



Security, communication and the role of the police in Germany

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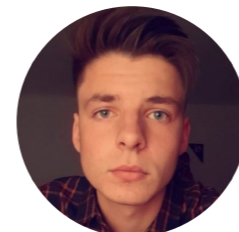
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Security and its construction

To be safe and to feel safe is a basic human need and for states it is of high priority to provide the overall status quo of security in order to ensure stability. This article illustrates how safe people feel in Germany and what role the police play in the feeling of security. Furthermore, the measures taken by the police to ensure security and what communication dynamics form the basis of their actions will be laid out.

Etymology in this case can be very revealing. Security, from the Latin *sine cura*, originally meant "to live without worry". This sounds like an unattainable ideal. As this is, of course, an excessively broad framework, we have to limit it somewhat. In the context of this article, we are primarily interested in so-called "public security", i.e. primarily crime or terrorism that affects individual citizens (Frevel, 2016: 7). Of course, this definition leads to the following question: When does security pre-

vail and can this question be answered at all above an individual feeling? In a sense, two dimensions can be used to measure security.

The first one is the objective dimension: Statistics that try to be as objective as possible can be consulted, which show approximately how great the probability is of being exposed to a certain security risk in a certain region and time. An example of this are the official crime statistics, which are updated at regular intervals and which, at least in the context of recorded crime, can show how safe an area, at least statistically measurable, is. An area where no murders have occurred for years can be characterised as objectively relatively safe, at least as far as 'naked life' is concerned (Daase, 2012: 39).

But to return to the *sine cura*, when is the individual actually without concern for his safety? Here we come to the subjective dimension. Here, surveys try to explore how the fear of a threat to "internal security" comes about. Indi-

vidual experiences often play a decisive role here; victims of crime often have an increased sense of threat (Frevel, 2016: 20). But not only experiences with crime, but also social or general fears mostly have an effect on the individual feeling of safety. Thus, factors that are only directly related to actual crime, or perhaps have nothing to do with it at all, can create a feeling of insecurity (Miko-Schefzig 42). This ranges from a general feeling ("It is safe in my neighbourhood"), to the evaluation of the smallest everyday situations. Situations are always vague and continuously allow for different interpretations (Reichertz 2019: 161). For example, graffiti on a wall may be perceived by one person as an indication of deviant behaviour and therefore threatening in the overall perception, but perhaps by another person as an indication of a vibrant and modern community. But what can be done to increase security? The first thing to mention here is, of course, the factual increase in security. This can be done by state institutions such as the administration, police, regulatory agency, army and intelligence services and ultimately by citizens themselves. This complex field of de facto security provision ("policing") is a struggle of the actors involved to "justify, anchor and ultimately enforce certain strategies of action". They require political, legal and ethnic legitimation, which is produced discursively (Reichertz, 2011: 16). This refers above all to the objective share of safety.

In order to capture the subjective part of security that is not directly measurable on actual data, a constructivist approach is chosen. In this regard, the individual perceived security is a communicative event that cannot occur beyond a discourse. Thus, by setting a certain discourse (e.g. Islamic terrorism) by people with power (e.g. politicians, figures of the media), a certain feeling of security or even

insecurity can be generated (Schirmer 2008: 85). At the same time, a discourse can also be an impetus and legitimation for factual measures, so ultimately objective security (Foucault, 1978: 101f). Let's stay with the example of attack danger by Islamists: For example, politicians urge caution, the media increasingly report on such cases and heavily armed police officers are more likely to be found on the streets. A discourse has already been woven, the thoughts and actions of people, in this case also their subjective sense of security. As a result, citizens could be required to exercise greater surveillance and the presence of more police.

Security in German society and the role of the police

After stating the basic definition of security for the topic of this article, the focus will lay on the subjective dimension of security in Germany. It is objectively one of the safest countries, according to the GPI (*General Peace Index*) - Germany is ranked 16 out of 163 countries (Institute for Economics & Peace, 2022). The GPI includes the number of internal and external violent conflicts, level of distrust, political instability, potential for terrorist acts, number of homicides, and military expenditures as a percentage of Gross Domestic Product. With this in mind the following part focuses on displaying how on the other hand the overall status of the feeling of security in German society is conducted. For a country as safe as Germany, it is interesting to look further into what the citizens fear and how they perceive security on a subjective level. The police, as the main actor of security on a domestic level, plays an important role when examining the security situation in a country. The focus of this part is to lay out what role the police play when it comes to providing the feeling of

security, prevention of crime and to what extent fails to provide security for certain groups and why.

