



SCHOOL OF BUSINESS AND SOCIAL SCIENCES
AARHUS UNIVERSITY

Policing of Marginalized Drug Users in Public Space

Between Control and Protection

PhD Dissertation

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2020

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Handed in for assessment: 13-02-2020

Public defense: 19-05-2020

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LIST OF PUBLICATIONS¹

Article 1

Kammersgaard, T. (2019). Harm Reduction Policing: From Drug Law Enforcement to Protection. *Contemporary Drug Problems*, 46(4), 345-362.
<https://doi.org/10.1177/0091450919871313>

Article 2

Kammersgaard, T. (2019) Private Security Guards Policing Public Space: Using Soft Power In Place of Legal Authority, *Policing and Society*, Published online: 06 November 2019.
<https://doi.org/10.1080/10439463.2019.1688811>

Article 3

Kammersgaard, T. (2020). Being 'In Place', Being 'Out of Place': Problematising Marginalised Drug Users in Two Cities. *International Journal of Drug Policy*, 75, 102589.
<https://doi.org/10.1016/j.drugpo.2019.10.014>

¹ The articles found in this dissertation are extended versions of the published articles listed in this overview.

ACKNOWLEDGEMENTS

I was ecstatic when I was awarded the scholarship to do this doctoral research and now, three years later, it is hard to comprehend how fast this time has gone by. I have enjoyed my time as a PhD student at the Centre for Alcohol and Drug Research very, very much. I could not imagine a better place for me to be carrying out this project. It is undoubtedly to the merit of great, supportive colleagues that I was able to complete this project.

It might have become a cliché to state in the acknowledgements that scholarly work is a collaborative process, but it was not until writing this dissertation that I fully realized that this is, in fact, a very fitting description. Consequently, I would like to thank all of those who have offered their feedback on my, sometimes embarrassingly, half-baked ideas concerning this dissertation. These include: anonymous reviewers, journal editors, delegates at conferences, colleagues, my fellow PhD students, strangers and friends. However, some still deserve to be thanked individually.

Thank you to all the PhD students at the centre: Kirsten, Line, Sinikka, Mads, Priya, Julie, Marie, Mie, Lea, Louise and Morgan. It has been great discussing both academic and not so academic subjects with you. Thank you to my main supervisor, Esben Houborg, who was always supportive of my ideas and allowed me to develop them independently, while at the same time provided guidance and reassurance when I was in doubt. Thank you for being a very caring mentor in this process. Thank you to Thomas Friis Søgaaard, who acted as co-supervisor on the project and who would always generously express his enthusiasm and interest in the study in ways that encouraged me to keep on going. Thank you for always being helpful and kind. I could honestly not have asked for better supervisors and I am grateful that you were both willing to supervise the project.

Thank you to Mariana Valverde, who warmly welcomed me and my partner during the cold winter term in Toronto. Thank you for being a very kind and responsive host, for being generous with your time and for taking an interest in my project. It was a great inspiration for me to be able to discuss issues around theory and criminology while staying at the Centre for Criminology and Sociolegal Studies at the University of Toronto.

Thank you to all the research participants in the project who let me question them about their work and everyday life. A special thank you to the security guard who kindly allowed me to follow him around and ask him peculiar questions about his work habits. Also, a special thank you goes to the police officer who faithfully let me study his policing practices and who was always happy to elaborate on them. I have a great deal of respect for the work that both of these men are doing and I can surely say that I could never do what they do every day.

Thank you to my good friend Frank Nielsen, with whom I have discussed many of the issues concerning this dissertation over a couple of beers. A special thank you for alerting me to the project of installing private security guards on a public square in Aarhus, which came to make up a large part of this dissertation.

Last but not least, thank you to my dear Lejla for always believing in me, even when I did not do so myself. You have truly been my rock in this process. Without you this would have been immensely more lonely and challenging. I am exceedingly grateful for what we have together.

ENGLISH SUMMARY

The purpose of this dissertation is to investigate the problematization of the presence of marginalized drug users in public space and the specific governmental responses connected to this. The project sheds light on how marginalized drug users in public spaces are spoken about and problematized in the context of increased gentrification, beautification and privatization of our cities. Furthermore, it is investigated how marginalized drug users and their presence in public space are governed, specifically by looking at two cases of foot patrol policing in two public spaces situated in the two major Danish cities, namely Aarhus and Copenhagen.

The research questions that this dissertation sets out to answer are:

- 1) How are marginalized drug users in the two public spaces problematized?
- 2) What are the ‘logics’ and the specific ‘techniques’ utilized in governing marginalized drug users in the two public spaces?

