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Researching Police in/under Protest

Police Research as a Journey of Discovery with Obstacles



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Abstract

The police, in particular the riot police, can be a rather inaccessible object of investigation, whose reservations towards research are analysed with reference to five “barriers on the way to the police”: 1) police control of access to the field, 2) the doubly asymmetric research relationship, 3) steering attempts by the police, 4) the sceptical attitude of interviewees and 5) the restrained discussion behaviour. However, what appears as a hurdle from a research perspective rather allows structures of the object itself to be reconstructed and is explained here as a result of organisational characteristics and of police culture. These include a prevalence of narratives of police “innocence” and “powerlessness” with which resistance against external aspirations for control is buttressed. The police views itself from its perspective as constantly being unjustly publicly criticised. The basic attitude of reserve if not hostility towards research leads to the definitional power of the police in its field of action partially being transferred also to the research. However, police interference has its limits, and there are counterstrategies that will be set forth. Most data used are from a GTM project on protest policing, based primarily on group discussions and expert interviews with riot police.

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Introduction

There is a theme that runs through the international methodological literature on police. Especially the massive field access problems for researchers prompted much reasoning about the (im)possibility of doing police research. These problems are not just rooted in the typical secrecy interests of organisations in the field of internal security. They rather touch upon a basic problem of organisational sociology: in general, one can assume that organisations do not have an interest *per se* in being objects of research, as long as the questions asked do not serve their own purposes. Accepting or supporting research would entail costs, e.g. time and other organisational efforts, and even more potential costs in the future, because the output of research and its implications for the organisation are unpredictable. Lamenting this situation in police research is absolutely justified, because there is a strong public interest in controlling the holder of the state's monopoly of the legitimate use of force. Nevertheless, lamenting is futile, as long as the situation is as it is. Yet, there are two obvious ways to go beyond moaning. The first is to collect experiences, and thus conditions, of how to successfully research police. The second and perhaps more important way to make the best of it is to analyse the research object's resistance *as data about it*, to answer the following question: What do the actual encounters between researchers and police as well as the police reaction to these scientific pretensions disclose about the character and structure of this organisation?

All three aspects (lament, solution strategies and object-related interpretation of field experiences) shall receive due attention in the following reflections on research experiences in the field of political and protest policing in Germany. This will add knowledge, firstly, to the general international literature of police research about *common problems*, and, secondly, to the literature about

relevant specifics of the case (Germany) and field (protest policing).

The paper—following a journey metaphor—analyses challenges for police research, their methodological implications, and their analytical potential with respect to the research object itself as “five barriers on the way to the police”. Specifically, these are:

- 1) police control of access to the field,
- 2) the doubly asymmetric research relationship,
- 3) attempts by the police to steer,
- 4) the sceptical attitude of potential interviewees
- 5) the restrained discussion behaviour.

The research process being analysed is in a sense reminiscent of an arduous journey with obstacles and adventures as well as fascinating discoveries. It is shown how a goal can be reached after all, albeit along a different route and with considerable delay. The barriers that arise on the researcher's path were erected by an organisation whose organisational purpose and fundamental rationality of action consists in establishing authority.¹ This obviously implies that the organisation is disinclined to provide insight into its work beyond its control. For the holder of the monopoly of the legitimate use of force and thus the embodiment of state order is loath to be “the criticised police” (Frevel & Behr 2015b, own translation). These are thus reflections of a journey to a foreign land, in which more and more potential travellers are taking an interest and which in its own way – and by no means monolithically – is trying to find how to deal with this.

Outlook

In the following, I will give an overview about the methodological literature on researching the police (Section 2). I then briefly introduce the research projects, including data and methodology, used for the reflections in this article (Section 3). Section four analyses the five barriers on the way

¹ There is a rich literature on authority and its safeguarding as central organisational imperatives of the police, (cf. e.g. Bittner 1967; Wilson 1968; Feest & Blankenburg 1972; Rubinstein 1980; Behr 2008; Loftus 2010; Wilz 2012; Fekjær, Petersson, &

Thomassen 2014; Bettermann 2015). Attacks on these imperatives, for example through disrespect, can trigger role insecurities and even abuse and overpolicing (Bettermann 2015; cf. Behr 2008, p. 96; Feest & Blankenburg 1972, p. 70 ff.)

to the police mentioned above. Section five explores possible explanations for the police's resistance to research, specifically their hesitant way of coping with being under public scrutiny and criticism. The final section (6), besides summing up, offers practical advice how to methodologically tackle the challenges analysed and considers ethical implications of police research under the circumstances described.

The police - still a “hermetic institution”?

Various authors identify phases – slightly varying from country to country, but similar in principle – of dominant currents in police research (J. Brown 1996; Garry, Rogers, & Gravelle 2014; Reichertz 2003; Reiner 2010, p. 11 ff.; cf. Squires 2016 for a current typology): After the beginnings of empirical police research in the social sciences in the 60s, in particular in Anglo-Saxon countries, controversies arose. These were fuelled, particularly in the 70s and 80s, by the conflict between Marxist-inspired critical police research and the affirmative assumptions of the organisation police about itself. This phase was followed by thriving police research in the social sciences that is still developing today and that views itself much more as value-neutral. The last decades also saw the development of increasingly dominant security research with an interest in police issues, which is predominantly originating from within the police itself and its research institutions and is accordingly police-oriented in its questions (J. Brown 1996, p. 179; Dijk, Hoogewoning, & Punch 2016, p. 29). This culminated in the recent call for a “shift in ownership of police science from the universities to police agencies” (Weisburd & Neyroud 2011). The instrumental interest of this kind of research is, in contrast to fundamental sociological research, simply “to accumulate a knowledge base [...] to reduce crime” (Wortley 2015).

Early on, it was discussed that the police as a field of research – if the research is not genuinely *for* the police – is characterised by strong organisational closure and thus erects high access barriers for researchers (Lundman & Fox 1978, p. 88; Fox & Lundman 1974). The “‘blue curtain’ of secrecy that screened most police organizations” (Niederhoffer 1967, p. 4) is at the centre of methodological reflection on police research even today (Reiner 2010; Rogers 2014). Further discussed aspects are usually closely associated with this closure, such as the large amount of time to be spent on networking (Cockbain 2015, p. 24 ff.), the mistrust on the part of the field (Brewer 1990; J. Brown 1996, p. 178), interventions of the police leadership and even accusations of censorship (Fassin 2013; cf. also Brewer 1990). The methodological literature also treats the restrictive effect that moral and ethical conflicts have on research,² which result e.g. from close proximity to the sensitive field (Marks 2004; Punch 1989; Rogers 2014; Skinns, Wooff, & Sprawson 2016) and potential security problems for the researchers (Brewer 1990; Martin & Graham 2016, p. 158). Effects of the personality of the researchers on the research relationships are also investigated (J. Brown 1996; Laycock 2015), e.g. with respect to their gender in the masculine police culture (Brewer 1990; Marks 2004). The researcher's stance in and towards the field is generally taken to be crucial for the specific space of possibilities that presents itself to different types of in- and outsiders (J. Brown 1996; Greene 2015). Researchers may be perceived as intruders or inspectors but also as “accomplices” in different relationships of proximity and distance, depending on their position (Behr 2008, p. 50 ff.). Detailed methodological reflection, as in the work of Punch, Brewer, Marks and Behr mentioned above and particularly in van Maanen (1981), is so far mainly occurring with respect to ethnographic fieldwork and is for the most part strongly oriented towards the specific case under consideration. Books with a methodological orientation (or at least aspiration) have only recently appeared

² Just to give one instructive example: A colleague privately reported having witnessed clearly illegal police violence in the field. On the one hand, the researcher should have filed charges; on the other hand, this would have resulted in immediate loss of

the precarious field contact. Moreover, the complaint would have had no chance of success due to the strong cohesion in the police unit. Due to the assured anonymity, the incident was not even mentioned in publications.

(Brunger, Tong, & Martin 2016; Gravelle & Rogers 2014). They, too, mostly deal with substantial studies or focus primarily on the *applied* police research “that can inform and improve police” and that is accordingly easier to carry out (Cockbain & Knutsson 2015a, quote from p. 1). Given also the lack of reviews, the research literature remains “fragmented and dispersed” (Cockbain 2015, p. 22).

