

Analysis

Security sector reform: bringing the private in

Rita Abrahamsen and Michael C. Williams

As the links between security and development have been increasingly recognized, Security Sector Reform (SSR) has become a central part of development policy. Following a traditional Weberian conception of the state, these programmes are almost exclusively focused on the public security sector, neglecting the extent to which people in developing countries have come to rely on private security providers for their day-to-day security needs. While the reform of public security institutions is undoubtedly important, this article argues that a strict public/private distinction is a poor

guide to security sector reform. Focusing on Sierra Leone and Kenya, the article argues that 'bringing the private in' is crucial to a comprehensive understanding of the security situation in most countries and that any attempt to ensure better security for all must take account of private actors. Private security companies and their integration into SSR matter not simply in terms of the maintenance of law and order, but also in terms of who has access to security, and ultimately, for the legitimacy of social and political orders.

Rita Abrahamsen is Senior Lecturer in the Department of International Politics, University of Wales, Aberystwyth, where she teaches African and Postcolonial Politics. She is the author of *Disciplining Democracy: Development Discourse and Good Governance in Africa* (Zed Books, 2000), and recent articles in *Alternatives*, *Third World Quarterly* and *African Affairs*. She is currently working on an ESRC-funded project entitled 'The Globalisation of Private Security'. **Michael C. Williams** is Professor in the Department of International Politics, University of Wales, Aberystwyth. He is the author of *The Realist Tradition and the Limits of International Relations* (Cambridge University Press, 2005), and recent articles in *International Studies Quarterly*, *International Organisation* and *The European Journal of International Relations*. He is currently working on an ESRC-funded project entitled 'The Globalisation of Private Security'

Since the late 1990s, security sector reform has increasingly become an integral part of development policy. The redefinition of security away from an exclusive focus on military defence and regime survival towards a focus on the wellbeing and freedom of populations placed the transformation of ineffective, inefficient, corrupt and brutal security forces at the heart of development. In the current vision of major bilateral donors and international organisations such as the World Bank and the OECD, social and economic progress will inevitably be constrained until security institutions become more legitimate, efficient and respectful of democratic norms and human rights. As a result, projects focused on the restructuring and retraining of armed forces, police, intelligence services, judicial and penal institutions, as well as civilian oversight bodies are currently underway in numerous developing countries, aiming to create security sectors that are conducive to development, poverty reduction and democracy.

Security sector reform (SSR) represents an important recognition of the links between security and development, and there is little doubt that insecurity is a key concern for poor people and a significant obstacle to development and prosperity. One of the clear messages to emerge from the World Bank's study *Voices of the Poor*,¹ for example, was the importance placed on physical security both as a value in its own right and as a precondition for many everyday social and economic activities. However, while SSR goes a long way towards remedying development's previous neglect of security issues, one of its striking aspects lies in the failure to recognise fully exactly who provides security. SSR is characterized by an almost exclusive focus on the public security forces, neglecting the extent to which people in the developing world have come to rely on private providers for their day-to-day security needs. While few reliable statistics and comparisons exist, some estimates suggest that the ratio of private security guards to police in developed countries is approximately 3:1, whereas in developing countries it may be as high as 10:1 or more.² Indeed, the phenomenal growth of private security companies across the developing world is a frequently missed corollary of ineffective and untrustworthy public security institutions. As police and military personnel have failed not only to offer adequate protection, but also have themselves become major sources of insecurity, people have increasingly turned to various private initiatives in order to ensure their daily safety and security. In many countries, this shift to the private sector has been given added impetus by economic liberalization and the reduction of state expenditure, and as crime and insecurity has increased, security has become a lucrative market for both local and transnational companies. Thus, from the guarding of private and commercial properties, the surveillance and control of shopping malls and airports, to the more extreme exclusionary patrolling of enclave or 'gated'

communities, private security has become a pervasive (if varied) aspect of life across the developing world, just as it has in richer countries.

Yet despite this prominence, the theory and practice of SSR has almost completely overlooked private security provision, and the private security sector remains largely external to the process of security reform as conceived by most donors. While there are occasional references to ‘non-state actors’, as well as some attention to so-called mercenaries and, more recently, to private military companies such as MPRI, security within analyses of SSR is considered predominantly the responsibility and domain of the sovereign state. Accordingly, the targets for reform are the public forces, most notably the military, the police, the intelligence services and the civilian structures responsible for their oversight and control, and in general, the security-development nexus has been perceived predominantly in terms of establishing, or re-establishing, public monopoly of security.

This article seeks to bring the private sector into analyses of security and security sector reform in developing countries. Focusing on sub-Saharan Africa, and in particular on Sierra Leone and Kenya, we argue that an understanding of the role and functions of private security providers is central to an analysis of the overall security situation in a country, and hence to SSR. This is not only because the private sector is often the key provider of security for large sections of society, but also because public and private security actors are inter-linked in crucially important ways, in terms of both personnel and services. In short, ‘bringing in the private’ is imperative for a comprehensive, broad-based understanding of the security situation in most countries and any attempt to reform the public security forces in order to ensure better security for all must take account of the role of private actors. To be sure, the reform of public institutions is undoubtedly important, but it cannot be seen in isolation from private actors. In countries where private companies perform vital security functions, focusing on public security forces alone may significantly reduce the effectiveness of reform and, at worst, have unintended negative outcomes. In this way, we argue, the private security sector matters not only in terms of the maintenance of law and order, but also in terms of who has access to security, and ultimately, in terms of the legitimacy of social and political orders.