A victimisation survey by the BKA (*Federal Criminal Police Office*) from the year 2020 shows detailed information about what German citizens fear and how safe they feel. It provides information on different topics considering security in Germany. With a total of 46 000 participants and a duration of one year it is one of the biggest surveys on security in Germany (Birkel et al., 2022). One part of it focuses on the perception of safety and fear of crime. Fear of crime is divided into personal and social fear. *Personal fear* focuses on the individual fear of being a victim of criminality based on emotional, cognitive and behavioural aspects. *Social fear* means the public feeling of security in regards to society and institutions, like the police or the criminal justice system (Birkel et al., 2022: 134). The survey focuses only on the personal fear of crime. Over the past decades, criminological research on fear of crime has primarily been oriented toward one operationalization of the construct: the so-called standard indicator. This is usually expressed in German in the formulation "How safe do you feel when you are out alone in your neighbourhood in the evening?". Nevertheless, this indicator provides less to none significant information. That is why this article looks at the crime specific numbers divided by gender and migration background.

It is shown that statistically people in Germany fear internet fraud (40%), burglary (27,1%), property damage (24,2%), theft (22,1%) and physical assault (18,5%) the most. Furthermore, sexual assault (16,4%), bias-motivated crimes (14%) and terrorist attacks (18%) are least feared (Birkel et al.,

2022: 141). Significant differences between genders can be seen for sexual assault, internet fraud, burglary and terrorist attacks. Women generally fear those crimes more than men (Birkel et al., 2022: S.142). Those numbers refer to the affective level, meaning the general concern regarding crime. Additionally there is the cognitive level, referring to the actual risk of being a victim of crime. On this level, the difference between men (2,9%) and women (12,9%) estimating the probability of being a victim of sexual assault is significant (146). This example shows again, how women generally are much more exposed to the fear of being sexually assaulted.

Differences between people with a migration background and people without one are also visible, but can not be causally interpreted since the group of people with a migration background is made up of for example a different demographic than the group of people without one. To analyse a causal correlation, there has to be a broader analysis of parameters like for example living situation, financial background and social status. In the context of this article a broader analysis would go beyond the scope. Generally, it can be said that there are differences in the feeling of security in German society. Fear of crime can therefore be interpreted as an expression of social insecurity, which makes personal fear of crime also a subject of social issues. As Singelstein puts it: "*Fear of crime can be interpreted against this background as an expression of profound social insecurity, a projection of social and existential fears arising from social transformation processes.*" (Singelstein & Stolle, 2012: 40).

Furthermore, this means that the perception of security is also always linked to

contemporary events and changes in society (Singelstein & Stolle, 2012). As an example, a survey from 2016 shows how the main fears of people were linked to the rise of refugees entering Germany. The question of the survey by the magazine Stern was "What measures could increase security in Germany?". Most popular answers were

89% "More personnel and better equipment for the police", 76% "Quicker deportations of refugees" and 73% "Stricter border controls" (Stern, 2016). The need for different preventive security measures is therefore linked to current political or social issues combined with the personal social situation.

Which of these measures could most likely help to increase security in Germany?