The situation is fundamentally similar in Germany. Here, too, what little police research there is in the social sciences has often been viewed sceptically from within its field of research. Experts emphasise that the research was mostly limited to statistical data and restricted field access when the research aspiration came from outside and did not offer a concrete added value for the police (Behr 2006, p. 17 f.; Christe-Zeyse 2012, p. 21 f.; Reichertz 2003, p. 414 f.).³ Here, too, this is most likely also connected with a fundamental mistrust of the organisation towards a research tradition critical of the police.⁴ For this reason, the police time and again successfully “kept the supposedly hostile social scientists at bay” (Reichertz 2003, p. 414, own translation). The widespread mistrust towards research and the field-specific interest in closure and secrecy are complemented not least also by the factual power to enforce this interest vis-à-vis the researchers. From this position of powerlessness, police researchers both within and outside the police turned to the public a few years ago with an appeal for more police research (Arbeitskreis Empirische Polizeiforschung 2012).

But is the police still a “hermetic institution that plays its cards close to the chest” (Busch,

Funk, Narr, Kauß, & Werkentin 1988, p. 35, own translation)? In view of some existing work and my own experience, this dictum seems exaggerated. Rather, the possibility of research appears to also depend on the topic. As will become apparent, particularly the political character of the field of protest policing has a strong restrictive effect. But precisely for the specific characteristics of this subfield no methodological reflections have been published, neither for Germany nor in the English-language literature, and most substantially relevant publications lack methodological reflections (e.g. Wood 2014). The following exposition therefore proceeds, with a consciously anti-deductive stance, mainly from the very concrete “travel experiences”, in order to interpret them in the knowledge of the specificity of the field while also considering them with a view to general tendencies in the literature.

Data and methodology

The empirical material underlying the following exposition is manifold. It derives mostly from a research project on current protest policing with a grounded theory design (Strauss & Corbin 1998) and a focus on video surveillance of demonstrations (“ViDemo”), which was carried out between 2011 and 2017 with group discussions, interviews and field observations. It aimed at analysing the logic of the police use of cameras in a process perspective and in their interaction with surveilled protesters.⁵ This project is supplemented by a study whose subject area includes police perception and handling of anti-Semitic hate crimes, for which expert interviews with higher police

³ An example is afforded by Weitemeier (2002, p. 4; see also Buerger 2010), who, while calling for research, complains that these “results then need to be interpreted with great effort within the police”. He therefore suggests to focus on what is “manageable for police practice [own translation]”. However, this rigorous instrumentalism is foreign to the logic of fundamental research in the social sciences.

⁴ See exemplarily Pick’s (1995; c.f. Reichertz 2003, p. 415 f.) rant against research about police. The author, at the time a senior officer, uses terms like science in quotation marks or preceded by “supposed”, portraying science as merely the “arrogance of monopolists of truth” (ibid. 698) who

practise “alchemy” (699), “manipulation”, “quackery” (698) or “charlatanry” (697) and thus bear responsibility for attacks on police officers as well as “yesmanship” and a “profound crisis of legitimacy” (698, own translations).

⁵ “Video surveillance of assemblies and demonstrations. Practices and forms of knowledge of police and protesters [own translation]”, funded by the German Research Council (ViDemo, GZ: UL 389/3-1); for more details cf. Ullrich (2011, 2014, 2017; Arzt & Ullrich 2016).

officers and document analyses were conducted in 2013 at the political department of a German state criminal police (LKA) and analysed using qualitative content analysis (Mayring 2000).⁶ Irritations, long delays and other difficulties in the course of the research kept placing the question of the conditions of the possibility of police research into the focus of the reflection whose results are presented here.

One very important source is formed by the experiences with field contact initiation and preparatory conversations documented in field memos. Further sources are the then collected verbatim data themselves, among them group discussions from the ViDemo-Project⁷ and semi-structured expert interviews (Meuser & Nagel 2000) from both projects with police officers about their work, in particular at demonstrations, which were carried out in three German federal states, and from field notes, which were produced on various occasions⁸ most of them protest events.⁹

The problem complexes I am dealing with here are, as mentioned, not *exclusively* characteristic for the research field of protest policing or the security sector in general. Some are of a more fundamental nature and may arise also in entirely

different organisations. For example, it can be assumed that all kinds of organisations have no interest *per se* to be objects of research.¹⁰ Other problems, however, and in particular three specific contextual conditions of the data used, have concrete limiting consequences for generalisability.

- 1) Most of the interviewees were members of paramilitary units of the riot police, including many officers responsible for video surveillance, some of them from specially trained arrest units (BFE units). Others are in senior staff positions, not always in the riot police, but generally in the context of demonstrations or political offences. Thus, the statements made refer explicitly to this subject area: political and protest policing, mainly by riot police, in Germany. To be sure, there are certain parallels to other countries, other fields of police activity and other kinds of police formations. However, the extent to which this paper's considerations can be applied to such other fields is limited (cf. P. A. J. Waddington 1996 on the moral ambiguities of policing in this specific field).

⁶ For details see the study report "Anti-Semitism as a Problem and a Symbol. Phenomena and Interventions in Berlin [own translation]" (Kohlstruck & Ullrich 2015; Ullrich & Kohlstruck 2017).

⁷ Cf. Lamnek (1998). Participants in the discussion groups were usually given a short video stimulus from a demonstration in which many police cameras were present, and they were asked to freely discuss what they saw and how this relates to their usual work experiences at demonstrations. If the discussion faltered, interviewers asked participants for more details on aspects already mentioned in order to stimulate further self-sustaining talk and then ended the discussion (which mostly lasted around 60-90 minutes) with reflective and wrap-up questions. Group discussions are the ViDemo project's most important source, as they allow for the analysis of the shared knowledge and practices of the riot police members (who also act in small groups when on duty) as opposed to their individual views. Of course, this method comes with restrictions related to group dynamics like hierarchies, group pressure, conformity etc. (see Sections 4.4 and 4.5 on these issues). The restriction to communicable knowledge also restricts access to

implicit or "conjunctive-habitualised" practices (Mensing 2008, p. 84, own translation). For a more detailed discussion of methodology, I should refer to the several publications on the subject matter from the ViDemo project (up-to-date information on the project website <http://bit.do/videmo2>).

⁸ For details on the field observations, including the observation manual, cf. Knopp & Müller-Späth (2017).

⁹ All data were coded according to the grounded theory procedures, with successive open and axial coding (Strauss & Corbin 1998). Restrictions in the theoretical sampling related to properties of the research object are a subject of the extensive elaboration in the following text and therefore not detailed here.

¹⁰ Cf. Nedela (2005, p. 228) for the security sector and Pender et al. (2009) for organisation research in STS (science and technology studies). Thus, what is specific for the police cannot be determined focusing only on the question *whether* research was possible, but needs a detailed analysis of *how* the respective organisation reacts.

- 2) Secondly, limits arise from the substantial research themes of the underlying studies, which are politically and morally charged. Antisemitism is one of the most salient negative symbols of German political culture and is highly controversial (Ullrich & Kohlstruck 2017). Also, how the police deal with protest and in particular with the complex of video surveillance is linked to debates on “repression” and “surveillance society”. Thus, it is safe to assume that this *sensitivity problem* (Brewer 1990) reinforces existing tendencies of the police towards closure. Research on, say, investigations into burglaries might have met with fewer reservations.
- 3) Thirdly, the author of the text entered the field as a *protest researcher* and a *researcher on anti-Semitism*. With respect to the field, he is an “outside outsider” in Brown’s (1996) classification of researcher types. Moreover, he personally takes a rather critical stance towards the societal function and practice of police – as it were a “typical” former conscientious objector with little taste for uniforms, weapons, orders, obedience, strict hierarchies, male shows of force, etc. At least some subjective and symbolic aspects of the following portrayals need to be read in the knowledge of this speaking position. Accordingly, some of the situations described would turn out differently in a different constellation.

A word about quotes from verbatim material used throughout the text: They are not generalisable proof in themselves, but are rather either interpreted at length to elaborate on certain structural dimensions behind the specific utterance (like *types* of officers or strategies) or serve the purpose of giving lively impressions of police reality. Throughout the text, statements are only presented as being typical for the entire field if comparable statements occur in a majority of group discussions and interviews with no or only marginal opposing positions.