Security sector reform and the growth of private security

While traditionally security issues were rarely considered part of development policies, the post-Cold War era has seen an increasing merger of security and development.³ Security

sector reform is best understood in the context of this broader merger, whereby security and development have become intrinsically linked. As part of the same logic, the reform of security forces in developing countries has come to be seen as essential to development and poverty reduction. As Clare Short, the former UK Secretary of State for Development put it: ‘Too often the developing world is blighted by security sectors which are secretive, repressive, undemocratic and inappropriately structured. They soak up resources that would be better used elsewhere, with too much going towards arms expenditure, at the expense of essential public services.’⁴ In recent years, SSR has become part of broader development strategies, seeking to spread good governance and reduce poverty, and according to the OECD, donors are increasingly engaged in security-related work.⁵

While there is no agreed definition of SSR, the OECD describes it as ‘the transformation of the security system which includes all the actors, their roles, responsibilities and actions, so that it is managed and operated in a manner that is more consistent with democratic norms and sound principles of good governance, and thus contributes to a well-functioning security framework.’⁶ In this way, SSR aims to ensure that the security sector conforms to the same good governance norms as stipulated for other parts of government, in terms of accountability, transparency and management.⁷ In many countries, this entails reorienting public security forces away from politics and towards a more efficient and accountable performance of their legitimate security functions. In the case of the military, this means a focus on external defence, rather than domestic oppression and political involvement. In the case of the police, it similarly means an end to politically motivated operations, as well as a reduction in the corruption and brutality that has often marked the exercise of their duties. Consequently, SSR has frequently focused on training and professionalizing police and military personnel, as well as the provision of management support and capacity building for the ministries responsible for security. Military restructuring and demobilization, especially after conflicts, is also often part of the reform package. The guiding principle behind most SSR initiatives is thus the belief that ‘Development expenditure in the social and economic sectors may not bear fruit unless the security sector fulfils its legitimate functions relatively efficiently and effectively.’⁸

The purpose of this article is not to question the wisdom or necessity of SSR, nor to evaluate its achievements, but rather to problematize its conception of the security sector.⁹ In SSR the security sector, or the security system in OECD terminology, is defined as the public security forces, that is, the armed forces, the police and gendarmerie, the intelligence services, judicial and penal institutions, as well as the civilian authorities

responsible for their control and oversight (e.g. Parliament, the Executive, the Ministry of Defence). While there are occasional references to non-state actors in various key donor documents, these are quickly dispelled in favour of a focus on public actors. The OECD, for example, mentions 'non-statutory security forces' with whom donors rarely engage, namely liberation armies, guerrilla armies, private body guard units, private security companies and political party militias.¹⁰ Similarly, DfID refers to private security companies and other non-state actors,¹¹ but neither elaborates on their role, or the manner of their inclusion in SSR. The starting point of SSR is thus a traditional Weberian understanding of the state as the sole legitimate provider of security, where private actors are perceived as either irrelevant or illegitimate. As a normative preference, this is of course an entirely defensible, if debatable, viewpoint. As a description of the security structure in most African countries, however, it has serious shortcomings, and accordingly provides a precarious starting point for reform and policy prescriptions.

The prevalence of private security is a striking feature of urban life in contemporary Africa, with the uniformed guards of private security companies a ubiquitous presence outside banks, commercial properties, hotels, public offices, and private residences. Across the continent, there has been a tremendous growth of private security companies (PSCs), providing security services at various levels of quality to broad sections of the population. While the first private security companies on the continent trace their history back to the 1960s, a massive expansion of the sector has occurred since the late 1980s. Explaining the growth of private security in any part of the world requires attention to a multiplicity of complex and inter-linked factors, and no comprehensive account will be attempted here.¹² In the context of sub-Saharan Africa and the issues explored in this article, however, the declining ability and/or willingness of the state to provide adequate protection of life and property is of crucial significance. As crime and insecurity has become endemic in many countries, especially in capital cities, PSCs have taken over the role of protection for individuals, households, neighbourhoods and businesses alike. The mere presence and availability of private security in turn creates its own consumer dynamic, encapsulated in the seemingly insatiable demand for security in contemporary 'risk society'.¹³ In the popular imagination, the expansion of private security on the African continent is perhaps most closely associated with post-apartheid South Africa, where pervasive fear has given rise to what is now, as a percentage of GDP, the largest private security market in the world.¹⁴ To associate private security with South Africa alone is, however, a mistake, and similar developments have taken place in numerous other countries. In Kenya, private security companies have mushroomed, with some estimating that there are currently

over 2000 PSCs in the country.¹⁵ In Nigeria, there are at least 1200 companies,¹⁶ while in Uganda the number of private security officers equals that of the public police. In Angola, the government requires all foreign investors to provide their own security through private contractors.¹⁷

In the same way as it is mistaken to regard private security primarily as a South African phenomenon, it is also incorrect to associate private security only with the rich or the wealthier sections of society. Clearly, the wealthy are the main consumers of private security services, increasingly barricading themselves behind ever higher security walls, installing advanced alarm systems and relying on rapid (sometimes armed) response services in case of emergencies. However, private security is a feature of life for most sections of the population, albeit delivered by companies of varying quality, sophistication and reliability. With declining police protection and heightened perceptions of risk, middle- and low-income households also find it necessary to invest in some form of private security, be it intruder alarms, electric fences or guards. A recent study in Kenya, for example, found that low-income households in Nairobi spend nine percent of their monthly income on security related services.¹⁸ By the same token, more or less formal and commercialized neighbourhood watches, as well as so-called vigilante groups are responses to the same lack of security provision by the state.¹⁹

The failings of public security and the growth of fear and insecurity in Africa have also made the continent a lucrative market for international security companies. As the security markets of North America and Europe have matured, many international companies regard Africa as an emerging market, or special growth area. Recently merged Group4Securicor is now present in over 20 African countries, employing 60,000 people on the continent, while two other global companies, ADT and Chubb, dominate the lucrative alarm and armed response market in South Africa. In addition, South African security companies such as Coin and Omega have expanded into the rest of the continent, while in East Africa a number of Kenyan security firms have leading positions in the neighbouring markets of Uganda, Tanzania, Rwanda, Burundi and the Democratic Republic of Congo. There is also a thriving market in risk consultancy and risk analysis, with transnational corporations, international organizations and embassies frequently engaging the services of consultants from various global risk analysis companies, in addition to private security guards and their own in-house security staff.

