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Enacting the state through security assemblages

Materiality, technology and political subjectification in Nairobi

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Enabling the Police, Enacting the State

At the time of my research, the residents' association of the upscale Greenwoods neighborhood in Nairobi, Kenya, sponsored a security partnership between the police and a private security company, Maximum Security. The company's night patrol team regularly hosted two police officers, and the association paid each of them 250 Kenya Shillings per shift (about 2 Euros) on top of their regular salary, which for a police constable, the lowest rank in the police, starts at 16,000 Kenyan shillings (about 130 Euros) per month. At the beginning of the night shifts, the Maximum Security team would drive to the local police station to pick up the officers, which did not always play out smoothly.

One night I was riding shotgun in Maximum Security's white patrol van.¹ With me was commander-driver James, whose team had worked in this neighborhood for a decade, and Tom, a member of the team who sat in the back of the van. At our first meeting, James immediately took me under his wing, always making a point of explaining everything we were doing or about to do. That night, when we arrived in front of the station, a sleepy policeman opened the gate freshly painted in the colors of the Kenya Police flag, a stark contrast to the generally run-down aesthetic of the station. We drove past the offices next to the gate and headed towards the back where the police canteen offered food and other entertainments to off-duty officers.

James pulled the hand brake and Tom stepped out. He leaned against the

¹ This vignette, though somewhat different, also appears in Colona & Diphorn, 2017. See also Colona, 2018.

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car, and used the moment for a smoke. A policeman out of uniform, a few meters away, jokingly pretended to pitch an orange at us, to which Tom laughingly said, “Jaribu! Jaribu!” – “Try! Try!” in Swahili. Instead the policeman, who knew we were there to pick up two police officers, approached us and immediately came over to my rolled-down window.

He leaned on my door and started airing all his frustrations and grudges against Maximum Security. I could smell the alcohol on his breath as he waved a cigarette in front of my face. Burnt ash was building up and he was not flicking it away. I was worried that my legs would soon become his ash-tray, but I did not say anything. “Let me tell you one thing – he yelled at me – I will never ever come with this car for 250 [Kenya Shillings] when NW Security gives me 500.” With a closed fist he continued, “Give me 500!” (the fist in Nairobi is a hand gesture for the number five). He repeated these exact words ten or more times, like a mantra.

While all this was unfolding, James was trying to keep his cool and told Kimani – the drunk police officer – that I was only a researcher, a guest, and not a white manager of the company as he appeared to think. James also told Kimani that before this joint arrangement started, the team from Maximum Security was working quite well even without the police in the car, suggesting that the police officers were not such an effective addition. James’ light threat, however, sounded empty even as it came out of his mouth, while Kimani kept ranting. When James reminded him that this extra money for the police officers did not come from his company, but from the Greenwoods Residents’ Association, Kimani – red in the face – sprung back and waved his hand shouting: “Then go! Then go!” and assumed an inflexible and authoritative expression. Trying to stand his ground, James reminded Kimani that the same association built and painted the gate of the station, for the officers’ own protection. They also received – I had previously learned – a TV set for the police station’s canteen from the same residents. The argument kept going and although I was getting uncomfortable, it was also entertaining. Eventually another police officer took Kimani by the arm, pulling him away from the car while he kept shouting at us. When he was out of earshot James exploded in fury: “This is Kenya Police!” – a police ser-

vice, he later explained to me, that is often unprofessional, ineffective and inefficient and whose officers are often aggressive, corrupt and only concerned about making extra income on the side.

On our way out just before the gate, an officer stopped the vehicle and jumped in, ordering James to drop him off at the location of his assignment. He too started complaining about the same money issue, and added to the list some other grudges he held against the company, addressing me directly. But he was more diplomatic than Kimani. After he left, all of James' frustrations came out again, visibly fed up with the police. Having police in the car puts private security guards at greater risk in any encounter with armed criminals, who would likely start shooting at a car they realized contained armed police. Without the police the guards could get away, James said, with just the threat of being shot at. All he meant was that, were this arrangement to collapse, the police officers themselves would be the ones not getting the sought after extra income, while for him and his colleagues things would be pretty much the same, if not better. However, the policemen, James continued, always complained about every possible thing when they were with the Maximum Security team at night: "too much light here," "too dark there," "only one door in the back of the van," "no national radio," "no VHF police radio," "no matress in the back of the van," to name only a few. And James could not do much about it; in fact, day after day he would return to the station, always at the same time, try and pick up two officers for the night shift, and probably get the same treatment.

This vignette raises questions about the role of objects and technologies in policing practices, specifically about the ways in which they facilitate specific arrangements between the police, residents' associations and private security companies in some upper-middle-class neighborhoods of Nairobi. Guiding this chapter is the question: *How is the Kenyan state enacted through policing partnerships that enroll various objects?* I detail how the police are materially enabled to do policing through the intervention of residents' associations and private security companies, and how this becomes a state enactment through localized practices. In this chapter I refer to scholarly contributions in political anthropology that approach the state as a site of

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ethnographic exploration, revealing it not as a pre-existing homogeneous entity but through its processes of formation and as a “heterogeneous, if not fragmented, building site” (Bierschenk, 2014: 229). By detailing how these processes symmetrically enroll people and various objects, I show how the state becomes an enactment of socio-material security assemblages.