¹¹Observers of demonstrations were often referred to very critically by officers and were explicitly characterised as an illegitimate disturbance. The problem is also apparent in a number of incidents and sometimes subsequent court rulings that criticise

Five barriers on the way to the police

Gatekeepers: entry restrictions

The degree of organisational closure of the police manifests in strict membership rules as well as in the communication with the environment of the police. The formal access points are limited to corresponding functional roles. These include press officers, who would usually have little to contribute to the research question in their role and are rather tasked with presenting the “sunny side [own translation]” of the organisation, i.e. an image that the organisation wants to produce that is oriented towards ascriptions of legitimacy from the environment (Kühl 2014, p. 333). That leaves only the most senior level in the various police administrations. Ordinary members of the organisation do not provide statements on official matters without authorisation from their superiors. Thus, the obligatory official channels largely monopolise field access. There are hardly any alternatives for this way through the “gate” if the police is not merely to be observed in the public space (cf. Fox & Lundman 1974; Busch et al. 1988, p. 478 ff.). Even observations in the public space are not necessarily accepted.¹¹

To initiate research in the ViDemo project, requests to facilitate interviews and/or group discussions were submitted to nine state police departments (press office, specified contact persons, etc.). In only three of these cases was it possible to carry out research activities to a varying extent. Only in two of them did group discussions and interviews with the *actually* intended target group come about through the official channels. In the third federal state, a detour via the police college allowed two group discussions to be carried out with master’s students, who had been deployed in riot police units and partly dealt with the subject of interest before their studies, which make them eligible for rising into the elevated

police obstruction of observations of demonstrations, journalists, etc.

and higher law enforcement service.¹² Further contacts internal to the organisation were then established from within this group. In two federal states there was an explicit rejection or the contact was terminated after the request was forwarded in various ways within the organisation. In two states there was no response at all to the formal requests. In two further states, where private contacts within the police found and contacted people to speak to, there were also no positive results.

Thus, out of nine state police departments contacted in various ways, research could be initiated in only two, with limitations in three federal states. The official channel to be navigated varied in duration, was usually not transparent and sometimes comprised several loops between offices of the requested riot police unit, the press office, the local police headquarters and possibly further authorities. The preparatory communication up to the first actual interview usually took several months. These temporal structures hardly fit with those of project-oriented research (cf. Brewer 1990; Fassin 2013). And even in case of success, a distant and sceptical attitude of the police towards the research remained, sometimes even being articulated explicitly, though seldom as poignantly as in the following quote from a press officer:

"We actually approach the subject very cautiously. So, as I said, you can consider yourself lucky that we actually received you today and pushed this through [at the police headquarters]" (006_GD).¹³

Thus, it is no surprise that only in one federal state the mere official request allowed the research to take place. In the other two, the official channel only ran its course because existing contacts advocated for the project within the organisation. In one state, it was a person at the highest management level of the state police, with whom contact had been established in a thematically

quite separate research context, who ordered that the project be supported by the police. In the second case it was a dedicated police officer with an unusually critical perspective on her own organisation who did not rest until the group discussions at the college had been approved. The mutual trust established in the course of these discussions in turn allowed respondents to advocate the further survey to their superiors and thus indirectly made it possible to interview the actual target group (active riot police).

These reactions illustrate that the police is not *per se* interested in supporting external research and that it can reject it without further ado. Strong motives of individual members of the organisation in suitable functions are required to breach this barrier.¹⁴ Thus, field access is the central challenge, places extraordinary demands on time (cf. Brewer 1990, p. 582) and requires improvisational skills against immense resistance. Particularly tangible consequences lie in the composition of the sample that comes about in this manner, which is under limited control and in the final analysis is strongly influenced by factors exterior to the research (similarly in Tränkle 2015, p. 144). Federal states whose police departments would have held the promise of an informative contrast could not be included in the investigation; where interviews took place there were non-transparent processes of participant selection on the part of the police contact persons (see 4.3), and interviews were also carried out with less central actors in order to obtain any data at all in certain areas. The case selection is thus less systematic. Generalising theoretical assertions on the subject of police are severely limited by these restrictions.

A (dis)joint path: the doubly asymmetric research relationship

Problems with the surveys can of course not be traced to the properties of the organisation police

¹² Cf. the similar sampling strategy through detours in Ohlemacher et al. (2002, p. 133) and Tränkle (2015).

¹³ The source reference of the primary sources always provides first the document number and then an abbreviation. INT stands for expert interview, GD for group discussion and FP for field

protocol/memo. Emphasis is added in boldface, and inaudible or hardly audible parts are enclosed in double parentheses.

¹⁴ Apparently the openness for research varies across the federal states, which is also confirmed by other researchers.

alone, as there are at least two sides to the interaction. The demeanour and other features of the researchers as well as their institutional background can also influence the mode in which the police processes the intrusion coming from outside (J. Brown 1996). And the contact leaves traces on both sides. The research relationship proves to be doubly asymmetric, depending on the different power resources of those involved – at the level of the social status of formal education on the one hand and at the level of material trappings of power on the other hand. They subtly influence the research process and inhibit the mutual openness.

I tend to have research relationships as a protest researcher and also personal relationships with politically active people rather than police officers (to whom I only have some professional contacts). Moreover, my activities and publications critical of police and surveillance are publicly documented (e.g. S.N. 2013). A certain recognisability of the project leader may have had a beneficial effect on the willingness to participate in the case of the demonstrators, who often have a very critical attitude towards the police. On the side of the police, this fact should in turn represent a malus. In the case of the newly established police contacts, which comprised various persons in each of the researched federal states, there was no indication that the respondents had informed themselves about their researching counterpart. Thus, for some officers, my position at the university, decorated with two doctoral titles (this was sometimes mentioned), was sufficient *legitimation* for my request. At the same time, in view of the high social status of university academics this background surely also contributed to distance and possibly insecurity of the interlocutors, whose professional culture could hardly stand in sharper contrast to the university culture: practice-oriented and anti-theoretical (D. P. Waddington, Jones, & Critcher 1989, p. 182), not prone to reflection, at least at the base (Behr

2006, p. 13 f.), and characterised by conditional programmes (Willems, Eckert, Goldbach, & Loosen 1988, p. 22 f.) as well as standard routines (D. P. Waddington et al. 1989, p. 182). Thus, already the invitation to a more or less public reflection in a group discussion was an irritation of the everyday activity structure of the organisation police.¹⁵ However, most of the expressions of scepticism and distance that were made explicit revealed a concrete motive vis-à-vis an unpredictable public. They related to everything that can be interpreted as an attempt at control and criticism from outside, and thus from the perspective of the organisation were indeed based on ‘good reasons’ (more on this in 5.1).¹⁶ Accordingly, the research process required much persuasion as well as further compromises and strongly defined a specific position of the researcher.

As someone submitting requests to police authorities, often unsuccessfully, I quickly took on the role of a ‘petitioner’, even though once in a while interest in the project goals was expressed on the side of the police. From this precarious starting point, every possible access to the field had to be sought (cf. Cockbain 2015, p. 24 ff.), even if it was just a random travelling acquaintance who turns out to be a water police officer but may be able to facilitate contacts to colleagues in other areas. Gaining access to the field sometimes required downright impudence, a constant insistence that often made me feel uncomfortable. People I barely knew had to expect my persistent inquiries, in relationships that I would never have strained like this in a less essential situation. Those who had shown themselves receptive to my request had to expect my ‘ruthless’ exploitation of their willingness to help. Research on the police thus faces an ethical dilemma, for it runs the risk of straining basic rules of research ethics with respect to the researched *persons* in order to satisfy the need for information on the *organisation* in which they work.

¹⁵ This was also mentioned several times by interviewed officers, who, with hindsight, appreciated the experience of an exchange of ideas and of reflecting on their own work very much and deplored that there is no time for this otherwise.

¹⁶ An analogue of this is afforded by defensive strategies towards requests for information during demonstrations, which are often rebuffed as illegitimate, for example the terse comment in a group discussion: “I don’t need to tell those people anything” (056_GD).