The provision of security in most of Africa is not then a purely public, or necessarily a local or national, service. On the contrary, it is often private, with transnational companies

playing prominent roles. In Africa, as in most other parts of the world, the traditional Weberian conception of the state as having a monopoly of the use of force, while never fully accurate historically, is gradually being replaced by a situation where the means of security (and force) are shared with a multiplicity of private actors, some local, some global.²⁰ It follows that any understanding (and reform) of the security sector on the African continent must take account of the role and functions of private security actors. If large sections of the population rely on the private sector for their daily security needs, then any review of a country's security situation that excludes private providers, their regulation and quality, as well as their relationship to public forces, will inevitably be woefully incomplete.

The extent to which the use of private security companies subverts or reinforces the process of SSR is likely to vary from country to country. In theory, it is possible to argue that the relationship between public and private security can be seen from two different perspectives.²¹ On the one hand, the services of PSCs can be seen to strengthen the state, acting as a 'junior partner'²² in the joint enforcement of law and order, and contributing especially to the security of commercial enterprises and the profitable operation of the market and economic development. On the other hand, the existence of PSCs can be seen as weakening the state by undermining its monopoly of the use of force and demonstrating by its very existence the inadequacy of state services.²³ In practice, the relationship between private security provision and SSR is likely to be much more complex and multifaceted, depending on the particular circumstances and history of individual countries. The public and the private security sectors in Africa (and probably everywhere) are closely connected. For one, the growth of private security is in part a consequence of the failure of public institutions to protect their populations. In many countries, people have little confidence and trust in the police and the military, whose personnel are often noted for their brutality and dishonesty, and many therefore prefer private security. However, to regard private security simply as filling 'the security gap'²⁴ left by a retreating state does not adequately capture its role and importance. Instead, the public and private security sectors must be seen as closely connected through increasingly networked security structures. For example, in many countries, retired army and police personnel own and run prominent private security companies, or have private companies alongside their public duties. There are also notable state interests in private security companies, as in the Ugandan company Saracen (run in part by the President's brother) and in Teleservices and Alpha Five in Angola, both founded by the government. Similarly, the public and private are not always neatly

distinguishable in terms of their services and operations, and numerous forms of ‘hybrid’ policing are in operation across the continent, where private and public forces co-operate in the provision of security, and sometimes insecurity. In this way, the ‘security sector’ cannot be regarded as a unified, public sector, and the public/private distinction is a poor guide to SSR. Instead, the security sector is better approached as a complex network of security actors, or as Luckham puts it, ‘a shifting terrain of security coalitions, which are assembled and reassembled as crises occur, or reforms take place.’²⁵ This in turn implies that the state is not always, or necessarily, at the heart of security provision and SSR.

The implications of the growth of private security in Africa and its consequences for SSR programmes can be illustrated by examining two countries where the private sector plays a key role in day-to-day security provision: Sierra Leone and Kenya. In both of these countries, the prominence of private security raises complex questions about the relationship between public and private security actors, and about access to and distribution of security services. It also raises broader questions concerning structures of authority and political legitimacy, and places private security and its interaction with public actors at the centre of efforts to improve security for all.

Private security and SSR in Sierra Leone

By the time Sierra Leone’s decade long civil war was declared over in January 2002, over 70,000 people had been killed, 10,000 maimed and more than half the population had fled the country or were internally displaced.²⁶ The country’s armed forces were in disarray, and deeply tainted by their involvement in human rights atrocities and economic looting. The numerous rebel armies, factions and civil defence militias were similarly discredited. The police also emerged from the civil war with significant weaknesses—throughout the country, police stations, police posts and barracks had been destroyed, and the police were widely seen as symbols of an oppressive state and lacked the trust and support of the public.²⁷ In other words, little by way of any credible and trustworthy security apparatus and framework existed, and since 1998 a wide-ranging SSR programme has been underway in Sierra Leone.

This ongoing reform process, spearheaded by development funds and personnel from the UK, is widely perceived to have achieved considerable successes under difficult circumstances. The broad aim of the programme is to ensure effective management,

transparency and accountability of the security sector, so that it does not threaten democracy, human rights or other development goals. It is not our intention here to evaluate this programme of reforms, but instead to show how the SSR process has interacted with the private security sector.²⁸ Given the extensive involvement of private military actors such as Executive Outcomes and Sandline in Sierra Leone's civil war,²⁹ it is surprising that the subsequent rapid growth of the private security sector has gone almost totally unnoticed by commentators and policy makers alike. Before the outbreak of the war, there were only two security companies in the country: Mount Everest Security Agency, founded in 1984, and Dynamic Security, established a year later. Today there are at least 30 PSCs, although the actual number could be significantly higher.³⁰ The companies vary considerably in size, but there are approximately 20 significant companies in the country. Most of these are concentrated in the capital Freetown, but several have smaller operations in provincial towns such as Bo, Kenema, Makeni and Koidu. There is also a significant international presence in the private security sector, particularly Group4-Securicor, which is one of the five largest PSCs in the country and provides security for the main operating Kimberlite diamond mine, as well as for the US Embassy. In addition, some former peacekeepers have stayed behind after the end of their tours of duty, and are now owner-managers of security companies. There is also a degree of continuity in terms of personnel between Executive Outcomes, its later incarnation Life Guard, and a number of contemporary security companies and the in-house security sections of mining operations.