The research questions are formed within a Foucauldian analytical framework and the terms ‘problematization’, ‘logics’ and ‘techniques’ are theoretically informed by post-Foucauldian governmentality studies. Problematization refers to the process of something becoming a ‘problem’, logics refer to the assumptions about reality and the ethical justifications that underlie governing, and techniques refer to the specific procedures through which this governing takes place.

It is concluded that both of the policing projects operated in a space between control and protection. In other words, the two projects simultaneously operated with a *logic of control* and a *logic of protection*. This meant that policing practices were aimed at controlling the movement and behavior of marginalized drug users, while also being concerned with their protection, both from self-inflicted harm, principally through drug consumption, as well as harm from others, in terms of violence and assault. Additionally, both policing projects operated with a minimal level of coercion, through practices of ‘soft power’, which could be said to be the favored policing *technique* of the two projects. However, while the two policing projects could be said to be based on similar logics and techniques on a general level, there were still important differences in their specific operations. The dissertation is made up of three different articles which explore different aspects of the problematization and policing of marginalized drug users in public space in the two research sites.

Article 1: Harm Reduction Policing: From Drug Law Enforcement to Protection. This article provides an investigation of how policing of an open drug scene had been organized in Copenhagen,

Denmark, since drug possession had been partially decriminalized following the introduction of drug consumption rooms in the area. The article argues that decriminalization enabled a shift in the ‘logics’ of policing by enabling the production of an alternative ‘governable identity’ for the drug-using subject, where people who use drugs could more readily be perceived as citizens with rights, rather than just as offenders. Accordingly, in this new logic the violence and victimization experienced by marginalized people who use drugs could more readily be identified as proper objects for police action. In the article, I used the concept of ‘harm reduction policing’ to describe these alternative policing practices. The case demonstrates that major shifts away from policing practices that harm marginalized drug users are possible and, by describing these practices, the aim of the study is to contribute to our knowledge of how the police can become potential allies rather than adversaries to marginalized drug users, as well as to harm reduction and wider public health initiatives.

Article 2: *Private Security Guards Policing Public Space: Using Soft Power in Place of Legal Authority.* This article considers the policing practices of private security guards in the second research site, the public square Klostertorvet in Aarhus. These security guards were hired as a response to the presence of a group of marginalized drug users on the public square, who were considered a disturbance to other people and the surrounding businesses in the area. Since the private security guards were operating in a public space, they were not able to use any exclusionary or coercive measures in their policing of the public square and the marginalized drug users. Instead they policed the square by utilizing different forms of ‘soft power’, such as engaging in socializing and conversations with the marginalized drug users in order to encourage them to behave in a less disorderly and aggressive manner. The case illustrates that private security guards are able to exercise considerable control over public spaces, without having any legal authority over these areas. The policing of the marginalized drug users by the private security guards was presented by the local government as being to the benefit of both the drug users themselves, as well as their surroundings. However, this was clearly not the main or principal logic of the policing project and it did not figure as prominently as an operational goal, compared to how the local police described and carried out their policing of the marginalized drug users in Copenhagen.

Article 3: *Being ‘In Place’, Being ‘Out of Place’: Problematizing Marginalized Drug Users in Two Cities.* The aim of this article was to take a step back and consider the wider political context in which the two policing projects were embedded. In so doing, the article investigates how the marginalized drug users and their presence in public space were being problematized in the two cases. The cases were similar insofar as the presence of marginalized drug users was presented as a problem in both.

In addition to this, in both of the cases it was not seen as politically feasible to simply coercively remove marginalized drug users from the public space, which constitutes a difference to some of the punitive strategies documented elsewhere and most notably in the US. However, it is also possible to see differences in how the marginalized drug users were being portrayed and perceived by the media and key stakeholders in the two cases and how the governmental response to their presence in public space was shaped by these problematizations. In the neighborhood of Vesterbro in Copenhagen, the marginalized drug users were perceived as ‘in place’ and there was a strong discourse and narrative about their ‘right’ to be in the public spaces of the neighborhood, because of their long history in that particular area. While in the other research setting, the public square Klosterstorvet in Aarhus, it was contested whether the drug users and their behavior on the public square was ‘in place’ or ‘out of place’. However, the logic was that their behavior had to be adjusted to fit the socio-spatial expectations in that particular time and place or they would have to be moved to other parts of the city, where the presence of the drug users was thought not to cause as much of a disturbance. The differences in the problematizations in the two cases illustrate that how marginalized drug users in public spaces are problematized can have extensive implications for how they are governed. Simultaneously, the cases illustrate how problematizations and governmental responses to the presence of marginalized drug users in public space are highly locally determined and closely tied to narratives and discourses about what particular neighborhoods or urban spaces are and should be like.