Methodologically speaking, the role of a petitioner is a variant of the “feeling of exploitation” (Hermanns 2004, p. 212) on the part of the interviewer and also leads to problematic compromises in the further process. After all, the aim was not to disgruntle the ever so precious and sometimes severely strained contacts by avoidable demands. With the statement already quoted above, that I am lucky to get anything at all from the police, this was rather clearly articulated as a warning. Thus, if the interview had come about with a narrow time slot, I sometimes did not see myself in a position to make further demands, such as moving the tables into a better discussion arrangement or using the entire agreed time for the conversation when some participants had already repeatedly indicated impatience. Some fifth, sixth or seventh critical follow-up questions were also perhaps held back so as not to jeopardise the permission to use the collected data. In particular the concretely desired composition of the focus group could not always be insisted upon.

Finally, the factors shaping the relationship also include various context features of the interview settings. As a rule, the interviews and group discussions took place on the police premises, often in barracks. These lie outside of the city centres and are sealed off by walls, CCTV, barbed wire and other security systems. The entrance is through guarded gates. The interviewees usually wore uniforms, often also weapons; many of them were tall, very muscular men with corresponding body language. Symbols of dominance were omnipresent. The consequence is that “it is often intimidating for sociologists to enter the ‘world of the police’” (Marks 2004, p. 873). Even though quite friendly, approachable and communicative people often showed themselves behind the symbolic walls, the police proved to be a palpably powerful and power-exerting organisation, also in shaping the research relationship, which may require “tougher and more cynical investigators” (Punch 1989, p. 197).¹⁷

¹⁷ Fox & Lundman (1974, p. 58) therefore principally assume that demands of the two sides can only be balanced out and that compromises that come about in this manner are purchased with a loss of external validity.

Maintaining control: the police at the wheel

Securing authority, control and dominance is the rationale of police action. In the research process, this manifests in nondisclosure of relevant information and overt attempts at intervening in the research process and influencing its possible results.

Nondisclosure (“VS–NfD”) applies to various documents that are quite relevant also to the public, for example the police service ordinance 100 (Bundesministerium des Innern 2004), which stipulates foundations of “Police leadership and operation [own translation]” also during demonstrations, or the “Information on the police’s definition system Politically Motivated Crime (Politisch Motivierte Kriminalität, PMK) [own translation]” of the Federal Criminal Police Office (Bundeskriminalamt, BKA), which stipulates which offences are to be registered as political crime based on which criteria (vgl. Kohlstruck & Ullrich 2015, p. 32 ff.). Recording expert interviews in the state criminal police office (Landeskriminalamt, LKA) was not allowed; only brief notes could be taken. In one federal state contacted in order to initiate research, the entire subject of video surveillance was declared classified by the police; research could not take place despite the readiness of a senior riot police leader to cooperate. In another state, a visit to an ‘evidence preservation and documentation vehicle’ that had originally been agreed upon (which the liaison officer had considered less problematic than a group discussion) did not take place because the vehicle was recently classified.¹⁸

Such classification can be regarded as a legal barrier which is in a certain sense objective and regularly causes even parliamentary requests for information to fail. In any case, the decisions in which there was apparently some scope for discretion reveal more about the functioning of the organisation police. For they allow the motives for steering interventions to be reconstructed.

¹⁸ Deutscher Bundestag, Drucksache 18/2292, 06.08.2014.

In a preparatory conversation, the senior police officer who had orders to arrange field contacts for me articulated several revealing concerns. He wanted to ensure that I meet enough “experienced officers”, as there was a risk of younger or less experienced ones saying “something wrong” (013_FP). He supported the wish to conduct expert interviews with senior police officers, as they possess the relevant knowledge.¹⁹ However, he had reservations about the idea of group discussions, as they could take on “a dynamic of their own” and accordingly be “harder to control”, as various things might be addressed quasi-automatically in the situation. This worry betrays a clear sense of the purpose of group discussions, which do indeed rely on the quasi-natural dynamics of the conversation in order to stimulate utterances typical of the group that might be withheld in the more controlled individual interview. While group discussions with observation and documentation officers did come about, it was apparent that particularly “presentable” officers and “minders” were usually selected for this purpose.

In preparing the survey, I always asked for discussions with a group of rank-and-file officers, ideally of similar rank, so that the dynamics of the discussion would not be curbed too much by formal hierarchies. This only came about in a minority of cases, and even then only in a restricted manner. Except for the discussions with some of the students, there were always superiors (instructors, unit leaders, etc.) among the participants, and they usually set the tone. In addition to latency protection for illegality (cf. 5), their presence also served a supervisory function for the purpose of maintaining secrecy. Several senior informants worried that internal matters might be brought up, for instance, that the success of future police measures might be jeopardised if too many details about “staying on” a “disturber” (013_FP), just to give a typical example, became public. Whenever an explicit argument for the presence of “minders” was offered, it was this one. Several times, the contact persons and the interviewees themselves emphasised that the police attaches great importance to the

participation of very “experienced officers” and that these were accordingly particularly encouraged (compelled?) to participate.

How the group composition came about was not transparent in many cases, and most likely not always fully intentional. According to the respective organisers, a request was always made to certain parts of the riot police or among participants of certain courses relevant to the subject. On this account, participation was voluntary, but suitable officers had to be “sought out”. There were several indications of occasional preparation for the group discussions by senior officers. This is illustrated by a conversation sequence from the preparatory phase of a group discussion in which e.g. instructions on data protection were being given and the recording device had not been turned on, but brief written notes were being taken. From the protocol:

*“The interviewer is not sure to what extent the participants are informed about the purpose of the research project and the group discussion. He therefore asks them at the outset “whether they have been briefed and know what this is about and what to expect”. Interviewee 1, the most senior participant, answers quickly, even briskly, surprising the interviewer: “We haven’t been **briefed**, you mustn’t think that we were prepared here and were told what to say here.” It seems defensive and almost like an assertion to the contrary.” (024_GD, observation and documentation officers from riot police unit)*

The irritation of this scene was apparently triggered by the word “briefed” (which may be why it was emphasised in the answer). The Duden (a standard German dictionary) offers the two meanings “informed” (“informiert, unterrichtet”) and “instructed” (“eingewiesen”) for this word. The interviewer and the interviewees apparently had different meanings in mind. It cannot be decided here whether the harsh, slightly overzealous and seemingly unmotivated reaction was meant to gloss over the fact that a briefing in the

¹⁹ They are more knowledgeable in legal matters, have often completed higher studies and have more

representational roles and corresponding experience.

sense of instructions had indeed taken place or whether it was due to a generalised expectation of an expectation of the ‘academic other’. In view of the overall situation described, the first hypothesis is likely. However, there are also counterexamples, as this short interview segment illustrates:

“Yes, it was a pleasant conversation; that was somewhat surprising to us. Unfortunately we got very little information in advance.” (022_GD, observation and documentation officers from riot police unit)

This meeting was actually mainly intended as a technical visit and rather spontaneously turned into an extensive group discussion. Generally speaking, spontaneity and unplanned aspects of the group composition tended to arise on the lower levels of the hierarchy.

Principally it is to be assumed that particularly the leadership strives to shape the research process according to the organisational rationality, resulting in steering interventions into the research process and thus less valid results. In the conversations organised by the police, I did not encounter anyone who too overtly dissented from the formal norms of the police culture.²⁰ Their absence may have other reasons, including self-selection or low prevalence, but is also recognisable as a goal of planned organisational avoidance. However, on the whole it is doubtful whether the steering attempts comprehensively achieve their goal of maintaining complete control. For the interviews and group discussions contained much that was not at all in line with the police’s ideals of self-representation.