It is clear that in post-conflict Sierra Leone, people and businesses rely as much on private security providers as they do on the state for their everyday safety and security. The war has left a legacy of pervasive insecurity, and there are still major concerns over the capacity and integrity of the police service. People express little trust and confidence in both the police and armed forces, whose personnel are frequently associated with war atrocities and corruption. Such concerns for integrity aside, the Sierra Leonean police and army also do not at present possess anything near the required resources and capacity for adequate protection and security provision. In particular, they are ill equipped to provide the level of protection required by the numerous international development organisations present in the country, and as such, the plethora of aid personnel flocking to the rescue of post-conflict Sierra Leone have provided a significant boost for the private security sector. While the lack of capacity, combined with widespread public distrust of the public security forces, points to the necessity of SSR in Sierra Leone, it simultaneously underscores the

necessity of including the private in an overall assessment of post-conflict security. Indeed, even the overseas personnel responsible for the oversight of SSR rely to a significant extent on private providers for their everyday security. Yet, in interviews senior DfID personnel are quite explicit that the private sector 'is not integrated into SSR in Sierra Leone', and accordingly, security sector reform has proceeded without taking account of or including the role and functions of private actors in any substantive manner.

Nevertheless, it is clear that the overall security situation in post-conflict Sierra Leone cannot be understood without reference to private security providers, and while not integrated into the SSR process, there are numerous points of interaction between SSR and private security. One example can be drawn from the retrenchment of soldiers following the war. The Disarmament, Demobilization and Reintegration (DDR) programme has disarmed and demobilized over 67,000 ex-combatants from various junta and rebel forces.³¹ The SSR programme also aims to reduce the size of the Republic of Sierra Leone's Armed Forces (RSLAF) and to refocus its mission, moving it firmly away from an active role in 'internal' security towards an 'external' orientation aimed at securing borders. The broad goal, in the words of one senior official, is to make the military 'affordable, accountable, and admired'. This has involved a consistent reduction in the size of the RSLAF, from 14,000 to a target of 10,517 by the end of 2007. While the first round of retrenchments was wholly voluntary, supported by a fairly substantial incentive program, the second will necessitate compulsory redundancies. Discussions are still ongoing concerning the final composition and size of the RSLAF, with some sources suggesting that a force of 6,000–7,000 is appropriate and affordable.

An obvious challenge to this process involves the 'reintegration' of ex-soldiers and combatants into the broader economy and society. As part of the DDR programme, ex-combatants were offered training, often in carpentry, taxi driving, agriculture and computer skills, but many found these options unattractive or unprofitable, a problem exacerbated by the country's difficult economic situation. However, many of these former combatants and soldiers have found work in the newly emerged private security companies. Indeed, in an economy with little growth and few employment opportunities, private security has been one of few sectors of employment demand and the sector has become a major source of employment. Definitive employment statistics are impossible to obtain, but the Office of National Security estimates that approximately 3,000 people are employed by PSCs, while calculations by some industry sources suggest that the figure might be as high as 5,000.³² Although it is impossible to determine what exact percentage of security guards are former

soldiers or combatants, many companies report that a significant number of their guards are ex-combatants, particularly young men from the Revolutionary United Front (RUF). While most companies report no problems with ex-RUF fighters, some concerns have been raised that they may use their employers as a vehicle to regroup, but given that private security companies in Sierra Leone are unarmed, there seems to be little basis for such viewpoints. Whatever the case, it is clear that the private sector to a significant extent has facilitated DDR by absorbing sections of a young and potentially volatile surplus labour force.

For the future process of RSLAF downscaling, this provides food for thought. The extent to which private security companies will continue to expand and absorb demobilized soldiers is unclear, but potentially highly significant, as the next downsizing phase of the RSLAF will involve compulsory redundancies. It might thus exacerbate the problems of unemployment and exclusion that were so instrumental in providing the initial conditions for the civil war. This precarious situation was recognised by the UN Secretary General Kofi Annan, who reported at the end of 2003 that ‘the high unemployment rate among the youth and ex-combatants who have not yet benefited from reintegration programmes represent challenges that have political and security implications.’³³ The World Bank similarly warns that the ‘immediate prospect for job creation are not good’, and that the ‘youth that formed the rebel armies have no jobs, even if some now have skills as a result of the DDR program’.³⁴

While SSR aims to reduce the size of the RSLAF, it simultaneously seeks to expand the Sierra Leone Police (SLP). The war saw the widespread destruction of police stations and barracks, and significant resources and international advising, most notably from the Commonwealth Community Safety and Security Project, have been applied in retraining and re-equipping the SLP with a view to improving both its effectiveness and public reputation. Although the reform and restructuring of the SLP is widely perceived as having achieved significant results, it is fair to say that the level of public distrust of the police remains high. Police wages are low, and corruption and abuse of power (though much improved) is commonplace. Police primacy in internal security provision is one of the key objectives of the SSR process, and the current aim is to have a force of 9,500 by the end of 2005. Significant progress has been made in this respect, and the SLP is now deployed in all districts, but it is acknowledged that the withdrawal of the UNAMSIL peacekeeping mission in December 2005 will place additional demands on the SLP and its ability to maintain law and order throughout the country.

