shooting fatalities in that year. While these statistics could not be verified independently, a different report carried by The Star newspaper, (Wanjala 2018); a total of 805 people may have been killed by the police between the years 2013-2015 averaging 267 fatalities per year. The report further stated that only about half of the fatalities could be attributed to crime, the rest are as a result of stray bullets, quelling riots, colleagues and civilians after disagreements and own families after distress.

Mostly, the context in which a country decides on the conditions under which its private security industry operates is informed by the country's social, economic, political and security dynamics. All these if not properly understood and effectively appreciated in line with the role of the Private security industry vis a vis the public security can end up being a major source of security threat to the country.

In order to be indorsed to bear arms in protection of publicly accessible facilities, guards will be expected to be trained to effectively use the arms issued to them. Considering the lack of job security and the large number of guards convoluted, many will leave employment voluntarily or for reasons beyond their control. The large numbers will make it hard for intelligence services to keep tabs on all of those trained to weapon proficiency and out of employment at any one given time. With these skills, unemployed and untracked by security services, these people may pose a threat to the security of the nation especially with the high proliferation of small arms in the region.

Beside risks posed at the business premises by armed guards, arming them also poses a proliferation problem in a country with regions already crippled by the same. In a country where even government security services personnel have lost weapons to terrorists and other criminals, it can only be reasonably expected that even more would be lost to them by the less proficient and experienced armed security guards. This could in effect lead to further proliferation of the said arms. Proponents of arming security guards have argued that this endeavour will not lead to the proliferation of arms as only those facilities that could be the target of further terror attacks will be allowed to have armed guards. However with the earlier terror attacks having not left a traceable pattern, it is probable that terrorists will continue to innovate in their efforts of spreading fear (Mueller 2006). According to Mueller, therefore, picking and choosing which few facilities to protect with armed guards is not an effective strategy in itself.

If at least half of the alleged 238 shooting fatalities in the year 2016 attributed to the police could not be justified, it's plausible to assume, competently trained and equipped police officers may have inadvertently taken the lives of approximately 119 innocent Kenyans in that year alone. Considering the private security industry may not have a similar or better training and evaluation capacity as the government has in training police officers, it can only be rationally expected that such deaths would increase. Assuming the current trend of mass terror attacks in Kenya, an average 33.71 Kenyans could lose their lives per year to such events. Could the prospect of preventing approximately 33.71 terror related fatalities justify arming of guards that could potentially pose a threat to around 119 or more innocent persons?

## **X. CONCLUSION**

The fight against terrorism is a complex affair without any possible silver bullet. As a country plans and executes defensive measures, terrorists use counter measures in response. Research has shown that terrorists; change how they carry-out activities or design operations, modify their own strategies and technologies or adopt new ones or substitute different existing ones randomly and surmount instituted measures in their drive to achieve their missions. Relying on building walls as fortresses and arming whoever can be armed is a limiting strategy. However, by assuming that the adversaries are ever adaptive, it makes more nous to rely on a multiplicity of security measures that can be attuned and redeployed as terrorists discover their susceptibility.

Terrorism rely on media management, the creation and manipulations of viewpoints and perceptions. Similarly, security often has more to do with providing the appearance and feeling of safety than affording actual physical security. Indeed,

security guards are mostly employed to deter vandalism, prevent minor violence and damage but terrorism is anything but that.

Arming guards is a costly affair compared to baton-bearing guard services and may end up becoming a cost centre for corporations hiring or required to hire the services. The costs involved include recruitment medical, mental and physical appraisal costs, training costs, increased personnel emoluments costs, purchase of the weapons and the infrastructure to secure them, perpetual vetting to ensure fidelity to the code of conduct, increased insurance premiums as services recipients seek to insure themselves against accidental injuries or death caused by the guards to third parties, Group Personal Assurance for the guards and the costs of continuous training and annual qualification of the guards for the weapons they are entrusted with. These additional costs may prove to be prohibitive to some organizations in the interest of remaining profitable.

The risk of mass shooting terror attacks in Kenya still remains low based on past experiences. This, however, cannot be said of the risks posed by armed guards. Statistics paint a grim picture of our government armed security services showing a sizeable number of inadvertent deaths caused by armed officers despite undergoing better training and appraisal than would be expected of private security guards. A similar picture is painted of the armed private guards in Uganda as they are accused of engaging in crime using the weapons entrusted to them. From a risk standpoint therefore, it is difficult to craft a convincing argument for armed private security guards in many settings. The presence of a firearm – even in the hands of a guard only stands to increase the risk of casualties. To find balance between acceptable risk posed by an armed guard in the premises coupled with their ability to stop an attack and the risk of being attacked calls for further research.