Overall, the findings of this dissertation have implications for both scholarly analysis and policy. The findings in this dissertation illustrate, how the governmentality analytic can alert us to practices of soft power in policing that might otherwise have gone unnoticed. With the rise of community policing and other forms of ‘soft policing’ (Innes, 2005), this analytic might provide researchers of policing with the tools to discern and describe new forms of power in policing that are more subtle than those involved in traditional law enforcement. This investigation into the governing of marginalized drug users in public space, can also provide some policy recommendations regarding this issue. In my descriptions of the two policing projects, it is possible to find both aspects that can be perceived as problematic as well as aspects that can be perceived as promising.

The investigation of the case of private security guards in Aarhus revealed several problematic aspects. First of all, the use of private security guards that normally operate in a context of private property with a goal of economic loss prevention for their clients produced significant problems with these security guards overstepping their legal authority in their policing of the public square. On a more fundamental level, the relegation of the responsibility of policing public areas to private

business owners comes with a great loss of accountability and transparency that we should be aware of. This case study should stand as a fair warning, or at least a cautionary tale, of some of the possible problems that might erupt if business improvement districts (BIDs) were to be established in Denmark, which is something that currently is being pushed for by different networks and alliances (Richner & Olesen, 2019).

Conversely, the ‘harm reduction policing’ practiced by the local police in Copenhagen sheds light on some promising policing practices. The case illustrates how decriminalization of drug possession, can facilitate more productive relationships between the police and marginalized drug users. When drug possession is criminalized, the relationship between these two groups will generally be one of distrust and suspicion, which results in much of the victimization marginalized drug users experience going unreported. However, within a framework of decriminalization, such distrust might be decreased, which makes it possible for the police to extend their services and protection to them. This provides an additional argument for the decriminalization of drug possession, at least for this specific group of homeless and marginalized drug users. The policing practices of the local police in Copenhagen illustrate how the police can become allies rather than adversaries to marginalized drug users, harm reduction and wider public health policies.

DANSK RESUMÉ

Formålet med denne afhandling er at undersøge problematiseringen af marginaliserede stofbrugere i det offentlige rum og de politiske tiltag, der er målrettet disse. I afhandlingen undersøges to politi- og sikkerhedsprojekter. Projektet belyser hvordan marginaliserede stofbrugere og deres tilstedeværelse i det offentlige rum bliver talt om og problematiseret i konteksten af stigende gentrificering og privatisering af vores byer i dag. Derudover undersøger afhandlingen hvordan marginaliserede stofbrugere og deres tilstedeværelse bliver håndteret fra myndighedernes side, specifikt ved at se på to politi- og sikkerhedsprojekter i to forskellige offentlige rum, i henholdsvis Aarhus og København.

Forskningsspørgsmålene, som denne afhandling søger at besvare, er følgende:

- 1) Hvordan bliver marginaliserede stofbrugere problematiseret i de to offentlige rum?
- 2) Hvilke 'logikker' og specifikke 'teknikker' bliver anvendt til at håndtere marginaliserede stofbrugere i de to offentlige rum?

Forskningsspørgsmålene er formuleret i et Foucauldiansk analytisk framework, og begreberne 'problematisering', 'logikker' og 'teknikker' er teoretisk informeret af post-Foucauldianske 'governmentality' studier. Problematisering referer til den proces hvor et fænomen bliver til et 'problem', logikker refererer til de antagelser omkring virkeligheden som politiske projekter og tiltag baserer sig på, og teknikker refererer til de specifikke procedurer, hvorigennem sådanne projekter og tiltag føres ud i livet.

Det kan konkluderes at begge politi- og sikkerhedsprojekter opererede i et spændingsfelt mellem kontrol og beskyttelse. Med andre ord opererede de to projekter med både en kontrol-*logik* og en beskyttelses-*logik*. Det betød at de politipraksisser der blev anvendt, både handlede om at kontrollere de marginaliseredes stofbrugeres adfærd og bevægelse i det offentlige rum, men samtidig også om at beskytte de marginaliserede stofbrugere fra skade, både selvskade gennem stofbrug, samt skade fra andre i forbindelse med vold og overfald. I tillæg hertil, kunne det konkluderes at begge politi- og sikkerhedsprojekter opererede med så lidt tvingende magt som muligt og i stedet benyttede sig af 'blød magt', hvilket derfor kan siges at være den foretrukne *teknik* i de to projekter. Men på trods af, at begge politi- og sikkerhedsprojekter kunne siges, overordnet at operere på baggrund af den samme logik og med de samme teknikker, var der stadig forskel på hvordan de fungerede i praksis. Afhandlingen består af tre forskellige artikler, som hver især udforsker forskellige aspekter af problematiseringen og styringen af marginaliserede stofbrugere i de to undersøgte byrum.