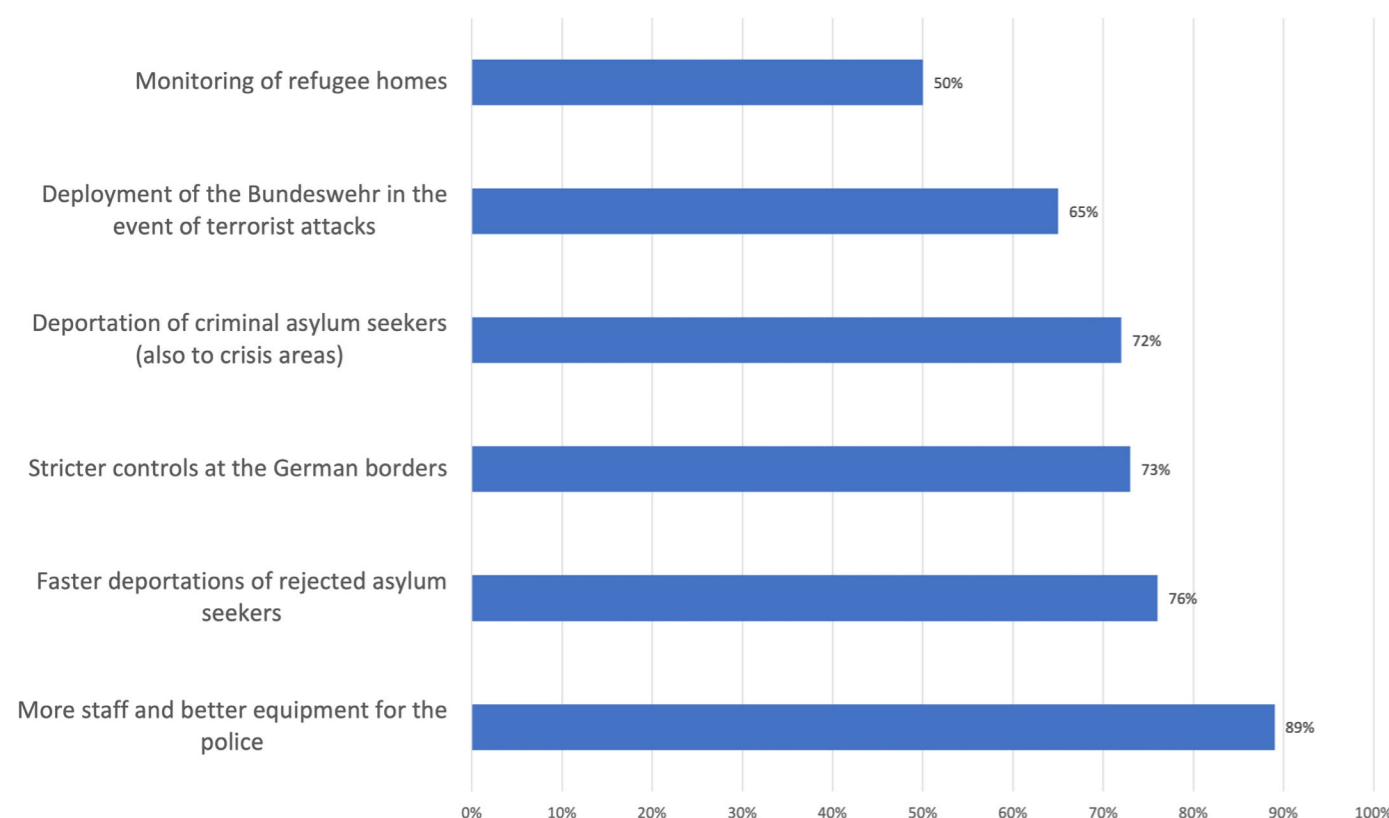


Figure 1: "Which measures would most likely contribute to increasing security in Germany?"

Source: Stern, No. 32, 04.08.2016, page 20, published online by Statista Research Department: <https://de.statista.com/statistik/daten/studie/586941/umfrage/moegliche-massnahmen-zur-erhoehung-der-sicherheit-in-deutschland/>

After examining the general feeling of security in Germany, the general public opinion on the police and its work is going to be presented. Trust in the police proves to be the basis for the perceived legitimacy of the police and thus the prerequisite for cooperative behaviour (Tyler, 2006). In the before mentioned BKA survey from 2020 around 85% think that the Police is doing good work and is working effectively (Birkel et al., 2022: 191).

This shows that overall people in Germany are satisfied with the work of the police. If we look at the survey closer though, it is shown that only about 65% think the police are effectively preventing crime (Birkel et al., 2020: 191) One of the concepts the survey refers to, to capture the overall trust in the police, is procedural justice (Tyler, 2006). This concept describes the idea that the police generally operate fair, neutral, with respect and with

appropriateness. Another concept is distributive fairness, which refers to the question to which extent the police treat people equally. Overall distributive fairness aspects were a little worse than the procedural fairness aspects (Birkel et al., 2022: 160). This is especially shown in the answers to the question if the police treat Germans and Foreigners the same, where only 76,4% agree (Birkel et al., 2022: 160).

In conclusion only a fourth of the people in Germany consider the aspect of distributive fairness by the police as adequate. This leaves the concluding question of how the police can encourage the feeling of security prevention in the society. Furthermore, it raises the question of why the police are perceived as not treating everyone equally, which should be the minimum. The police as the executive power has to not only provide an overall feeling of security but also needs the trust of all the citizens. If certain groups feel mistreated or feel like they can not fully trust the police, there has to be a change in how the police operate and communicate with all German citizens.

In the following part, the communication dynamics of the German police are going to be presented to illustrate how the police turn the discourse about trust in their work into how the police itself is facing security problems.