In the arrangements I analyze in this chapter, armed police officers usually ride in the cars of private security companies, who have a diffuse presence over the territory, especially in wealthier residential neighborhoods. It is through these arrangements that security provision and policing is *made* to belong to the police. This process that enrolls objects such as cars and guns also unfolds in relation to specific legal instruments like the Firearm Act of 2015, the Private Security Regulation Act of 2016 and even the Kenyan Constitution. The vehicles, the guns, the money, these laws are not neutral components of policing arrangements, but important elements that hold together these security assemblages and the security practices that put them to work. In this chapter, I will highlight the role that residents, private security companies and other objects take in enabling the state police. These assemblages are an enactment of the state, which simultaneously reflects a desire for a strong and present state and shows the necessity of materially enabling such expectation.

Objects of Policing

“Security belonging to the police” is an expression that Mr. Das, the security manager of Highsprings residents’ association, used while he was illustrating what he and his association do in terms of security, and how they position themselves vis-à-vis the police. It points towards the residents’ conviction that it is the police who should be in charge of policing, and that the contributions of private security companies and residents should be geared towards facilitating this role.

The presence of armed police personnel in vehicles that are clearly marked with the logos and colors of private security companies is a common sight in Nairobi’s congested traffic. The logistical and financial problems of the

Kenyan National Police Service usually translate into a minimal availability of cars for patrolling and other assets to carry out regular police work. The common assumption among residents, private security officers and the police's own claim of ownership over security practices becomes possible, therefore, only through the intervention of residents' associations and private security companies. Together they provide organizational capabilities, financial resources and various objects towards these arrangements.

Socio-material security practices are one of several vantage points through which the state can be visualized, as there is no Archimedean point of view for such a task, but only situated knowledge (cf. Gupta, 2012; Haraway, 1988). Ethnographic approaches emphasize the absence of such an all-encompassing and natural point of view from which to approach the state. The state is then understood through the effects (Trouillot, 2001) of several governance practices. These governance practices, as shown in the case of bureaucratic writing in various Indian rural government offices (Gupta, 2012: Chapters 5 & 6), or the practices in an Islamabad planning office (Hull, 2012), help to continuously enact the state.

In the cases of Gupta and Hull, material objects like files, forms, pieces of paper and chairs came to the fore respectively either for their capacity to *make things exist* (Gupta, 2012: 146), or as shaping the governance of a city (Hull, 2012: 1), and thus contributing to state enactments. Objects, technologies and the political work they can do are never disentangled, however, from the practices in which they are mobilized, be they bureaucratic writing, urban planning or security practices. In this chapter, by considering the role of objects in security practices, I relate to and extend the concerns of other scholars who approach security and policing through a performativity lens (Buur, 2001; Diphooorn, 2016a; Hansen & Stepputat, 2001; Hansen, 2006). When guns, cars, gates, money and specific laws are enrolled and mobilized in security assemblages they become "matters of concern" (Neyland, 2008) within the security practices that enact the state. Policing becomes one instance through which the state is made present, enacted in practices that involve people and objects together with residents' expectation of what the state should be.

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In the policing arrangements I explore in this chapter, the police bring guns and the possibility of firepower, while the provision of the remaining material conditions for effective patrolling is left to residents and private companies. What is exchanged in these relationships reveals and simultaneously constitutes the meanings attached to these objects. As Cowen suggests in her political analysis of mobility and logistics (2014: 30), the way that processes are carried out informs and specifies the nature of these processes themselves. On the one hand, the policing arrangements between the police and private security companies in Nairobi highlight the political relevance of mobility for the enactment of the state. As I showed in the previous chapter, mobility was particularly relevant in the case of the train and the colonial state at the beginning of the 20th century in Kenya. On the other hand, the importance given to the presence of firepower and the consequent possibility of killing with more or less impunity informs the type of policing that is, if not expected, at least accepted.

The enrollment of guns and cars in a security assemblage affords specific forms of governance and policing to unfold in specific neighborhoods of Nairobi. These security practices, which are governance practices, allow for a “spatialization of the state” through every day activities and reproduce commonsensical features of the state: verticality and encompassment. Respectively, they refer to the idea of the state above society and the idea that the state contains other ever-widening groups and communities (Ferguson and Gupta, 2002: 982). In Nairobi this takes place through a policing style heavily imbued with state control and authority, which only becomes possible, however, through private security companies’ and residents’ provision of tools for mobility and the police’s provision of firearms.

Thus the police are not the only and monadic agent of security. Rather, together with other human and non-human elements they are part of wider assemblages. As Ruteere (2011) specifically suggests with respect to their response to Kenya’s post-election violence in 2007-2008, the police are not mere political tools in the hands of the state institutions. Instead, they need to be understood in their relation to other interests and groups, and as active actors, among others, in the enactment of the state. The security

practices they are enrolled in, thus, go beyond deterrence, punishment and prevention goals to incorporate practices concerned with the “sphere of order-making and unmaking” (Kyed & Albrecht, 2015: 15).

One way of approaching policing as “order-making” is from the different political subjects that are enacted together with the state and through the same arrangements. In these specific security practices some people – the residents – emerge as a collective category of people in need of state protection, but also as a group who need to actively and materially promote the arrangements between security companies and police. During my fieldwork I learned how the residents of these neighborhoods expect or at least entertain the clear normative knowledge that security should be provided to them by the state police, as Mr. Das explained in the office of his residents’ association in Highsprings. Yet they actively need to promote and organize private security patrols with the presence of police so that such an expectation can be upheld.