Aversion to travel: scepticism of the interviewed officers

The hurdles discussed so far predominantly reside at the level of the organisation and its interests. But subjective and subcultural aspects of the respondents also contribute to the vagaries of the journey; after successful navigation of the official channels they are the second “gate” to be

traversed (Fox & Lundman 1974, p. 53). A text sequence was already quoted in 4.1 that expresses the organisation’s distance from the research project. A look at a somewhat larger segment of this text shows that this also includes the members of the organisation:

“We actually approach the subject very cautiously. So, as I said, you can consider yourself lucky that we actually received you today and pushed this through, because [clears his throat] ((so)) as I said, it was quite difficult to ((bring along)) the colleagues. And everyone has his department, other things to do more or less.” (006_GD)

Thus, the individual interview partners also displayed scepticism, which worsens the organisational distance from the research. Several contacts reported that it was sometimes not easy to motivate officers to participate. Various aspects contributed to this, for example the terminology used. Some struggled with the term “video surveillance” that occurs in the name of the project – while it is a standard term in the sciences, cops showed reservations because of its political connotations. For in the context of demonstrations the word “surveillance” is associated with the attitude critical of the police that is often a subject of public discussion. Within the police, terms like videography, image recording and image transmission are often preferred, and the term “video surveillance” is rarely used. In a similar vein, other symbols (clothing, speech) likely also caused irritations, though no systematic occurrences were observed in this regard.

The fact that even those who ended up taking part in the study continued to harbour reservations certainly had an influence on the often very restrained discussion behaviour (4.5) but also manifested explicitly in the summary question concluding every interview and every group discussion (“In conclusion I would like to ask you how you felt about the conversation” or a similar formulation). Several times in the corresponding sequences, the respondent’s own scepticism

²⁰ No one was recognisable e.g. as a ‘resistance officer’ (Widerstandsbeamter). In police parlance, this topos serves to typecast officers who unduly seek

out conflict or even exhibit an affinity to violence as a deviation from the organisational norm (Tränkle 2015).

towards the subject and the research project was mentioned, or the summary included an assessment that the scepticism that was at least initially present turned out to be unwarranted. Frequently it was only over the course of the interview that the interviewer's feeling of exploitation turned into the mutually shared "feeling of happy coincidence" (Hermanns 2004, p. 212).

"I don't have anything to add, either. And it was a pleasant conversation, too, like, I didn't feel uncomfortable or pushed into a corner or whatever. My take on it." (031_GD)²¹

This quote may also already indicate that the scepticism is linked to the position of the police as an observed and criticised organisation, a position that many of the interviewees feel to be inappropriate (Section 5). Over the course of the conversation, but at least at the outset, this often had an inhibiting effect. It was not immediately possible to generate longer narrations in many group discussions with cops – in contrast, for instance, to political activists simultaneously interviewed on the same subject (cf. 4.5).

At the same time, it should be emphasised that, in contrast to this dominating experience with scepticism and reservations, there were also individual officers who supported the project with great interest and vigour because they see deficits within the police, want to remedy them and appreciate a critical view from outside. This has often been discussed within the police in recent years under the topoi "organisational culture" and "error culture" (Liebl 2004). As will be further elaborated in the following, such proactive supporters tend to be atypical in some respect, e.g. they come from a different background or have tasks particularly oriented towards reflection (college, research, liaison officers).

Driving with the handbrake on: reservations in the discussion

The widespread restrained style of discussion will now be treated as the last obstacle. In the group discussions with officers, presenting a discussion stimulus (usually a video from a demonstration) often did not suffice to trigger a self-sustaining discussion. The formulaic language common within the police is geared towards abstracting from the concrete case and thus likely serves a protective function for those who employ it. One extreme example, which unmask the general tendency in the field:

"My tasks in the BFE take the form of a detaining officer. My task is, for example at a demonstration, if an offender is observed, to approach him and then to process him expediently while conserving evidence." (56_GD, rank and file)

Unfortunately it is difficult to stimulate narrations of experiences in this way. In most of the discussions with rank and file riot police, only additional questions and requests for elaboration allowed more narrative content to be obtained. With respect to the degree to which the discussion is self-sustaining, there are two rather clearly distinguishable types of conversation dynamics. There were restrained and talkative discussion groups, or, to return to the journey metaphors, those that decelerated and those that surged forward.

The first type will thus be called a *decelerator* here. In these group discussions, the presentation of the stimulus was followed by a short reaction to the content of the film, often with the reserved signal that a short excerpt should not be considered sufficiently informative. After a few minutes, the discussion came to a halt and required interventions, follow-up questions and requests by the interviewer to relate something. In one case, the attitude averse to discussions even manifested in the explicit request that the interviewer should simply ask concrete questions. Also, there was hardly any open dissent in the corresponding

²¹ This quote additionally confirms one of the asymmetries referred to in 4.2. It indicates that interviewees did not put it past the interviewer to "push

them into a corner". There were also worries that unfavourable interpretations would be created through "cherry-picking" and "cutting" (024_GD).

discussion rounds, and statements were rarely explicitly contradicted. The participants were mainly officers currently working in riot police units. As if to confirm this finding, in a group discussion in which (due to illness) only two officers were participating, the assessment was made that this was not problematic because no other opinions would have been offered anyway (O49_GD). Though this is surely a fictitious consensus, inferred from the assumption that police behaviour is determined by law, rather than an actual homogeneity of opinions, it is to be assumed that this fiction is immensely effective (cf. Kühl 2014, p. 97 ff.).

The second type, those that were *happy to discuss* and surged forward, were markedly different, and in the basic progression of the discourse – less so in the content discussed – they strongly resembled the discussions with political activists. After the stimulus, the discussion was self-sustaining, hardly any impulses from the interviewers were necessary, and they were able to essentially limit themselves to follow-up questions to elucidate aspects not sufficiently explicated and to reflective questions. These group discussions also had more of the character of a discussion, there were objections and more complex debates. The group discussions belonging to the talkative type are in particular the majority of the ones carried out at police colleges of two federal states with master's students. Two related aspects seem to be the cause of this difference: on the one hand the characteristics of the group of those who rose through the ranks as brain workers and their current environment that tends to be conducive to reflection (a) and on the other hand, inversely, constraints and everyday practices in the organisational setting as well as of the police subculture of the units (b). Thus, different functions in the respective organisational contexts shape the readiness for and the acceptable extent of reflexive discourses:

- a) The ascent (or lateral entry for legal professionals) into the elevated and higher service is only open to some of the cops, who need to qualify under highly competitive conditions, i.e. undergo a selection process, and are then educated at a considerably higher level, in particular in complex legal issues. Moreover, studying itself seems to be at least partly able to crack the “pragmatic and anti-theoretical orientation of the police culture” (D. P. Waddington et al. 1989, p. 182), as indicated by various references to curricular material and controversies surrounding it in the seminar groups. However, this should not be taken to imply homogeneity of the group members. The decisive factor for the talkative discourse was the *greater heterogeneity* in the opinions and experiences of those interviewed at the colleges, while the homogeneity with respect to formal status and rank was greater. Only in these discussion groups were complex, explicitly theoretical arguments occasionally offered.²² Otherwise, in the discussions with the ‘practitioners’, more complex, contradictory circumstances tended to be treated as binary considerations and were resolved with a pragmatic solution. Only among the students were there some who had experienced demonstrations from the perspective of participants and sometimes also articulated criticism of the police. Both aspects also posed challenges to the other participants in the discussion and thus led to overall more complex discourses and multiperspectival problem analyses. Those who rose through the ranks are thus a specific group in the police, which is moreover situated in a context relatively conducive to discussion and reflexion at the time of the survey. This agrees with research findings that emphasise that the professional practice and the norms of cop culture that operate in it have such a decisive influence that they can supplant affirmation of ideals of

²² One participant (O37_GD) stated that he/she did believe that CCTV cameras could deter certain behaviour. Another person, by the way one of the few who also took part in demonstrations as a citizen, replied that this assumption constituted an implicit criminological theory of the other respondent,

which was contradicted by various empirical and theoretical findings, and elaborated on this with reference to studies on video surveillance of public spaces in the United Kingdom and on whether the data thus obtained were of any use to the police.

police culture achieved during training and studies (Fekjær, Petersson, & Thomassen 2014; Wortley & Homel 1995).

- b) But there is another (possible) explanation for the restraint of the “decelerator” type in addition to the mere converse that the practitioners are more firmly anchored in the system of norms of the “street cops”. It is offered by a police interlocutor who was present in a group discussion as a press officer but essentially stayed out of the conversation. After the discussion ended, he remarked that I, the interviewer, had probably expected longer and more detailed descriptions and that the officers had been rather taciturn. He assumes that this may be related to fear of admitting violations of the law – or of making an inopportune disclosure in the presence of someone of higher rank. The practitioners need to withhold informal practices that characterise their work. Thus, in this case the silence would at the same time be highly reflexive. Interestingly, the press officer added that such worries were however entirely unfounded, as these were outstanding officers – this, too, being a further indication of the non-random composition of the group.