Communication dynamics of the German police

"We are being attacked more often. We are experiencing more and more heated exchanges of words and even serious riots (Welt 2022)," complains Jochen Kopelke, the new federal president of the police union ("Gewerkschaft der Polizei"). Currently, the topic of "violence against the police" is pres-

ent in the media as never before. There is talk of it reaching a high level. According to the media, the propensity for violence against police officers is continuously increasing (Bild 2022). Demands for tougher penalties for perpetrators, as well as an extension of powers and militarisation of the police are becoming louder (Focus online 2022). This can be illustrated by the "Bundeslagebericht gegen Polizeibeamte 2019". On 28 May 2020, when the report was published, the Federal Criminal Police Office (BKA) stated in a press release "Police officers in Germany are exposed to violent attacks on a daily basis (...)" In 2019, 36.126 cases of "resistance to and assault on law enforcement officers and persons of equal rank" were cited.. This corresponds to an increase of 8.6 percent compared to the previous year. It remains questionable whether the figures published by the police crime statistics match the statements. For the key 621110 "Resistance", § 113 StGB (German Criminal Code) and 621120 "assault", § 114 StGB on police officers, 32,875 cases were counted in 2019 (BKA 2019: 53). Assault, § 114 StGB is any action with hostile intent aimed directly at the body of the other person, regardless of its success (e.g. also throwing a bottle that misses the police officer or firing shots). No reference is made to the act of enforcement. Physical injuries do not have to occur. The offence does not have to be aimed at preventing or aggravating the act of duty. It is sufficient if the act is motivated by general hostility against the state or personal motives against the public official (BKA 2019: 8). The case numbers in the press release come from the key 621100, which, in addition to resistance and assault, also includes breach of the peace under §§ 125, 125a StGB (BKA 2019: 9). This key also includes cases under

§ 115, i.e. offences against persons who are equivalent to law enforcement officers, such as members of the professional, compulsory, works or voluntary fire brigades, the disaster control service or a rescue service (Lackner, Köhl, Heger, StGB, § 115 marginal no. 1ff.). The third chapter of the report deals exclusively with “acts of violence against police officers”. According to the BKA, 38,635 cases of violent offences involving police officers were registered in 2019. This represents an increase of 1.3% over the previous year. The sum key 892000 “violent crime” (murder, manslaughter, robbery offences, bodily injury resulting in death, dangerous and grievous bodily harm) shows a decrease of 31.6 % compared to the previous year. Moreover, the murder and manslaughter offences are pure attempts (BKA 2019: 53). Further violence against police officers in the form of intentional, simple bodily harm (-39.1%), deprivation of liberty (0%), coercion (-12.3%), resistance (-1.8%) and threats (+2.9%) also declined in total. Only § 114 StGB, which was newly recorded in 2017 and recorded for the first time in 2018, recorded an increase of 23.7% (BKA 2019: 53). Violence in both attempted and completed offences against police officers increased by only 1.3% overall.

This contradicts the figure of 8.6% mentioned in the press release (DPA 2020). Also, the increase in offences such as murder or grievous bodily harm claimed in the press release can be refuted. The increase of 1.3% is not fully reliable, as the police have a wide scope of definition for the offences of §§ 113 ff. StGB. The police crime statistics only depict police registration behaviour (Belousova, 2020). Since it does not show in how many cases the registration is followed by a conviction, the overall information content is lim-

ited. This example shows the exaggeration of politics and police on the topic of “violence against the police”.

Self-enactment through external communication

In the light of shown discrepancies between actual and communicated levels of violence against police officers, the question needs to be raised, if and how neutral police communication actually is. Firstly, it has to be annotated that the police, when communicating about security matters, is never a spectator from an objective, third perspective, but a self-acting conflict party (Feltes 2021, 185, 188). Complete objectivity of stated facts, therefore, is *eo ipso* not possible. It is important not to regard police communication just as a neutral conveying of relevant information, but also as an instrument of self-enactment by an active and engaged organisation. (Pudlat 2012, 197, 202f; Pudlat, in: Frevel, Wendekamm 2017, 73, 84f.).

This of course does not mean that there is no external reporting about the police from third parties, e.g. journalists, which in principle also do not lack necessary distance to the portrayed occurrences to be seen as neutral. In reality however, these parties have certain dependencies on the police regarding information, which only the latter has immediate access to. If the quoted institution has shown enough credibility in the past, public police statements are at times reused without further verification to guarantee media coverage as fast as possible (Brockling, 2020; Feltes 2021, 185, 188). Police thus also possess controlling ability regarding external communication of third parties which must not be underestimated and can be used for self-enactment (Feltes, 2021, 185).