In this regard, the quality and standards of private security companies become a key issue. An efficient, well-regulated and reliable private security sector can assist in the maintenance

of law and order, and as such can contribute to the strengthening of state authority and legitimacy. Conversely, a neglected and unregulated private security sector can contribute to increased insecurity, and private security should by no means be regarded as an unqualified blessing, relieving over-stretched police forces and providing employment for ex-combatants. Private security exists in a flexible and indeterminate relationship to public police forces and, by implication to the process of SSR, and the quality and character of this relationship depends to a significant extent on the degree of regulation and oversight. Importantly, in Sierra Leone the private security sector is largely unregulated, and the government has little capacity to monitor and regulate the sector.³⁵ As a result, the level and quality of services varies considerably, and there are concerns about private security guards becoming sources of insecurity through theft and collusion with criminals, in part due to very low wages and long working hours. At the same time, it is clear that private security is vital to the maintenance of stability in post-conflict Sierra Leone, and that it is regarded as such by large sections of the population as well as commercial enterprises.

This poses serious challenges for the process of post-conflict reconstruction in Sierra Leone. With the end of the UNAMSIL mission, the ability of the police to enlist the cooperation of private security providers could become crucial. To date, however, private security providers are regarded as external to the reform and reconstruction effort, and are only peripherally included in assessments of the country's security situation, despite the fact that many consumers of security regard private security companies as the most reliable provider. This is particularly the case among many foreign investors, who lack confidence in the quality and availability of public police resources and for whom adequate private security provision is a key condition for their continued operation or return to the country.

A telling and important example in this context is the re-opening of the mining operations at Sierra Rutile. Before the war, the Rutile mine accounted for 57% of Sierra Leone's total export earnings, its annual tax payment was US\$7 million, and it was the country's largest private employer. Accordingly, the re-opening of the mine is widely considered the single most important economic issue in Sierra Leone. Security remains a key issue in this regard; during the war, the mine was overrun by a relatively small insurgent force, and was subsequently looted by the very police contingent sent to protect it. For the duration of the war, the inoperative mine was protected by a series of private companies, including the Gurkha Security Guards, Executive Outcomes, Life Guard and Southern Cross Security Services. Today, the mine's owners and managers have little confidence in the police, and prefer instead to rely on their own in-house security force, which retains key individuals from the security

arrangements during the war. The in-house security section, Sierra Rutile Security, is directed by three expatriates and consists of 155 guards, including an armed, mobile Rapid Reaction Force of 25. This has been extremely controversial, as it is the only armed private security force in the country. While special legislation allows for armed security at the mine,³⁶ international donors insist that Sierra Rutile Security must be disarmed and protection provided by the police. The owners and managers, however, point to the conspicuous failings of the public police during the war and are reluctant to place an investment of US\$74 million at their mercy. A special armed contingent of the SLP has been assigned to the mine, but the in-house arrangements are regarded by the management as indispensable to the continued security of the mine and its personnel.

The situation at Sierra Rutile points to an important tension in post-conflict Sierra Leone. For international donors and many Sierra Leonean officials, an unarmed private security industry is the preferred option. Conversely, numerous investors point to the need for a stronger private security sector, drawing attention both to their inherent distrust of the police as well as the lack of public resources. Interestingly, the Act regulating the private security sector allows the companies to use and import weapons, but currently this is prevented by the UN Arms Embargo of June 1998, which prevents non-state actors from acquiring firearms. From the point of view of security sector reform and post-conflict reconstruction, this interaction between public and private security demonstrates the need to include private security as an integral part of SSR. In Sierra Leone, private security plays a vital role, but the relationship between the private and the public, particularly in terms of firearms, remains an issue that will need to be resolved. Seen from the perspective of improving overall enforcement of law and order, a professional and reliable private sector can assist and relieve an over-stretched and under-resourced police force, performing a central role in securing the degree of stability required for conduct of peaceful economic activities. However, an unregulated sector can easily become a source of insecurity, perhaps especially in a post-conflict situation, and SSR needs to take account of the linkages between public and private actors in an effort to ensure lasting peace and stability.

Private security and SSR in Kenya

While Sierra Leone demonstrates the importance of including the private security sector in the overall SSR process within a post-conflict environment, the situation in Kenya illustrates how processes of police reform in a transitional democracy are also affected by interaction with the

private sector. Attempts to reform security institutions in Kenya have involved substantial efforts to improve and professionalize the police. Decades of dwindling resources and declining service, alongside a legacy of involvement in political violence during the rule of former President Daniel arap Moi, have created a strong sense among the public that the police is as much a part of the problem as the solution to crime and disorder.³⁷ Violence and crime have become major problems in recent years, and UN HABITAT now ranks Nairobi as one of the most dangerous capital cities in the world.³⁸ Daily newspapers are filled with terrifying stories of brutality and criminal behaviour, fear is part of everyday life for a majority of Kenyans, and insecurity is regarded as a main obstacle to foreign investment and profitable enterprise.³⁹ Strikingly, the police are frequently seen as contributing to the increase in crime. From petty corruption to robberies and large-scale organised crime, the police are often believed to be integral to Kenya's security problems. In one survey, people attributed 36% of all crime in the capital directly or indirectly to the police,⁴⁰ while a more recent study reported that cooperation between the police and criminals was perceived to be increasing.⁴¹ Even the Government itself recognises the inability of the public security system to guarantee its citizens' personal security, and blames this on 'low moral. . . , low professionalism, inadequate allocation of required resources, and endemic corruption in the force'.⁴²

Following the elections of 2003, efforts to combat this situation and reform and professionalize the Kenyan police have been intensified, funded in part by the UK and the US. However, as in Sierra Leone, very little attention has been paid to the central role that private security has come to play in the day-to-day provision of security. The shortage of policing resources, combined with the widespread lack of trust in the police has contributed to a massive and rapid growth of private security companies in Kenya. As fear and insecurity have become defining features of life, most people employ private security of one form or another. According to some estimates, there are currently as many as 2,000 private security companies in the country, employing in excess of 48,000 people.⁴³ Security guards can be seen across towns and cities, guarding public buildings, international organizations, embassies, private homes, shopping centres, commercial enterprises and industries. The rapid response vehicles of the leading security companies have become familiar features of the urban landscape, centrally parked across Nairobi's more wealthy areas and suburbs, ready to respond to emergency calls from clients. Private security, in short, has become indispensable for large sections of Kenya's population, especially for commercial enterprises and international organizations. As an illustration, the US Embassy, following the bombing of its previous building in 1998, now has 250 private security guards contracted to its protection.