Self-provision of security by residents, in many ways similar to what Greenwoods and Highsprings associations do, has received much academic attention, attesting to the importance of so-called non-state collective actors in the provision of security, world-wide and especially in the African continent (see e.g. Buur & Jensen, 2004; Diphooorn, 2016a; Meagher, 2007; Ruteere & Pommerolle, 2003). While some interpretations of these processes would suggest a “neo-liberal project of outsourcing security” (Sundar, 2010: 113), the work that the residents of Greenwoods, Highsprings and other similar neighborhoods do in order to be protected is geared exactly towards enabling the presence of the Kenya state, which for them is represented by the police.

Finally, the specific objects in the policing arrangement I explore contribute to the enactment of some people as worthy of protection. The presence of guns in these arrangements is often coupled with the perceived (though not necessarily unreal) danger coming from violent criminals (see Chapter 5). Guns contribute to enacting the residents of these neighborhoods as defenseless and in need of armed protection against such armed criminals. Ve-

hicles, on the other hand, contribute to enacting them as proactive residents who need to enable such possibility of being protected by the Kenya police through facilitating their mobility.

Police, Private Security Companies and Residents

The Kenya Police Force, initially founded during British colonial rule, used to be divided into two main branches: the Regular Police and the Administration Police. The latter, commonly known as the “tribal police,” was often considered to be a political tool in the hands of local administrators and chiefs. Today they are recognizable by their combat fatigues and consist of three main units: a Rapid Deployment Unit, a Rural Border Patrol Unit, and another unit that takes care of the security of government buildings. The regular police, who wear dark blue uniforms, are considered to be the main police body, and their tasks include crime control, investigation and law enforcement. The Regular Police also consists of several units: the General Service Unit, the Traffic Police, the Diplomatic Police Unit, and several others, each with a different mandate. Following the implementation of the 2010 Kenya Constitution, the now Kenya Police Service (no longer a Force) is being restructured. Among these changes, the Administration Police and the Regular Police were brought under the single command of the Inspector General of the police. Independently of which branch, the police in Nairobi are generally considered to be ineffective, inactive, incapable of dealing with crime, often guilty of colluding with criminals (Musoi et al. 2013; Omenya & Lubaale, 2012), corrupt, ill trained and lacking basic equipment.

In line with the previous chapter, looking at colonial police training and work shows the weakness of the “public” versus “private” distinction, a phenomenon that is by no means a recent one. Sempill (1928), the late assistant superintendent of the Kenya Police in charge of the Criminal Investigation Department in the 1920s, recalls how the African constable was quickly trained to police Africans, Asian and Europeans in different ways. The zeal that the African constable had to show in this differentiated style of policing was considered to be a public service, though the meaning of public does not align with “everyone,” or with a homogenous population. In Sempill’s

logic, “the public” clearly equated to European settlers and to a lesser extent the Asian population who could, for instance, loiter undisturbed in colonial Nairobi. Conversely, the policeman had to swiftly intervene to remove Africans from the pavement, who were thus enacted as unwanted and non-belonging.

This parallel serves two analytical and consequential points. First, it throws into question both the distinction between public and private and, second, it shows the impossibility of a homogeneous common good for everyone. The colonial police did not serve like a private force for the protection of European settlers, instead the work they were expected to carry out actually shows how differentiated belonging to the city and to the colonial state was inscribed into policing practices, and in the making of the colonial state. This differentiation inscribed in policing practices, while not necessarily a recent development, is today empirically entangled with contemporary security assemblages in Nairobi. Today’s policing arrangements between police, residents and private security companies produce analogous differentiations, even though the criteria and the type of policing actions have changed. The ways in which security is provided differently in different neighborhoods is part of political subjectification processes whereby specific categories of people are protected as residents worthy of protection, and others are simultaneously targeted by the same security practices as threats and dangers to the former.

In Nairobi I encountered diverse configurations through which various types of co-operations between police and other groups take place. The Diplomatic Police Unit, for example, has a formal memorandum of understanding with several private security companies. This unit caters specifically to the security needs of diplomats and UN personnel, who most often reside in some of the areas where I conducted my fieldwork. Representatives of these groups of residents also take part in regular meetings aimed at sharing crime intelligence, so they can adapt their strategies accordingly. Another less regulated cooperation is between the Cash in Transit operations of private security companies and the Administration Police (cf. Diphorn, 2015b). In these arrangements armed police personnel regularly

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travel in the “follow-car,” a private security vehicle that drives behind an armored van transporting valuables through the city. Another instance, and this list is by no means definitive, is what one of my interlocutors described as a “gentlemen’s agreement.” Security companies’ managers sometimes ask personal acquaintances in the ranks of the different police stations for their help securing events or venues for which the private companies have been contracted to provide security. The same personal ties are also called upon to guarantee the armed presence of police personnel with the MRTs who patrol neighborhoods like the one in the opening vignette.

The importance of the police in a number of local security arrangements in Nairobi is visible from the consistency with which security companies and residents call upon them. While the police act as a “coagulating agent,” as I have discussed elsewhere with Diphhoorn (2017), they still need to be materially enabled. The armed police officers are the actors who make these arrangements meaningful for all the different actors involved. Contrary to many dated and contested arguments put forward about “the state” in Africa as a weak, failed, or obsolete entity (Helman & Ratner, 1992; Zartman, 1995), in Nairobi the state and its security organs, like the police, have an important place in the everyday lives of urban residents, though not always of the same kind. Indeed, depending on the specific neighborhood, police presence is either sought after and paid for to provide security, or avoided at all costs since they are considered to bring insecurity and brutality.² Their presence is never irrelevant.