The ability of armed guards to effectively halt or successfully delay an attack or even minimize the number of casualties cannot be corroborated. Terrorists have been able to best even highly trained and experienced security forces as has been seen in attacks in other dominions and some in our own backyard because of their willingness to die for their cause, ability to mass to overwhelm the defenders as well as the ability to achieve surprise as well as bringing with them weapons tailor-made for those specific targets and security measures.

The institution of the legal framework to govern the arming of guards in Kenya must not be superficial but broad and specific at the same time. It must dictate among other things the required physical, medical and mental fitness standards expected of prospective guards, while also instituting measures to monitor the training and appraisal of the trainees. It must also institute a code of ethics as well as perpetual vetting of the armed guards to ensure fidelity to the code of ethics expected of them.

Arming security guards in Kenya under the prevailing circumstances is far short of ideal and only stands to worsen the security situation without much in the way of achieving the expected goals. All empirical and theoretical evidence specific to the Kenyan situation and otherwise does not support giving arms to security guards even under an ideal legal framework as the cost and risks abound are prohibitive considering the benefits that can be rationally expected to come from the arming.

## REFERENCES

- [1] Berkowitz, LePage and. 1967. "Escalation." *Security Journal*.
- [2] Csere, Michael. 2013. *School Security in Israel*. Telaviv: OLR.
- [3] Gavin, Michelle D. 2018. "Waves of Crime Threaten Uganda's Reputation for Stability." *Council of Foreign Relations*, July 9.
- [4] Gumedze, Sabelo. 2017. *The Private Security Sector In Africa*. Tshwane (Pretoria): ISS.
- [5] Henry H. Willis, Andrew R. Morral, Terrence K. Kelly, Jamison Jo Medby. 2005. *Estimating Terrorism Risk*. Santa Monica: RAND Corporation.
- [6] Howie, Luke. 2014. "Security Guards and Counter-terrorism: Tourism." *International Journal of Religious Tourism and*.
- [7] Kairemia, Denis. 2019. *CORPORATE SECURITY MANAGEMENT STRATEGIES AND PROFITABILITY OF THE TELECOMMUNICATIONS FIRMS IN KENYA*. Academic Research, Nairobi: Kenyatta University.
- [8] Kirunda, Solomon Wilson. 2008. "Private and public security in Uganda." *Institute for Security Studies*.

- [9] Mueller, J. 2006. *Overblown: How Politicians and the Terrorism Industry Inflate National Security Threats, and why we Believe them*. New York: Free Press.
- [10] Otieno, Dorothy. 2016. <https://www.nation.co.ke>. October 1. Accessed March 11, 2019. <https://www.nation.co.ke/newsplex/global-police-killings/2718262-3402080-4okm52/index.html>.
- [11] Parfomak, P. 2004. *Guarding America: Security Guards and U.S. Critical Infrastructure Protection*. Washington: U.S. Congress.
- [12] Prenzler, R. Sarre and T. 2011. *Private Security and Public Interest: Exploring Private Security Trends and Directions for Reform in the New Era of Plural Policing*. ARC Report.
- [13] RAND. 2009. "Understanding the Role of Deterrence in Counterterrorism Security." *RAND*.
- [14] Stevens, D. 2009. "Near Term Options for Improving Security at Los Angeles International Airport." *Rand Corporation*.
- [15] UK GOVT. 2010. *UK GOVT PUBLISHING SERVICES*. Accessed March 04, 2019. [assets.publishing.service.gov.uk/government/uploads/attachment\\_data/file/436803/PAP-10.pdf](https://assets.publishing.service.gov.uk/government/uploads/attachment_data/file/436803/PAP-10.pdf).
- [16] Wanjala, Emmanuel. 2018. <https://the-star.co.ke>. June 8. Accessed March 11, 2019. <https://the-star.co.ke/news/2018-06-08-police-killed-803-kenyans-in-cold-blood-from-2013-to-2015-activists/>.
- [17] Watima, Tony. 2019. *Arming Guards not the Solution*. January 21. Accessed January 25, 2011. <https://www.businessdailyafrica.com/analysis/columnists/Arming-guards-is-not-the-solution/4259356-4945036-8111sbz/index.html>.
- [18] Wildhorn, Sorrel. 1975. *issues in private security*. research paper, Santa Monica, California: The Rand Corp.