Artikel 1. Den første artikel bidrager med en undersøgelse af, hvordan politiet arbejder på en åben stofscene i København, efter at stofbesiddelse er blevet delvist afkriminaliseret, på baggrund af etableringen af stofindtagelsesrum i området. I artiklen argumenteres der for, at afkriminaliseringen muliggjorde et skifte i politiets praksis og tænkemåde, hvor stofbrugere lettere kunne opfattes som 'rettighedshavere' frem for kun som 'lovbrydere'. Dette muliggjorde samtidigt, at politiet kunne arbejde mere aktivt med den viktimisering, som udsatte stofbrugere oplever. I artiklen bruger jeg begrebet 'skadesreducerende politiarbejde' til at beskrive denne alternative politipraksis. Undersøgelsen illustrerer, at det er muligt at ændre praksis væk fra politiarbejde, som underminerer og modarbejder udsatte stofbrugeres velfærd. Ved at beskrive denne form for politiarbejde, er det undersøgelsens formål at bidrage til viden om, hvordan politiet kan blive allierede frem for modstandere i forhold til udsatte stofbrugere og de sociale instanser, der forsøger at hjælpe disse.

Artikel 2. Den anden artikel omhandler indsættelsen af private vagter på den offentlige plads Klostertorvet i midtbyen i Aarhus. Disse private vagter var indsat for at imødegå tilstedeværelsen af en gruppe socialt udsatte borgere, som tog ophold på det offentlige torv, og som blev anset som værende utryghedsskabende for deres omgivelser. Siden de private vagter skulle operere i det offentlige rum, havde de ingen beføjelser til at bruge tvingende magt eller beordre nogen til at forlade området. I stedet var meningen, at vagterne skulle bruge 'blød magt' og socialisere og konversere med de udsatte stofbrugere for at få dem til at opføre sig mindre uro- og utryghedsskabende. Undersøgelsen illustrerede desuden, hvordan de private vagter var i stand til at udøve kontrol over det offentlige torv, på trods af at de ingen formel magt eller beføjelser havde. Tiltaget blev præsenteret i byrådet som værende til fordel, både for de udsatte stofbrugere og deres omgivelser. Men at beskytte og hjælpe de udsatte stofbrugere lod ikke til at være det vigtigste formål med projektet, og det var ikke et ligeså udtalt mål sammenlignet med det 'skadesreducerende politiarbejde' dokumenteret i den første artikel.

Artikel 3. Formålet med den tredje artikel var at tage et skridt tilbage og undersøge den bredere politiske kontekst, som de to projekter var indlejret i. Dette blev gjort ved at undersøge, hvordan de udsatte stofbrugere og deres tilstedeværelse i det offentlige rum blev problematiseret i de to cases. De to cases lignede hinanden i og med at tilstedeværelsen af stofbrugere i det offentlige rum blev problematiseret i begge. Ud over dette syntes det ikke politisk muligt at fjerne stofbrugere med tvingende magt i nogle af de to cases, hvilket synes at være anderledes end nogle af de strategier der eksempelvis er blevet dokumenteret i USA. Dog var der stadig nogle væsentlige forskelligheder mellem de to cases, i forhold til hvordan stofbrugere blev portrætteret i medierne og opfattet af forskellige

nøglepersoner. Desuden er det muligt at se, hvordan de politiske tiltag over for de marginaliserede stofbrugere er formet af disse forskellige opfattelser og portrætteringer. På Vesterbro i København var der en stærk diskurs og narrativ omkring de udsatte stofbrugeres ret til at være i det offentlige rum, på baggrund af deres lange historie og tilstedeværelse i bydelen. I den anden case, der omhandlede Klostersøvej i Aarhus, syntes problematiseringen af de udsatte stofbrugeres tilstedeværelse at være anderledes. I denne case var stofbrugernes plads i byen mere omdiskuteret. Men i forhold til deres adfærd på Klostersøvej, var der dog en stærk diskurs om at denne skulle tilpasses til de forventninger, der var til adfærd i dette byrum, eller også måtte de flyttes til andre dele af byen. Forskellen mellem problematiseringen af de udsatte stofbrugeres tilstedeværelse i de to cases illustrerer, hvordan sådanne problematiseringer kan have vidtrækkende konsekvenser for, hvordan udsatte stofbrugere i det offentlige rum imødegås og håndteres. Samtidig illustrerer undersøgelsen, at sådanne problematiseringer og politiske tiltag i høj grad er farvet af lokale forhold og hænger tæt sammen med de narrativer der eksisterer, om hvad specifikke nabolag og urbane rum er og bør være.