Many private security companies provide mobile response services in several neighborhoods. However, not all companies that are operational in a neighborhood with an MRT host police personnel. Some companies host police personnel in a specific neighborhood, while other companies host them in others. According to my interlocutors, the spatial distribution allows companies to avoid expensive overlaps in resource deployment, it reduces further strain on an understaffed police service and at the same time

² For a more detailed discussion of these dynamics see Price et al., 2017; Kimari, 2015, 2017; van Staple, 2016.

it ensures a more diffuse police presence in relatively wealthy, commercial or industrial neighborhoods. These arrangements are never stable – the situation from the vignette was not an isolated episode. Furthermore, rumors during October and November 2016 had it that the inspector-general of the police, Joseph Kipchirchir Boinett, was about to issue an order to stop all these agreements between private security companies and police stations, although it has not yet come into effect at the time of writing.

Armed police officers can also be seen in unmarked private vehicles as part of initiatives organized and led by resident organizations. In Forestgrounds, a community policing group does exactly that.³ This group was born at the time of the first multi-party elections in 1992 when a record seven presidential candidates were running for office for the first time in Kenyan republic history. Since these elections generated fear of violence and insecurity, a small group of Forestgrounds residents who were members of the Police Reserve,⁴ organized themselves in a community policing organization, which over time grew in size, capacity and legitimacy in the neighborhood. Under the umbrella of this organization, two different pairs of members volunteer daily to pick up four police officers from the local police station using their own cars. They patrol together from six in the evening until midnight. When security intelligence suggests higher risks, the patrols continue until six in the morning. The community policing organization also operates a control room and a VHF radio network that provides a line of contact between the residents and the police. Residents of these neighborhoods are used to this “symbiotic arrangement:” while there is a conceptual distinction between the community policing organization member and the police officer, residents have come to understand them as a co-presence (Colona & Jaffe, 2016: 6).

3 For a more in depth analysis of this case see Colona & Jaffe, 2016.

4 The Kenya Police Reserve was established in 1948 as an auxiliary force to the Police. In 2004 it was disbanded in urban areas and kept as an active force in more remote regions of the country. For an analysis of the role of the Kenya Police Reserve in Turkana see Mkutu, 2015.

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These coordinated initiatives are implemented and carried out by private security companies or residents' associations and take a considerable amount of sharing information, planning, and coordination. It shows how public-private security provisions in the city are entangled in a network that is not based on individual or idiosyncratic arrangements. Care, labor and negotiations are mobilized to make this happen as efficiently and effectively as possible in different neighborhoods. The state is not only enacted, but necessarily "spatialized" – as Ferguson and Gupta (2002) would put it – through these arrangements.

Residents and private security companies usually initiate these arrangements and go out of their ways to have armed police officers join them. All these efforts suggest that the residents expect – and clearly want – the police to do the policing. Or at least a type of policing that requires the presence of firearms. Engaging in the management of such arrangements requires investments in energy, time, and finance as well as patience, since situations similar to the one provoked by Kimani (the drunken policeman) are the norm rather than the exception. The presence of police officers is considered a good, to the extent that they are sought after and paid extra in order to sit with their guns in the private security cars patrolling these neighborhoods.

Dennis, the security delegate of the residents' association in Greenwoods, once made this specific concern very clear. After a few nights of accompanying the joint patrol between police and private security, I joined him in his garden to ask some follow-up questions, and to make sure I understood the terms of the arrangement clearly. Tentatively, because I was scared of upsetting some equilibrium, I mentioned to him rumors about NW Security planning to implement a cooperation arrangement with the police independently from the residents' association (in fact Kimani shouted that NW was paying double the amount that the Greenwoods association did). NW Security was a competitor of Maximum Security in the neighborhood and was probably implementing this cooperation as a marketing strategy.

While he admitted he had never heard of this, he looked unscathed and

made his feelings clear: if NW Security does this, for whatever reason, and guarantees an armed police presence in the neighborhood, it would fulfill the purpose driving the original partnership arrangement between the association, Maximum Security and the police. The role of the residents (and their associations) that emerged during my fieldwork in Nairobi, and from this small episode in particular, does not fit comfortably in the categorical box of residents who position themselves against or in place of the state police and, in the process, act as individualistic and/or neoliberal subjects (cf. Sundar, 2010). On the contrary, these residents' initiatives derive from the expectation that it is the state police who should take care of security. NW security taking over the arrangements on its own would actually address the reason why the association initially promoted and financed it in the first place: to have a constant and mobile armed police presence in the neighborhood. He actually felt that this might take the burden of the organization away from the residents' association.

Mr. Das, the chairman of the security subcommittee in Highsprings, strongly expressed the same conviction during an interview.⁵ He explicitly stated: "Security in any nation doesn't belong to private security companies, but to the police." He reinforced this statement by listing and explaining how his residents' association was supporting the police in fulfilling this role, a modus operandi that was not much different from the one adopted in Greenwoods. While the residents and their associations step in, they do not oppose or replace the security provision role of the police; they intervene to provide the material conditions that enable the police to fulfill what they believe is the police's mandate.

Some official statements reflect this state of affairs: the police in order to act as *the* security provider needs the intervention of residents and companies. During a meeting of the National Security Advisory Council on 26th November 2014, the president of the Republic of Kenya, Uhuru Kenyatta, stated that "No matter how much we do, there will never be one policeman for everyone and unless we work together with the security forces, the respon-

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Tessa Diphorn and I conducted this interview together.