He thus (involuntarily) invoked two structural obstacles that counteract the societal need for control and also the much-vaunted ‘error culture’. One of them follows from the restrictive principle of compulsory prosecution (legality principle), which all officers are subject to, but which is hardly ever honoured in practice and which creates reciprocal susceptibility to blackmail (Behr 2009; Tränkle 2015). Any misconduct is potentially criminally relevant, which also applies to acquiescence in the misconduct of colleagues, as a failure to report this amounts to obstruction of justice in office. For example, this

prevents belated filing of charges (cf. Aden 2015; Töpfer 2014). At the same time, there are various organisational interests to conceal knowledge of strategies as well as informal and deviant practices (error latency).

Travel destination: the ‘innocent’ police

*“Yes, the perception that we experience is that people out there are very suspicious of our measures. They almost feel that they [the measures] are **hostile**.” (026_INT, higher service)²³*

Many of the challenges described in this paper are well-known to organisational researchers also from other subject areas, although the laments recur particularly regularly in this case (currently e.g. Tränkle 2015, p. 144). But which specifics characterise the *police* reaction to research aspirations? What does research stand for from the perspective of the police? A look at the material, which is quite extensive and was obtained in the face of much adversity, offers many avenues to understanding police scepticism towards the intrusion of the social sciences. One aspect is an explicit interest in maintaining the secrecy of operational information, which doesn’t affect the legitimacy of the organisation. It serves the purpose of asserting lawful organisational interests that may conflict with transparency. It is addressed as a boundary for the survey in the preliminary talk, and compliance is monitored by superiors. Added to this is the interest to keep existing informality and deviance within the police in communication latency. Two strategies are applied towards research to make this plausible: the rhetorical diminution of police power and the

²³ That this feeling of hostility may *also* have to do with the demeanour of the police (think in particular of the protective gear of riot police units, which is reminiscent of Robocops, of the often harsh manners, etc.), or with the presence of cameras, is not enlarged upon in the group discussions, or is rejected using legalistic arguments indifferent to interactions, along the lines of the platitude ‘People who have nothing to hide don’t mind surveillance’:

“for me a camera is a resource, like my handcuffs, like my gun, [...] it’s what I carry. And if the other guy doesn’t do anything, then I don’t need to film him, just causes me a lot of work. [...] I just take it [the camera, P.U.] along, and if someone’s irritated, then that’s just how it is. That’s my work equipment and I need that, and if he acts properly, doesn’t do anything, then I don’t need to film him” (022_GD).

delegitimation and rejection of criticism of the police.

Diminution strategies: the ‘powerless’ police

“I think the whole thing is politically blown out of proportion, considering how timidly the police employs these instruments” (025_INT, police union)

There is a basic orientation that voiced scepticism of the police is not justified, characterised by unnecessary mistrust and usually grossly exaggerated, as are the efforts derived from this criticism to control the police and limit its enforcement powers. This is apparent in many places in the data and is underpinned with manifold arguments, all of which understate the actions of the holder of the monopoly of the legitimate use of force (cf. Tab. 1).

All these arguments have in common that they depict police resources and strategies as minor ‘not worth mentioning’. The truth of the various assessments is not to be judged here (though there would be more to say on that, too). Suffice

it to point out that in connection with justificatory narrations in the face of perceived demands for control, diminishing strategies are chosen as a matter of course. Apparently, this does not, in the respondents’ view, contradict the fact that the same resources are assessed as successful and effective in other contexts. Though the self-images described here, which are characterised by weakness, may well reflect the sincere view of the respondents – in connection with the incessant complaints about a lack of support from the political sphere, at the level of the organisation they are a reinterpretation of the state’s monopoly of the legitimate use of force as a minor matter, a vessel instead of an ocean liner.

Taking the focus off rule deviations: police perspectives on control of the police

Efforts to limit or externally control police powers are often met with a knee-jerk rejection from within the organisation itself. “The police is once again placed under a general suspicion, combined with the suggestion that it will break the law [own translation]” – thus e.g. Michael Knape, who

Table 1: Examples of rhetorical diminutions

With respect to overview cameras, it was repeatedly emphasised that for example in Berlin they were used only a few times a year, despite a total of more than 4000 demonstrations per year (e.g. 014_FP).

Police video surveillance is compared to that of private companies: in North Rhine-Westphalia there are allegedly only 19 police cameras. “That corresponds to the camera density of a single Lidl branch” (025_INT)

A drone for image transmission was called an “ultimately useless toy” (006_GD, P2)

It was claimed that the police do not actually want more video recordings, or to carry out more analyses of the existing ones, as no-one could sensibly evaluate all this due to the sheer quantity (006_GD, 026_INT, 035_INT).

Criticism and worries are referred to as overblown science fiction scenarios taken from US crime series (006_GD, P2).

The “mobile recording and analysis station” (Timmermanns 2010, own translation) BeDoKW1 is trivialised as “ultimately just a van with a camera and a computer” in one account (022_GD).

An interviewee dismisses the demand for identifiability of police officers as excessive and unnecessary, alleging that 70% of officers wear identification (025_INT).1

The presence of police cameras is relativised by mentioning the – even more numerous – cameras of journalists and other participants (022_GD, P2, P3).

Moreover, these other cameras are described as technically more advanced; just a few years ago “every dad probably had something better at home.” (022_GD, P2, P3)

served as a director with the police chief in Berlin at the time, in a speech in the legislative process of the new Berlin law on assemblies (VersammlungG Bln, since 2013). And the rejection of the “general suspicion” is accompanied by disparaging criticism directed against its alleged originators: “AL-LIANCE90/THE GREENS and the Pirate Party want to form a citizens’ initiative against the new law, with the pompous name ‘Berlin Alliance for Freedom of Assembly’ [own translation]”. These two motives also frequently show up in the protocols: Suspicions of abuse of power that are not justified in the view of the police, and general contempt for control of the police. Thus, a representative of a police union states in the interview:

“We principally claim as the police and therefore also say as a police union: The police deserves trust. And trust that its actions respect the rule of law. [...] Unfortunately, the political discussion is always different, the political discussion often assumes at the outset that the police abuses the technical means that it employs in order to observe people unlawfully.” (025_INT)

This idea of the police being unjustly criticised is expressed in various ways. A lack of respect towards the wearers of uniforms, mistrust, and too little support from the political sphere are mentioned. The control of police by elected representatives in state parliaments in the form of minor interpellations (“Kleine Anfragen”) with respect to protest events, camera use, technical equipment, etc. is also often described as a nuisance because it causes effort and the questions themselves are said to betray fundamental mistrust:²⁴ After a lecture on police video recordings, one participant in the discussion complains that a “tendency of abuse is constantly being presumed”, another deplors “lack of trust” as a

²⁴ Research work that investigates the practice of the minor interpellations in the state of Hamburg with respect to modes of criticism of the police (Frische 2015) unfortunately reproduces this police view one-to-one in its analysis. It makes a binary distinction between “negative” and “supportive” criticism and thus uses a simple friend-or-foe scheme of the police. An explicit operationalisation

cause for the criticism of video surveillance (014_FP).

“Because in the last two years, as I said, we’ve had so many observation and documentation inquiries that now you’re again, you know, slightly overreacting and then right away, well, what do you expect to come out of that” (024_GD, observation and documentation squad leader)

For some, the “new visibility” of the police (Goldsmith 2010; Thompson 2005), in particular through counter-surveillance, gives rise to hopes for a “new accountability” (Eijkman 2011), while others (the police) are motivated to strengthen internal cohesion and fend off aspirations for control. This is also suggested (at the level of the cop culture) by recent results of a survey in Berlin riot police units (Thinnes 2015). For instance, considerably more than a third of the respondents did not believe that “the citizen [has] a right to learn who takes a measure against him [own translation]”. Whistleblowers in the police are subject to very harsh exclusionary reactions; extremely strictly construed expectations of loyalty and error latency are a fundamental characteristic and problem of police culture (Herrnkind 2004). Apologies or acceptance of criticism are absolute exceptions (Zimmer 2014, pp. 79, 111). In the context of video recordings, this rejection of restrictions and control is characterised in particular by indignation at countersurveillance strategies (Marx 2003; Monahan 2006) such as filming police activity with mobile phone cameras. In almost all group discussions, narratives are present that report on the “arbitrariness” of this kind of surveillance of the police, which allegedly scandalises individual acts of police violence out of context, acts that given the context would often be interpreted as an entirely justified use of force.