Motives for said self-enactment are manifold. Firstly, communication serves effective prevention and repression of criminality by using publicity as a support method for ongoing investigations, e.g. while tracing a person of interest (Pudlat, in: Frevel, Wendekamm 2017, 73, 91). On the other hand, the police legitimises itself as an institution. (Pudlat, in: Frevel, Wendekamm, 2017, 73, 92 ; Hunecke, 2014, 267, 272f.) Strengthening of backing in society is essential to ensure that new offences are being reported, ongoing investigations are supported e.g. with witness statements and measures can be carried out more effectively. In addition, the previously described construction of insecurity in society is an ideal catalysator to legitimise more and further-going powers of state intervention towards the citizens, conveniently, because they stand at the receiving end of those powers. In

particular: only if society regards insecurity as an existing and substantial problem, it will advocate for response measures (Pudlat, in: Frevel, Wendekamm, 2017, 73f.). Then the problem will often be addressed by implementing an intensified range of sentences. At the same time, those demands will correspond with existing police interests of generally penalising crimes harder and giving more powers to police officers (Hunecke, 2014, 267, 289).

Stated extensions, however, do not exhaust themselves in the scope of action of single officers, but are also related to the standing of police within governmental structure, be it by politically adopted financial support, new equipment or by arguing against proposed cost savings (Beck, 2010, 21, 25; Hunecke, 2014, 267, 290; Drucksache BT 18/11161).

Conclusion & Implications

As presented previously, the communication dynamics of the German police turn the discourse about trust in their work into how the police itself is facing security problems, when strengthening reliance in society is so much more essential to ensure effective police work. If society views insecurity as a serious issue, it will support solutions like tougher punishments and more power for police personnel. This fabrication of insecurity is fuel for legitimizing further and deeper governmental action towards citizens. The following implications shall show an alternative approach.

Measures that address citizens` feelings of security in different spaces, such as video surveillance, police presence or urban planning measures, become more successful by integrating how subjective security emerges in a certain place and time. In line with the importance of the socio-spatial context for the

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perception of safety, numerous strategies and measures have been developed at the municipal and neighbourhood level to counteract local factors. These were aimed at strengthening social control, especially in disadvantaged urban neighbourhoods, reducing incivilities, and strengthening social cohesion and promoting collective efficacy among the often marginalised, stigmatised population that is weak in social capital and resources.

The first strategy is one which focuses on the reorientation and integration of police action in social spaces. Regarding the effectiveness of community policing, previous studies have primarily shown an improvement in subjective safety and greater satisfaction with the work of the police and improving cooperation and communication with the population (McGarrell & Giacomazzi, 1997). In this way,

community policing increases the legitimacy of police action (Tyler, 2017). However, this effect is thought to be due to an increase in informal social control and collective efficacy resulting from more intensive collaboration between police and local actors (Kochel, 2012). Some findings show that while community policing can be useful in reducing fear of crime, the preventive effect remains limited if the concept is reduced to the implementation of individual measures and if the aspect of community problem solving is disregarded.

The civil society perspective makes it clear that a one-sided focus on crime and police work can only partially lead to an improvement in the subjective feeling of security. To further strengthen this effect and to involve marginalised sections of the population, structures and programs should be offered that

guide and promote the exercise of informal social control and the perception of collective effectiveness. It is indisputable that with the increasing importance of the issue of subjective security, the need for the population to make a greater contribution to crime prevention has also risen. In this respect, all strategies and measures require a methodologically sound evaluation regarding their effects. In this context, temporal, spatial and social aspects must be precisely differentiated.

Fear as a result of subjective insecurity has negative consequences for the individual, for the community and for society. Uncertainty as an anthropological constant ultimately means not knowing about what awaits us in the future. Nothing is more understandable

than that people, no matter in which cultural environment they live, strive to reduce the extent of their insecurity by providing themselves with security wherever and as much as they can, with police action being only one of numerous factors. However, security is no reality, but a target value. This ultimately expresses the fact that there is no such thing as a reliable or definite security; we can come closer to it, but we cannot realise it once and for all. But this should not lead to the inaccurate conclusion that it is not worthwhile to strive for security. As shown above, it is crucial and decisive for the chance of people to live a satisfied and dignified life, as individuals, societies, and nations.

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