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sibility lies on me and you.”⁶ While the police in Greenwoods and other similar neighborhoods are ideally expected and wanted to do the policing, they are not simply called out on their failings. They are instead assisted to achieve that expectation. It is because of the interventions of the residents and private security companies that the police can be present in these neighborhoods: materially enabled in order to be the state organ “to which security belongs” – as Mr. Das asserted. The police’s own claim of predominance over security practices and the residents’ expectations that armed police officers should be patrolling a neighborhood is actualized through the intervention of residents with their associations and the private security companies with their vehicles. Since the police do not achieve this type of presence due to the lack of logistics and assets, the residents provide the necessary infrastructures and incentives to such goal.

The arrangements between police, residents’ associations and private security companies emphasize the rationality of enacting the state through policing practices. All the various people and objects act in relation to each other so that these arrangements can take place, but some objects like the cars or the police’s guns are able to hold the assemblage together. While the specific assemblages mobilized for such arrangements remain flexible and dynamic, also in relation to who actually facilitates such arrangements, particular objects enable the possibility of such arrangements. These arrangements could be initiated and financed either by the residents or by the private security companies, as long as the police and their guns are involved in patrolling the neighborhood.

The statements of the two residents responsible for security in their respective associations show a clear normative agenda that enacts the state in very specific terms: it is the armed police who are desired for the policing of their neighborhoods. The normative statement that security belongs to the police suggests a broader normativity, reflecting an agenda in which the state is strong, present and authoritative, and polices its territory through

6 <http://www.nation.co.ke/news/politics/President-Uhuru-Kenyatta-on-security/1064-2535970-h5efpiz/index.html>

its security organs. At the same time, this normative agenda means that the financial and material conditions for this to happen must come from the residents' association and/or a private security company.

Cars and Guns

The arrangements I described so far could not be performed and imagined without two specific objects that make them possible: the vehicles of the private security companies and the guns of the police. In this section I foreground their importance in making possible these policing arrangements, and I reflect on their implications on the enactment of the state. The cars and the guns are not negligible materials, but are the elements that together with police officers, the private security guards, and the residents enable and hold together this specific security assemblage.

One of the managers of the community policing organization in Forest-grounds, during an interview, explained their operation as the “eyes, ears *and wheels*”⁷ of the police. Community policing organizations and residents' initiatives often position themselves as the “eyes and ears” of the police. In such terms the civilians share information with the police and do not take part in policing operations actively. The specific addition of “wheels,” however, shifts the balance. The community policing manager reinforced the necessity of mobility for the police by saying that when emergencies happen, “we take them [the police] there.” The emphasis he put on this detail of the arrangements makes it anything but a trivial detail. First, it shows that the police are in a position in which they lack the material resources to afford transportation, and, second, it suggests that the kind of job they are expected to do is dependent on the capability to be quickly deployed over a relatively large space.

Similarly guns are not insignificant appendages of police officers. The two somehow fuse and become relevant for these arrangements. During a night patrol in Greenwoods, Maximum Security was hosting two police officers. I

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Tessa Diphorn and I conducted this interview together.

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was trying to keep a conversation going with one of them and started talking about his views of the arrangement he was part of. At some point he affectionately tapped his short-barrel AK47 hanging over his unmarked blue rain jacket and said: “I give them backup, they give me mobility,” referring to the private security company officers and their vehicles. He described himself and his fellow police officers as if they were the muscle helping out the powerless security guards. During another night patrol in Greenwoods, a police officer was unusually vocal with me about the importance of his gun. Standing next to the car, he visibly held his gun between us, fidgeting with it as he explained to me how he learned to use it. Later he told me, in a tone that seemed confessional, that for him the most important thing was indeed his gun. If someone approached him maliciously, he continued as he mimed shooting an automatic rifle, he would have known how to react.

On another occasion in Forestgrounds, the MRT and I were driving around the neighborhood late at night. At a major road junction an armed police officer was walking alone. The reaction of the team leader was the most interesting: “What is a gun doing alone at this time of the night?” After I asked for some clarification over the meaning of his question, he explained that police guns should always be at least two in number, so they could protect each other. I find his choice of words to be the most illustrative of how guns and police officers, in a synecdoche, often fuse and of how difficult it is to tell them apart.

Police officers’ strong reliance on and identification with their firearms – to the extent that *police officer equals gun* – lays bare particular assumptions about policing. It points toward a kind of policing where officers are expected to use their tool, which necessarily leads to shoot outs and killings by the hands of the police, as I will further discuss in Chapter 5. Similarly, if the residents’ associations promote the presence of armed police officers in private security cars, and if they exchange extra money and mobility for the benefit of having armed police in their neighborhood, it suggests the normative expectation of a firearm-based style of policing.

Yet guns are only one element of these arrangements. During the patrol

night when I met the first officer that tapped his AK47, he proposed a thought-experiment. The security guards were busy checking a residence for a false-alarm activation and the police officer and I were waiting for them to be done outside the car: “If this false alarm we are attending was a real emergency, and if I wasn’t here with the company’s car, I would be at my police station, idle on a chair.” If this would have been the case, he explained, the residents would have had to call the station and arrange some form of transportation for him and his colleagues. It would have taken a long time and the “thieves” would have already absconded by the time he or one of his colleagues arrived on the scene. In this way he tried to explain to me that the car is not a detail in the arrangement he is part of: it is as central as the gun and the police officer.