Suspicious activate standardised immunisation strategies. This is illustrated by a

of the categories is not carried out, but the anchor examples speak volumes. For instance, “negative criticism” implies questioning police measures, “supportive criticism” implies demanding more personnel (and is thus in any case directed at a different addressee).

conversation with two master's students on the incidents of police violence in the federal police in Hanover: In the spring of 2015, it had come to be known that a federal police officer had tortured and racially discriminated against people with the knowledge and acquiescence of colleagues. For instance, he is alleged to have forced a Moroccan to eat rotten pork. He had bragged about his acts in social networks. Our two conversation partners unambiguously condemned such acts. But despite the existing detailed evidence, they simply considered the unanimous account in the media to be implausible. In particular, they doubted the plausibility of the silence of the colleagues. Such *esprit de corps* or peer pressure may have existed in the past,²⁵ but nowadays such things are no longer possible, they said. In this context, they made disparaging remarks about concepts in the social sciences employed to interpret such incidents, such as the "code of silence" (Punch 1983; Behr 2009). The question whether the case, which featured in the media for several weeks, was being discussed among colleagues or at college, was also answered in the negative. They were waiting to see the verdict and "whether all of this is true" (O39_FP).²⁶

This example, like further comparable arguments, does not at all attest to the absence of liberal, democratic principles and respect for the rule of law within the police. Most of the interviews and discussions do document such positions, for example in the form of an acknowledgement that the police is bound by the law, acknowledgement of the right of assembly and the task of the police to safeguard it, in the acknowledgement of the needs of activists not to be surveilled (without reason), and acknowledgement of the fact that there may be violations of the law by the police that need to be punished. It is just that these aspects do not play a prominent role in the considerations of the practitioners and are not detailed (except if it serves to prove the innocence of the police), but rather treated as a

formal reverence. Illegal police violence never appears as a structural problem, always as an exception that is attributed to the almost proverbial "bad apples [own translation]" (Behr 2009; Frevel & Behr 2015a) or trivialised as an exceptional "kicking over the traces" (e.g. 006_GD, 032_INT, 040_GD, 053_INT).²⁷ For its originators, the concept of the 'resistance officer' provides a topos of "condensed self-criticism within the police" (Tränkle 2015, own translation) that personalises the problem.

In the interviews and group discussions, the cops are in an ambivalent, conflictual situation. In the terminology of recent police research, the fear of officers who might say something 'wrong' could be interpreted as an expression of the constitutive conflict between the guideline-based police culture oriented towards the legality principle (Behr 2006) on the one hand and the everyday norms of the "street cops" (Behr 2008) in the cop culture still strongly oriented towards masculinity and authority (ibid.) on the other hand. There is a tension between the police culture that, according to Behr, not only characterises the organisation but is also an *interpretive proposal of the police to the public*, an image of how police should be or at least outwardly appear, and the cop culture that ensures the internal cohesion of the police against its surroundings. Leading actors in the organisation are aware that the ideals of the organisational self-presentation are not necessarily identical with the everyday practices of common officers, and indeed that describing the latter may threaten the desired public image of the police. From the perspective of organisational sociology, one might state that in order to secure legitimacy the leadership strives to stabilise the outward appearance of the police according to its normative order.

This quite evidently occurs in the explicit knowledge that deviations from the formal rules of the organisation are by no means rare

²⁵ A practice 'from back then' was reported as an example: "When people said, we're going to the bar tonight, I would never have said no, even if I had personal appointments." (O39_FP).

²⁶ Similarly Tränkle, who found out in interviews that while there is a high degree of criticism within the police, it remains within the units and is

regulated there, but is sealed off both from superiors and from the public (Tränkle 2015, p. 144).

²⁷ To maintain this interpretation, institutional and individual processing patterns in the police combine with the practice of the public prosecutors of dropping or not even filing charges (Singelstein 2014).

exceptions in the factual order. As Luhmann noted, such deviations need not be dysfunctional or unwanted. Rather, they are often “convenient illegality” (Luhmann 1976, pp. 304–314, own translation), which necessarily comes about when a self-consistent normative order collides with environments (i.e. systems with corresponding rationalities of their own) and cannot be seamlessly implemented in practice. In the case of the police, this is the fact that the comprehensive principle of compulsory prosecution cannot be honoured in practice, due to a lack of resources but also fundamentally. Luhmann also mentions the disadvantages or costs of this situation: Illegality must remain latent; its systemic functionality must be concealed and at best personalised as an individual deviation. This is achieved by topoi such as the “resistance officer”. For these cops are not just legally and morally problematic “Rambos”; in certain dangerous situations they are, from the perspective of their colleagues, a useful “small detaining unit” (Tränkle 2015, own translation). In the end, useful illegality requires “auxiliary acts of protection and concealment” (Luhmann 1976, p. 313, own translation). This contributes to the formation of the *code of silence*.

A very selective reference to established discursive patterns of criticism is striking and characteristic in this regard. While criticism of surveillance measures of the police against protestors (which is often set forth with the argument of unjustified general suspicion) is almost unanimously rejected as excessive by cops, officers perceive themselves as under general suspicion, in particular with respect to the discussion about mandatory identifiability of officers (Robbe & Hollstein 2012). The following statement of a police union representative stands for various similar remarks throughout the interviews and discussions:

“So, we’re against that as a police union, because, um, we don’t believe that it’s right that all cops can be placed under the general suspicion that they’re potential offenders that you need to be able to expose.” (025_INT, police union)

The organisation and probably the majority of its members agree that such a general suspicion against the police is unfounded.

Arrival

Travel tally

A journey of discovery through the organisation police resembles driving with the handbrake on while someone frequently and forcefully yanks the steering wheel. Less lyrically speaking: The police is a very resistant object of research; its attempts and its real capabilities to influence research on the police are extensive. As a powerful gatekeeper, it controls and sometimes blocks access to the field of research to a large extent. Moreover, ongoing research is subject to further direct steering attempts of the organisation (e.g. in the selection of persons to be interviewed) and subtle influences that also result from the role of the researcher as an often unwanted petitioner confronted with the trappings of power. If these hurdles are overcome, the organisational error latency and a cop culture hardly oriented towards reflection prove to be a further stumbling block.

The constant attempt to secure “definitional power” (Feest & Blankenburg 1972, own translation), including in processes of interpreting the organisation, that is, to achieve the greatest control possible in the research process, manifests as a pattern in the relationship of the police to the sciences. For the organisation sees itself under unjustified attack by critics, interprets this as being on the defensive and uses this interpretation as an argumentative resource for fending off transparency. These circumstances lead to analyses of the research object that are not satisfactory from a scientific perspective and may in parts be sanitised. Researchers walk a fine line and run the risk of being taken in by a staged image out of gratitude for granted access and consequently reduced distance from the research object. The result is that critical police research is subject to narrow external limits as long as alternative data sources are lacking. Indeed, empirical police research hardly exists in Germany outside of institutions close to the police. The immense steering influence of the police on possible perspectives in the field also affects the researchers and thus places high demands on them to strike a balance between proximity and distance from the object of research.