If the overall security situation in Kenya is to be improved, reforming and retraining the police is certainly necessary, but far from sufficient. Given the wide range of demands on the new Kenyan government, the police force is likely to remain under-funded for some time to come. Currently, Kenya has one police officer per 850 people, well below the recommended UN minimum of one per 450. At this stage, the plan to reach the UN target by 2006 seems highly unrealistic, but at least until then, police resources are likely to remain severely over-stretched.⁴⁴ Accordingly, individuals, businesses and organizations will have few options but to continue to rely largely on private providers. Importantly, this is not an ideological question of whether or not security should be a public duty—it is quite simply a reflection of the material resources of the present Kenyan state.

Despite its size and significance, the private security sector in Kenya is entirely unregulated and little or no attention has been paid to its role and functions. There is no specific legislation or regulation pertaining to private security companies, and no oversight or monitoring of their practices, services, and training. No special license is needed to open a security company, and it is a common complaint in the sector that it is as easy to start a security company as it is to open an ice cream kiosk. Moreover, the vast majority of security companies are not registered at all. Accordingly, the quality of companies and their services vary considerably, and there are concerns that private security companies (like the police) may, or have already, become a source of insecurity. There are frequent accounts of security guards colluding with criminal individuals and gangs in robbing their clients, although the absence of statistics makes the extent of this impossible to establish. What remains the case is that the absence of any government regulation and oversight provides no provisions for imposing sanctions, penalties or closing companies that engage in unlawful or unprofessional activities. The unregulated nature of the private security sector also allows for poor working conditions and wages for security guards. While there is a stipulated minimum wage for the private security sector, one of the country's two industry associations, the Private Security Industry Alliance (PSIA), is actively boycotting the regulation and continues to pay well below the minimum wage. Nevertheless, despite openly breaking the law, PSIA members continue to sign new contracts with government offices, and a government Minister was even present at the launch of the association. There is thus good reason to doubt the government's willingness and ability to regulate the sector, and to a significant extent, the government itself helps maintain a vicious circle of low pay, low service, and the accompanying temptation towards crime that can make private security a source of insecurity.

Not only is the private security sector in Kenya entirely unregulated, it is also characterized by the absence of any formal and organized cooperation with the public police. The relationship between the police and private security companies is best described as one of mutual suspicion, and even at times hostility. Private security providers are quick to point to police collusion with criminals, while the police are similarly inclined to dismiss security guards as compulsive lawbreakers. At the same time, a degree of interaction and cooperation between the two is required, especially as the private sector is unarmed, and hence relies on police backup in dangerous situations and when arrests need to be made. Police backup and support is significantly hampered, however, by the lack of police resources and formal arrangements with private security providers. In the case of the rapid response services offered by many PSCs, for example, it is common practice among companies to send one response vehicle to the incident and another to the nearest police station in order to pick up the required number of police officers, as the police often do not have sufficient transport or communications resources. The result is twofold. First, people subscribing to private rapid response services are often not assured adequate protection. The detour to the nearest police station may delay response times, there may be no police officers available, and unarmed private security guards provide scant protection in the case of armed intruders. Second, the lack of formalized and efficient police backup makes guarding an extremely dangerous occupation in Kenya. Guards are issued only with a whistle and a baton, whereas criminals often carry firearms, machetes or other weapons. As a result, attacks and violence towards security guards are common, and sources within the industry estimate that within greater Nairobi and Mombasa combined, between five and ten security guards are killed every month.⁴⁵ While guards are instructed to withdraw and wait for police assistance when faced with aggressive and/or armed intruders, it is clear that they remain a first line of defence and hence at risk from violence. In this context, many companies express concerns that police regulations make it difficult to issue guards with body armour, as this requires a firearms certificate. Tellingly, in a recent survey guards listed insecurity as their second main concern, topped only by complaints over low wages.⁴⁶

The current relationship between the private companies and the public police can be contrasted with a previous pilot project in Nairobi. This scheme allocated individual private security companies main responsibility for various residential areas in the city, with the police assigning two officers directly to each company vehicle. The arrangement predominantly increased security to residential customers who could afford to pay for private services, and importantly, the scheme was in operation only in the more wealthy

areas and involved primarily the major, leading companies. Although the 'hybrid' patrol vehicles also responded to incidents involving non-paying members of the public, the division of public and private responsibilities and priorities was largely ad hoc and unspecified. The pilot arrangement was terminated by the new Police Commissioner in 2004, and replaced by the 'pick up and go' approach described above. Nevertheless, some forms of 'hybrid policing' continue to operate on a more informal and personalized basis, as individual private security companies make deals with local station commanders for the secondment of police to their operations. Elements of the private security sector in Kenya are also currently lobbying for the reinstatement of a system along the lines of the pilot project, but as of yet, no formal agreements of arrangements have been made.

To its proponents, the advantages of hybrid policing structures are obvious: while the police are short on transport and communication resources, the private security companies in Nairobi alone have approximately 200 alarm response vehicles stationed at strategic locations around the city at any time. As such, a well-regulated private security sector can in cooperation with the police act as a 'force multiplier', increasing the overall sense of security in the city. However, such arrangements can also be seen to increase inequality between the haves and the have-nots, as through these arrangements not only private, but also public resources are channelled to the more wealthy areas and paying customers.