What do vehicles do for policing and these arrangements specifically? They become the necessary tool for the state to become spatialized, and thus enacted. The car is necessary in order to make security “belong to the police,” as the security delegate of Highsprings, Mr. Das, phrased it. It allows for mobility in an efficient and relatively quick way in a sizably large neighborhood and/or city, bringing the guns and the police officers where they are supposedly needed or wanted. The private security companies have the mobility of the cars, but lack the firepower provided by the police. The vehicles are not just tools to patrol for the private security companies, but become a necessary condition for the police to be present over a relatively large territory, a territory that could not be patrolled as effectively on foot.

Cars and guns are never independent from the assemblage they are part of. The interventions of residents and private security companies and their assets are necessary conditions for these objects to be part of these policing arrangements. The same vehicles of the private security companies, or the police officer’s guns disengaged from such network of security relations and governance (Neyland, 2008) would produce different consequences in terms of state enactments and political subjectification. The case of the police officer who suggested the thought experiment clarifies this further. A “policeman-with-a-gun” sitting at the police station and waiting for a phone call and transportation while an emergency takes place, impedes the pos-

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sibility to give real and meaningful backup. In that way security practices could not possibly belong exclusively to the police, paraphrasing Mr. Das. Conversely, the mobility capabilities supplied by private security companies and residents enable the state police to be where their armed presence is wanted. The type of protection police officers afford relies on both the firearms and the vehicles. All of these objects (and other less explored in this chapter like radio handsets and networks) are the conditions that afford the state to be enacted through these arrangements as a strong security provider, and yet as one that needs to be materially enabled.

Addressing the relevance of objects in security and policing practices raises questions about how they are made available throughout Nairobi, and the consequences for different types of political subjects that are enacted along the way. Residents in poor urban settlements, like Bonde,⁸ do not have the financial and material resources to enable the police to do the kind of policing that takes place in Greenwoods. Furthermore, Bonde's inner roads are not large enough to allow for patrol cars to drive through. The differential availability of financial, infrastructural, and material assets affords enactments of the state and political subjects in radically different ways across Nairobi's urban space. Yet this is not a deterministic argument. It is not the mere presence of roads large enough or financial capabilities that allow the residents of Greenwoods to be constituted as subjects in need of police protection. Cars, guns and money are necessarily mobilized in security practices that – as Chapter 5 will clarify – enroll social imaginaries about who is dangerous and who is not, and who is to be protected and from whom.

While in neighborhoods like Greenwoods the residents are collectively enacted as subjects deserving security from the state, in Bonde things are different. Imaginaries of the state and its security organs assume an oppressive texture. Though the residents of these types of neighborhoods are actively involved in organizing various security arrangements in their neighborhood (cf. Price et al. 2016), they usually avoid involving the police, who are considered to bring insecurity rather than security. In contrast to Greenwoods'

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Bonde is a poor urban settlement across a major road from Greenwoods.

residents, those of Bonde are enacted in oppositional terms to the state and the state security forces. Collectively they become political subjects who are not worthy of police protection, but victims of police brutality.

However, objects and technological devices are not simply passive tools at the mercy of someone's willing hands. The security practices that enroll them in specific socio-material assemblages enable them to do political work, as I discuss further in the next chapter. The private security companies' cars, the police's guns, and the money coming from the residents' associations substantiate policing arrangements and make possible specific enactments of the state and different political subjects. When the police officer touched his AK-47 and referred to the backup given to the private security company, his gesture highlighted how the gun was a central element of the act of bringing help. He said: "I give them backup" – while tapping his gun. Rather than portraying him and the gun as two distinct entities, he himself put the emphasis on the unity of *policeman-with-a-gun*, highlighting the relational work of this specific socio-material assemblage.

The Constitution, the Private Security Regulation Act and the Firearms Act

Laws, similarly to the objects that I foregrounded in the previous section, not only have effects but also help constitute the type of security arrangements that are analyzed here. Several legal instruments, such as the Constitution, the recent Private Security Regulation Act of 2016, and the Firearm Act of 2015 each play a crucial role in this process: the Constitution defines the relevant actors in the handling of security issues; the Private Security Regulation Act formalized the possibility of cooperation between police and private security companies; and the Firearm Act contributes to the enactment of specific political subjects in relation to guns. In this section, I will discuss these three laws and how they are variously mobilized and enrolled in relation to the security arrangements between police, residents and private security companies. Rather than providing legal commentary, I focus on the controversies they give rise to in this respect.

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One early morning I attended a meeting in the boardroom of the Security Sector Committee of KEPSA (Kenya Private Sector Alliance), to which I was invited by one of the members. It started very cheerfully; everyone cordially greeted everyone else, emphasizing each other's various titles. Soon, however, some tensions rose to the surface about the role of civilians versus the role of the police and the military in security matters, and the debate turned into a heated one. Inspired by president Kenyatta's motto of "security starts with me," the committee's chair made a statement about how, according to the 2010 Kenyan Constitution, all state security organs were subordinate to society, thus stressing that the military should be considered the last resort in dealing with national security.

This prompted another attendee to report that the then Cabinet Secretary for internal security, Joseph Kasaine Ole Nkaissery, a former Army officer, was not fond of civilian involvement in matters of security. This remark created loud discontent in the boardroom. A younger-than-average member of the committee interjected with a yell directed at the cabinet secretary: "You are my employee!" A senior attendee waited for the confusion to calm down and solemnly took the floor. He stated his police background before he reiterated the fact that civilians are the ones in charge of the security docket. While doing so he waved a worn-out pale-yellow booklet with "Constitution of Kenya" written in black capital letters on the front cover. He passed it on to the younger member of the committee who was sitting next to him and instructed to read article 239. With his hand he stopped the public reading after the fifth subsection: "The national security organs are subordinate to civilian authority."