However, it needs to be emphasised that all that has been described here under the perspective of challenges and problems is not the whole truth, though these are broadly shared experiences of police researchers (Arbeitskreis Empirische Polizeiforschung 2012). Time and again over the course of the research process I encountered representatives of the organisation police who showed an interest in reflection of their work, sometimes explicitly, not merely rhetorically, wished for criticism of the organisation and went to considerable efforts to this end, so as to make my research possible against the sluggish wheels of the bureaucracy. These persons are mostly not “manual police workers [own translation]” or “street cops” (Behr 2009; Reuss-Ianni 1993); they are rather employed in particular management or brain work positions which ascribe greater weight to “norms of individuality, self-expression and personal development” (Behr 2009, own translation). This can be understood as evidence for Behr’s thesis that the closure of the police towards criticism is not exclusively due to a generalised *esprit de corps*, that is, a “working bond between cop culture and police culture [own translation]” due to which forgetfulness and silence in case of investigations against officers go hand in hand with official acquiescence or even assistance (Behr 2009). This is certainly necessary for safeguarding the error latency; but Behr considers the mechanisms of internal cohesion, the personal interdependencies in “communities of danger” (Kühl, own translation 2014) such as the riot police, to be more decisive in this personnel segment. These communities are governed by relatively strong collegial “norms of camaraderie” (Kühl 2014, own translation) that arise in

organisations in which the necessary use of the body makes the difference between the professional role and the person disappear (Kühl 2014, p. 153). According to Behr, in case of criticism and even more so in court this prevents an attitude of integrity and conformity with the law and instead favours a bunker mentality that also affects the sciences. Although the problems described are not all specific to the police, they are of particular relevance to democratic theory in the case of the police due to its powerful role. And they stand in strict contradiction to the error culture that is formulaically invoked time and again. For without knowledge from research, meaningful reflection of the organisational structures is hardly possible.

Future travel plans – strategies for police research

It seems inappropriate not even to embark on the expedition because of difficulties that arise. There are ways and means of dealing with some of the problems, as well as countertendencies to be located outside the conscious control of the participants. These include a self-sustaining character of the survey (a) and solution strategies at the level of the research design, in particular data triangulation as a prerequisite for immanent criticism (b), contact initiation via certain access points (c), strategies of empowerment (d), as well as general techniques for conducting and preparing interviews (e) and self-reflection (f). Cf. Table 2. Generally, for reasons of integrity, the “moral career of the project should be an essential part of the methodological analysis” (Punch 1989, p. 197; cf. Marks 2004, p. 886).²⁸

Table 2: Approaches to dealing with difficulties in police research

Self-sustaining character of the survey

Fortunately, (from the perspective of research) the described attempts at exerting influence are not successful *to the desired degree*. This is ensured e.g. by narrative constraints and self-sustaining discussion dynamics that also allow authentic, unsanitised insights into the field. At the same time, officers exhibit a desire to communicate, though sometimes with an expectation towards the researcher as their mouthpiece who should show ‘how it really is’ (cf. Behr 2008, p. 53), and also an interest of the organisation in using results generated.

²⁸ For further practical advice, ranging from clothing to manner, see the chapters in Cockbain and

Knutsson (Cockbain & Knutsson 2015a; e.g. Cockbain 2015; R. Brown 2015; Greene 2015).

Data triangulation

This makes it all the more important not to rely solely on data that are subject to intense steering. Rather, triangulation with observational data and with multiple perspectives onto the field of research is urgently required (e.g. many of the studies in Gravelle & Rogers 2014). This allows contradictions between practice and the self-presentation of the police to come into view (more details in Behrendes 2016).¹

Empowerment & resilience

The solution approach for the symbolic challenges of the power structure police that was practiced in the project consisted in carrying out interviews in pairs whenever possible, which is in any case advisable (cf. Della Porta 2014, p. 299) but not always easy to implement for practical reasons. This not only allows responsibilities to be divided (Person 1: Interviewer, main counterpart; Person 2: Responsible for the setting, the equipment, but also informed and supportive with follow-up questions, notes, etc.) but also allows mutual reinforcement in order to master a situation that is strongly determined by extrascientific motives and trappings of power.

General techniques for conducting interviews

Restraint in the discussion can only be dealt with using the standard techniques for conducting qualitative interviews. An open, interested attitude should be clearly on display, and clarity on strict and extensive strategies of anonymisation must be established (cf. Milliner 2014). It seems to be particularly important to exercise patience and to control one's own impulses to intervene. But it can hardly be avoided to be prepared for a more directive role in such settings and thus to obtain more prestructured, deductively generated data. The demeanour and the vocabulary employed should take into account sensitivities, as far as possible making use of knowledge of the field, e.g. to avoid using signal words with negative connotations. All this must serve to establish trust – which should be justified, not merely maintained through a false appearance.

Self-reflection

In order to master this, sufficient time and space for the reflection (of the current state) of the research relationships should be scheduled. For this purpose, it is as important to scrutinise one's own symbolic signals (including through feedback from the researched counterpart) as confident demeanour is imperative. At the same time, all findings need to be interpreted against the background of the conflicting goals of the surveyed organisation, which acts in light of the tension between competing principles: On the one hand the legality principle, democratic principles of transparency and control as well as the new demands of the 'error' and 'learning culture'; on the other hand the de facto fiction of the police being governed by law and the variously motivated secrecy interests.

Travelling ethically, critically or all-inclusive?

Marked contrasts between the existing research perspectives keep manifesting in police research. For one, the goals, purposes and fundamental theoretical-methodological approaches differ between research *for* the police, which often originates within the organisation police, and social-science research *on* the police (Reichertz 2003; Ohlemacher 2003; Cockbain & Knutsson 2015b; critical of this opposition: Mensching 2004; Squires 2016). In the case of the second pole (research *on*), there is a further distinction between two camps. A (post-)Marxist 'critical police research' that explicitly views itself as distant from

the police calls into question the "purpose and reality of the enforcement of the state's monopoly of the legitimate use of force" (Belina, Cremer-Schäfer, Müller, & Künkel 2014, own translation), e.g. with respect to the role of the police in "resolving certain conflicts of interest" (ibid., own translation) and in preserving the societal *status quo*. This means that critical police research e.g. is not just interested in how cops generate suspicion (who is stopped and searched when, how, where and why), decide for or against bringing charges, etc.; rather it asks in particular which (powerful, exclusive) structures of the social sphere may be created or stabilised in this selectivity of policing. Interpreting such analyses as a personalised presumption of ill *intent* of the

officers can be left to furious criticism from the police (Pick 1995), even though the markedly critical police research has indeed been less interested in cops “in their sensitivities, their specific problems and wishes” (Ohlemacher 1999, p. 3, own translation) than the self-styled ‘value-free’ research on police. This has a price: the critical perspective is sometimes too distant from its research object, taking a general’s perspective and lacking detailed insider knowledge. Beyond the potentially unequal treatment of the police and their ‘counterpart’ (Meuser & Löscher 2002, para. 12), this lesser interest of the critical researchers may be a weakness, because precisely such actors’ perspectives may well carry relevant (critical) implications. One example of this would be the observation that demonstrations may mean individual strain and stress for individual officers, which in turn may act to amplify a structural distance or hostility of the organisation towards certain protests (Ullrich 2017). The dehumanisation in professional police work that comes with the orientation towards conditional programmes and the scarcity of reflection and supervision might be a field for investigations and interventions to be pursued. This example illustrates yet again that the critical content of research depends not on the postulate of criticism, but on its substantial content. On the other hand there is an “interpretive police research [own translation]” that is usually oriented towards the sociology of knowledge and views itself as interested but value-free, which sometimes excludes analyses of the societal function of the police from its field of interest *expressis verbis* (Reichertz 2003).

This contraposition of critical and non-critical police research does more to reveal normative assumptions of both sides (cf. Wahlström 2011, p. 12) than to represent the actually manifold field of research between the poles. At least peaceful coexistence would stand to reason, as both strands have different strengths going for them (detailed internal knowledge the one, grounding in social theory and context sensitivity the other). The obstacles to research described here may well be more suited to unify the research from outside the organisation in its experiences, namely if the question of assessing the

research results is preceded by the big question whether empirical research is possible at all.

But this raises an entirely different ethical question. In the case of the police and its representatives, the basic research-ethical principle of informed consent conflicts both with the particular research interest (in particular gaining extensive insights into the field) and with the public interest in knowledge about the functioning (and possibly also the failure) of the institution that commands the state’s monopoly of the legitimate internal use of force (Rogers 2014, p. 26 f.; Skynns et al. 2016). Here it seems to me that the transparency interests of disregarding the secrecy strategies of the organisation prevail, also in view of a lack of parliamentary control, as long as the anonymity of affected *persons* is respected.

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