The situation in Kenya thus points to the importance of integrating private security into the overall effort to reform the country's security sector, and also to the political considerations involved in ensuring adequate private and public policing. Importantly, the significance of private security in Kenya has recently been more clearly recognized, and the government has begun consultations over draft legislation to regulate the sector. However, little consideration seems to be given to the role of private security in broader processes of police and security sector reform, and the two processes are taking place largely in isolation from each other. Given the prominence of private security in Kenya, the sector cannot be approached simply in terms of regulation, quality control and wages, but needs to be regarded instead as part of a wider network of security provision, which has clear political and development implications.

Security, equality and the question of legitimacy

While it is vital to recognize the increasing importance of the private sector in security provision in Africa, and the complex networks in which it is embedded, it is equally

important to stress that this is not simply an empirical or institutional question of who does what and where. The pervasiveness of private security goes beyond institutional battles over the correct division of labour between the public and the private, and raises broad political questions that are of crucial relevance both to the process of SSR and to development more generally.

Perhaps the most significant of these issues is legitimacy. A key political objective of SSR has been to bolster—and in some cases to construct or reconstruct—legitimate state authority. An effective and responsible security sector is seen as essential in building state structures that act in legitimate ways and that are recognized as legitimate by their populations. In this way, SSR is part of a broader strategy of good governance, social stabilization and democratization. Private security stands in an importantly ambiguous relationship to these objectives. On the one hand, it is vital not to see security privatization as a simple reduction of state sovereignty, in the sense that an increase in private provision necessarily yields or indicates a decrease in either state power or legitimacy. As we have sought to demonstrate in the discussions above, the connections between public and private are too complex to be captured by such dichotomies. Private security can operate to reinforce state power, by providing security capacities well beyond those that the state could muster on its own. In contexts where public policing institutions are distrusted and/or insufficient, private security may also provide a source of security that enhances state stability and legitimacy, even when state capacities themselves are inadequate or are undergoing reform. As a contributor to the security of capital, it can potentially contribute to economic growth. In this way, the growth and activities of private security should in no way be seen automatically as opposed to state authority or as necessarily eroding legitimacy.

On the other hand, security privatization can pose substantial challenges for perceptions of governmental legitimacy. As Loader argues, the universality of security provision has traditionally been seen as one of key marks of state legitimacy.⁴⁷ For both the state and the public security forces, the prevalence of private security can pose a continuing challenge to their legitimacy, providing persistent and highly visible evidence of their limited ability to deliver adequate security. In many countries, this is a source of frequent tensions between private security providers and the public police, exemplified by the efforts to disarm Sierra Rutile Security, the Kenyan police's reluctance to cooperate with PSCs, as well as the perennial debates about private security in South Africa.⁴⁸ However, the issue of legitimacy also extends beyond institutional competition for prestige and standing, and is in principle

applicable to the political order as a whole. As Loader points out, the provision of security is a core dimension of the symbolic structure and legitimation of a given social order. Drawing on Walzer's notion that modern liberal-democratic societies are characterised by 'complex equality', Loader argues that a provision of security that is relatively equal (or at least not drastically unequal) is a key element of the shared 'social meanings', a part of the 'citizen identity' that underpins societal cohesion and political legitimacy. In his words, 'security provision (especially in its patrolling and law enforcement modes) constitutes an integral part of the "rights and goods enjoyed in common" that help generate a people's sense of a "citizen identity"'.⁴⁹

Applied to the African context and to the process of SSR, these insights are crucial. The colonial legacy, combined with economic and political factors, have made the production of a 'citizen identity' in many African countries highly problematic, and this lack of social cohesion is arguably a source of many of the continent's security problems. The privatization and globalization of security can potentially exacerbate this situation. Kenya provides a good illustration here. Insecurity is a feature of life for almost all citizens in Kenya, but it affects people differently. Kenya is one of the ten most unequal societies in the world, and according to the government's own figures, 56% of the population (or 17 million people) live in poverty, while a small elite of 10% control 42% of all wealth.⁵⁰ To a significant extent, crime and insecurity follow the lines of wealth and surveys show that the feeling of insecurity varies greatly according to income; the poorer you are in today's Kenya, the more you suffer from both the fear and the real experience of crime.⁵¹ Money buys security, and as the wealthy barricade themselves behind security walls and advanced alarm systems, crime moves to the poorer neighbourhoods where the 'pickings' may be less enriching, but more accessible. In the process, the sense of a shared social meaning, or a common citizen identity, may be undermined and the social and political order placed under increasing strain.

This development is by no means limited to Kenya, but holds for numerous countries across the continent experiencing high levels of crime. Crime, or the failure to tackle its causes and protect its victims, may erode fragile common identities. From the point of view of security sector reform, considering the politics of protection in this manner is crucial. It is essential that the overall provision of security, both public and private, is such that it improves security for all, not just for some. This requires careful consideration, in particular as regards coordination and cooperation between the police and the private security sector. Given adequate levels of regulation and cooperation between the public

and the private, private security can potentially act as a 'force multiplier' increasing security for all sections of society. A lack of coordination and cooperation on the other hand, can result in a deepening and intensification of existing inequalities and in a gradual privatization of public resources. This places private security at the heart of an understanding of the politics of protection, and if SSR is to realise its ambitions to improve security for all it is essential to take account of both the symbolic and the practical political implications of private security. Reform of the security sector cannot afford to ignore these issues, particularly where the ability of the state is weak and where feelings of loyalty and belonging are fragmented.