As the KEPSA meeting shows, legal instruments contribute to the production of expectations that go beyond parliamentary discussions and judiciary rooms. The claim that civilians like residents or – possibly more interestingly for members of the KEPSA – private companies should be included in, if not in charge of, security practices was justified by such a performative reading of article 239 of the Kenyan constitution.

Resolving the matter of who is in charge is not my main concern here. The

various normative ideas about who is in charge – police, military forces or civilians – that are articulated in various venues, are not necessarily consistent. Very often they might be in conflict. On the one hand, residents’ initiatives that attract police officers in their neighborhoods might resonate with the cabinet secretary’s position of leaving the actual security provision work to state organs. Consequently, the residents would position themselves as citizens who need to be provided with security by the state security forces. On the other hand, however, the same residents need to actively claim and promote police presence. They need to organize with police station commanders, with private security companies, and mobilize financial and material resources. The members of the community police organization in Forestgrounds go even further. They make time and their private vehicles available for patrol routines. While these arrangements promote strong and present state policing practices they concomitantly undermine the idea of a strong state, for it necessitates the interventions of the private security industry and the residents.

Before the Private Security Regulation Act was passed in May 2016, official regulation for the private security sector was mostly left up to the industry members themselves (Diphooorn, 2016b). Two main sector associations, still operating today, covered this task: the Kenya Security Industry Association (KSIA) and the Protective Security Industry Association (PSIA). The KSIA is a self-proclaimed elitist association whose thirty-eight members are mostly part of the top tier of the national and international security industry. They market themselves as highly professionalized and abiding of labor laws and wage standards. The PSIA, on the other hand, with a membership of about eighty companies, does not make a secret of the lower professional standards its companies offer, and openly rejects minimum wage requirements. Hundreds of other companies, usually referred to as “juakali” or “briefcase companies,”⁹ remain unassociated with either of the two. Their services are

9 *Juakali* in Swahili can translate as “informal” and is a commonly used to refer to any labor carried out outside the formal market under the intense heat (*kali*) of the sun (*jua*). Briefcase refers to companies that do not have an office; the only place that they exist is, in fact, in a briefcase.

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of even lower standards especially in terms of guards' training.

The main contribution of the Private Security Regulation Act of 2016 is the disposition to establishing a Private Security Regulatory Authority, who according to the Act will regulate the industry. Initially a chairman had been nominated and successively dismissed. The Authority's full appointment arrived only in February 2017. According to the Act, every security provider will be required to register under such Authority, whose mandate is to supervise and control the industry, formulate and enforce standards, create and maintain a database of operations and personnel, advise the Cabinet Secretary, and ensure that the private security service providers "act in the public and national interest when rendering their services."¹⁰ While this subsection is not surprising in the scope of this law, it is interesting because it formalizes the basic rule of the game: the private security industry is expected to act in the public and national interest. It suggests a hierarchy in the relations between private interests and national interests, or even less clearly, public interest.

This tension created waves of discontent among owners and managers of private security companies, especially considering how the hierarchy of interests is operationalized in the Act (cf. Colona & Diphooorn, 2017). Part VI article 45 clearly states the duty to cooperate for a private service provider upon request by the state apparatus: "Whenever called upon by a national security organ [...] a private security service provider shall cooperate in the maintenance of law and order or in any other manner as may be provided for in the instrument of request." Members of the industry wonder what this will actually entail. They are especially worried that the national security organs will abuse this opportunity to regularly call upon private security companies for assistance, without a clear understanding of who will bear the costs. The normative intent to impose a predominance of the state apparatus over the private security industry is clear in this section of the Act.

A board composed by twelve members is supposed to manage the regulato-

¹⁰ Art. 9, subsection (g).

ry Authority born out of the Act. Article 11 of the Act regulates that the President of Kenya will directly appoint the chair, while the Cabinet Secretary responsible for matters relating to internal security appoints the rest of the board's members. Besides the chair, the other five members will come from state organs and institutions: one secretary each for security, financial, and labor matters, plus a representative of the National Police Service and a representative of the National Intelligence Service. The remaining members are two members of employee organizations, two members of associations representing private security firms, a member nominated by registered residents' associations to represent the interests of residents, and a member nominated by the KEPISA.

The statements of this Act appear to relegate the private security sector to a junior position (Jones & Newburn, 1998). Although the composition of the board appears somewhat balanced, managers of the security industry worry that the board might become a puppet in the hands of state institutional actors. Some suggested that the Authority could become "a 'state affair' that will 'totally act on behalf of the state'" (cf. Colona & Diphooorn, 2017: 16).¹¹ This points towards the idea of an extant and strong state. Yet my ethnography simultaneously shows that in order for the state organs to be so strong and extant, to act accordingly to this idea, they need the intervention of other actors to facilitate and materially enable this process. This implication is formally taken into consideration in the Act itself which allows for the possibility of calling upon private security providers to cooperate with national security organs. Both in the patrolling arrangements explored above and in the Private Security Regulation Act general guidelines, security is *made* to belong to the police, through objects and materials that belong to someone else.

Considering the number of employees in the private industry against the number of police officers provides an interesting point of comparison. In 2007 the private security industry was estimated to employ 400,000 securi-

¹¹ Interview conducted by Tessa Diphooorn with a board member of one of the employers' associations.

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ty guards, ten times the number of police officers (Mkutu & Sabala, 2007). During my fieldwork, between 2015 and 2107, private security managers suggested that there were up to half a million security guards compared to only 80,000 police officers. Whether these estimates are accurate or not, they highlight an interesting contrast. While in the Act the state security organs come across as an overpowering force, these figures reverse that initial impression, even though size does not obviously equate to decision-making authority and power. The section of the Act on the duty to collaborate opens up for a different interpretation especially in light of the presidential statement that “there will never be one policeman for everyone.”¹² While they claim predominance and authority through the law, and while they prioritize public and national interest, national organs simultaneously require help from private security companies to fulfill their role.

The Private Security Regulation Act categorically forbids private security companies to carry firearms, and gun ownership, use, and sale is broadly regulated by the revised edition of the Firearms Act from 2015. In addition to defining firearms and ammunitions, and regulations for their sale and trade, the Act specifies the conditions under which civilians and public officers are allowed or withdrawn a firearm license or certificate. Article 7 lists a series of reasons that would exempt one from the necessity of obtaining a firearm certificate. Most of the reasons in this long list have to do with circumstantial motives such as working in an abattoir, or being part of a rifle club or enrolled in sporting activities. Notably, the first subsection of the article clearly exempts “police officers or other public officers” from needing such certificates. An exception is made if they intend to purchase a private firearm to be used on duty, for which they are however exempted from any fee. Civilians requesting such certificates, on the other hand, are subject to severe yearly vetting in order to obtain and keep the certificate. Some of the residents and managers of security companies that I met, who rarely enjoyed talking about their firearms, described the process of getting a certificate as painstakingly long, expensive, and subject to the arbitrary

12 <http://www.nation.co.ke/news/politics/President-Uhuru-Kenyatta-on-security/1064-2535970-h5efpiz/index.html>

moods of the officials granting it.

Article 7 of the Firearms act normalizes into the figure of the police officer the exceptionality of someone holding a firearm. This differential treatment suggests that firearms are the exclusive domain of state security organs. Guns in this Act are not only a reminder of the power and monopoly on violence that the state has, but they are also objects that do something else, both in a physical and a political sense. If symbolically they substantiate a hierarchy that shows who is allowed to liberally carry firearms, they also mediate and shape relationships between police officers and civilians. Article 42 stipulates that a police officer “may arrest without warrant any person whom he suspects on reasonable grounds of having committed an offence” under the same Act. Thus guns become objects that could trigger an arrest without warrant, actually contributing to the enactment of “any person whom [the police officer] suspects” as criminal rather than a suspect. Furthermore, the liberal conditions under which police officers are allowed to carry firearms under this act confirms how in Nairobi police and their work are inextricably associated with firearms.

Yet as I mentioned in the previous sections guns are only one object of policing in the arrangements I explored. This sense of ownership over firearms that comes from the Firearms Act would remain only symbolic if – as the officer in Highsprings suggested – police were stuck sitting in their stations without transportation to where emergencies take place. It is the vehicles of private security companies and residents’ associations that – together with various laws – allow these specific forms of policing to unfold in wealthy neighborhoods in Nairobi.

Conclusion

The material that I have presented in this chapter suggests different accounts of the enactment of the state, which fit together only loosely: the Kenyan state is enacted as a strong security provider, but one that simultaneously needs to be materially enabled to be so. I have suggested considering these policing practices and the socio-material assemblages they

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put to work as state enactments. Through these arrangements residents and private security companies consistently sought the presence of armed state police in their neighborhoods and in doing so they were enacted as subjects worthy of extra protection.

The cars and guns enrolled in these arrangements are not ancillary or mere symbolic devices, but crucial elements of the security assemblages and necessary conditions for these policing arrangements to take place as they do. These objects are as relevant as the imaginaries that are mobilized, the drivers of the cars and the police officers carrying the guns. The residents' conviction that security should be taken care of by the police translates into them actively intervening in the enactment of the state as a security provider. In this sense it is the diffuse work of the whole assemblage and the contribution of each element that becomes a state enactment. The intervention of the residents and private security companies materially enables the police and provides a system through which they can carry out the type of policing expected of them. It is objects like guns and cars, once they are mobilized within these socio-material policing assemblages, which make these arrangements possible.

The specific objects involved, however, do more political work than solely providing the conditions for these arrangements to happen. Guns in general come to be identified with police officers, meaning it is the police-with-the-gun that residents and private security companies wish to have in their private security or personal vehicles. This suggests that the ability to do policing is conflated with firepower and the consequent potential for hurting and killing someone, as I will explore in more detail in Chapter 5. The enrolling of vehicles in these arrangements, on the other hand, suggests the expectation that the police-with-the-gun should be present over a large territory. Yet such territory needs to have the appropriate road infrastructures for the cars to drive on and to allow the police to provide security to the residents. This excludes altogether some poor urban settlements from the possibility of hosting such arrangements, even before considering the will of the residents and the police of these neighborhoods to engage in them. In the words of Cowen, it is the "*how that shapes the what*" (2014: 30, emphasis

in the original): in the process of showing *how* the state police are enabled, it is made evident *what* the state police are expected to be.

By pointing out some elements of the socio-material assemblage enrolled in policing practices unfolding in some of the wealthier neighborhoods of Nairobi, this chapter raises the question, “Whom are these arrangements aimed at protecting the residents against?” The specific materiality of guns, for instance, suggests that the gun is there to hurt, kill or deter someone dangerous who lurks in the spaces of these neighborhoods and need to be identified. In the coming chapters I discuss further the question of whom these practices are geared against, and explore some dangerous types that consistently appear in Nairobi’s geography of fear.