To date, however, SSR has paid only token attention to private, non-state actors. Private security companies tend to be seen merely as a 'business like any other', driven by consumer demands, and of little significance to a country's overall security situation and politics. However, private security has come to play a crucial role in most African countries, where increasingly people rely on private providers rather than the state for their everyday security needs. In this way, the private sector matters, in terms of the maintenance of law and order, in terms of who has access to security, and in terms of social and political legitimacy. Moreover, 'private' security is not simply private, but is integrated into complex networks of security, involving both formal and informal arrangements with public authorities, as well as interactions between global and local actors. Private security companies in both Sierra Leone and Kenya, for example, are part of security networks involving international aid donors, the UN, the government, and international business enterprises, as well as engaging daily in various forms of hybrid policing with local police authorities and officers on the ground. A strict public/private distinction is thus a poor guide to understanding the security sector, as lines of authority and responsibility are considerably more blurred in reality. For a successful SSR programme, this implies not only a need to take account of the security sector in its totality, recognising the linkages between public and private sectors and actors in increasingly networked security structures, but also to acknowledge the highly political implications of security provision in any society.

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Endnotes

1. World Bank, *Voices of the Poor*, 2000.
2. Mancini, *In Good Company?*, 41.
3. See Duffield, *Global Governance and the New Wars*.
4. Short, 'Security Sector Reform'.
5. OECD, *Security System Reform and Governance*.
6. OECD, *DAC Guidelines*, 38; see also OECD, *Security Issues and Development* and *Ibid*.
7. DfID, *Understanding and Supporting Security Sector Reform*, 7.
8. DfID, *Security Sector Reform*, 3.
9. For useful reviews and discussions of SSR, see Ball, 'Transforming Security Sectors' and 'Reforming Security Sector Governance'; Bryden and Fluri, *Security Sector Reform*; Smith, 'Security Sector Reform'; Cawthra and Luckham, *Governing Insecurity*. For a discussion of the role and extent of private sector involvement in SSR in terms of outsourcing, see Mancini, *In Good Company?*
10. OECD, *Security System Reform and Governance*, 11.
11. DfID, *Understanding and Supporting Security Sector Reform*.
12. For discussions of the growth of private security, see Johnston, *The Rebirth of Private Policing*; Jones and Newburn, *Private Security and Public Policing*.
13. Beck, *Risk Society*.
14. Credit Suisse/First Boston, *Review of the South African Private Security Industry*.
15. Wairagu, Kamenju and Singo, *Private Security in Kenya*; Abrahamsen and Williams, *Globalisation of Private Security, Kenya*.
16. Keku and Akingbade, *Industrial Security in Nigeria*; Abrahamsen and Williams, *Globalisation of Private Security, Nigeria*.
17. Mancini, *In Good Company?*
18. Ngugi, *Security Risk and Private Sector Growth in Kenya*.
19. Informal security arrangements such as vigilante groups fall outside the remit of this article, but clearly also interact with the process of SSR in numerous important ways.
20. Garland, 'The Limits of the Sovereign State'.
21. Lilly, *The Privatisation of Security and Peacekeeping*.
22. On the 'junior partner' model of private-public security relations, see Johnston, *The Rebirth of Private Policing*; Jones and Newburn, *Private Security*.
23. Similarly, the existence of private security, particularly when armed, can be seen to threaten the state militarily. This concern applies predominantly to mercenaries and militias, although it has been made in relation to private security companies both in South Africa and Nigeria.
24. Cawthra and Luckham, 'Democratic Control and the Security Sector'.
25. Luckham, 'Democratic Strategies of Security in Transition and Conflict', 17.
26. For accounts of the war, see Richards, *Fighting for the Rainforest*; Zack-Williams, 'Sierra Leone: The Political Economy of Civil War'; Abdullah, 'Bush Path to Destruction'.
27. Meek, 'Policing Sierra Leone'.
28. In 2003 DfID signed a 10 year development partnership with the Government of Sierra Leone, and committed £120 million over the first three years of the agreement. For discussions of SSR and post-conflict reconstruction in Sierra Leone, see Baker and May, 'Reconstructing Sierra Leone'; Ero, 'Sierra Leone'; Malan, *Sierra Leone*; Richards et al., *Where have all the young people gone?*
29. Avant, *The Market for Force*; Musah and Fayemi, *Mercenaries*; Singer, *Corporate Warriors*.
30. Office of National Security, Private Communication.
31. Richards et al., *Where have all the young people gone?*; Malan, *Sierra Leone*.
32. Office of National Security, Private Communication; Abrahamsen and Williams, *The Globalisation of Private Security, Sierra Leone*.
33. RSG 2003, *Reports of the Secretary General*.
34. World Bank, *Sierra Leone*.
35. The sector is regulated by The National Security and Central Intelligence Act, Government of Sierra Leone, 2002.
36. Government of Sierra Leone, *Sierra Rutile Agreement (Ratification) Act 2002*.
37. See Amnesty International, *Kenya-Political Violence Spirals*; Human Rights Watch, *Divide and Rule*; Kenya Human Rights Commission, *Killing the Vote*.
38. Stavrou, *Crime in Nairobi*.
39. Ngugi et al., *Security Risk*.
40. Stavrou, *Crime in Nairobi*.
41. Ngugi et al., *Security Risk*.
42. Government of Kenya, *Economic Recovery Strategy*, 10.
43. Wairagu et al., *Private Security in Kenya*.
44. Government of Kenya, *Economic Recovery Strategy*, 11.

45. See Abrahamsen and Williams, *The Globalisation of Private Security, Kenya*.
46. Wairagu et al., *Private Security in Kenya*, 93.
47. Loader, 'Policing and the Social' and 'Thinking Normatively about Private Security'.
48. See Abrahamsen and Williams, 'Globalisation, Privatisation and the Politics of Protection'
49. Loader, 'Policing and the Social', 382.
50. Government of Kenya, Economic Recovery Strategy, 1; Daily Nation, 2004.
51. Ngugi et al., *Security Risk*.
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