Overordnet har resultaterne af undersøgelsen i denne afhandling både nogle analytiske og praktiske implikationer i forhold til problemstillingen omkring reguleringen af marginaliserede stofbrugere i det offentlige rum. Analyserne i afhandlingen illustrerer, hvordan begreber fra 'governmentality' studier kan bruges til at få øje på praksisser af 'blød magt', som vi muligvis ikke ville have været opmærksomme på ellers. Med den nuværende udvikling mod stigende brug af 'community policing' og andre former for 'bløde' politipraksisser, kan dette analytiske blik give politiforskere forskellige værktøjer til at beskrive disse nye magtformer, som er mere subtile end almindelig retshåndhævelse. På baggrund af undersøgelsen kan der også gives nogle praktiske anbefalinger angående reguleringen af marginaliserede stofbrugere i det offentlige rum. I beskrivelserne af de to policing projekter kan der både findes problematiske og lovende praksisser.

Undersøgelsen af de private vagter i Aarhus pegede på flere problematiske aspekter. For det første, viste det sig problematisk at benytte sig af private sikkerhedsvagter som normalvis opererer i en kontekst af privat ejendomsret, da disse vagter i flere tilfælde overtrådte deres beføjelser, da de skulle operere i det offentlige rum i stedet. På et mere fundamentalt plan kan udliciteringen af reguleringen af det offentlige rum til private aktører kritiseres, da dette medfører et stort tab af gennemsigtighed og kontrol i forhold til, hvordan en sådan regulering foregår. Dette studie kan derfor ses som en advarsel i forhold til at etablere såkaldte *business improvement districts* (BIDs) i Danmark, hvilket er noget der på nuværende tidspunkt bliver lobbyet for fra forskellige sider (Richner & Olesen, 2019).

Det skadesreducerende politiarbejde, som det lokale politi praktiserede på Vesterbro, synes modsat at indeholde flere lovende aspekter. Det lokale politis praksis illustrer, hvordan afkriminaliseringen af stofbesiddelse kan facilitere et bedre og mere produktivt forhold mellem politiet og udsatte stofbrugere. Så længe stofbesiddelse er kriminaliseret, vil forholdet mellem disse to grupper generelt være mistroisk, hvilket medvirker til at meget af den viktimisering, som denne del af befolkningen oplever, aldrig bliver anmeldt til politiet. I en kontekst af afkriminalisering kan sådanne former for mistro mindskes, hvilket i højere grad gør det muligt for politiet at tilbyde deres service og beskyttelse til udsatte stofbrugere. Dette udgør derfor et argument for afkriminalisering af stofbesiddelse, i det mindste for udsatte stofbrugere. Lokalpolitiets arbejde på Vesterbro viser en vej frem for politiarbejde med udsatte stofbrugere på en måde, hvor politiet arbejder *med* og *for* dem og deres velfærd fremfor at arbejde *imod* dem.

CHAPTER 1.

INTRODUCTION

This dissertation investigates issues concerning the problematization of the presence of marginalized drug users in public space and the specific governmental responses connected to this. It does so by studying two governmental responses to this ‘problem’, specifically two foot-patrol policing projects in urban spaces situated in the two major cities of Denmark, Aarhus (300,000 inhabitants) and Copenhagen (1,200,000 inhabitants).

In the first case it is described how the public police operated in an open drug scene in Copenhagen, after drug possession had been partially decriminalized in this specific area for marginalized drug users with the introduction of official drug consumption rooms (DCRs) in 2012. The second case concerns a public/private policing project in Aarhus, where the municipality and an association of private businesses co-financed a private security firm to patrol a public square in the centre of the city. This was as a response to the perceived disorderly behavior of a disparate group of drug users, heavy drinkers and homeless people, who would often congregate at this square and engage in public drinking, drug use and other forms of socializing. These two cases provide insights into the current developments in urban policing towards the application of ‘soft power’ (*Article 2*), as well as the policing of marginalized drug users according to principles associated with the ‘harm reduction’ paradigm (*Article 1*). Furthermore, the differences in how the presence of marginalized drug users was problematized in the two urban settings highlights how the perception of urban ‘problems’ is closely tied to narratives and stories about what these particular urban spaces should look and be like (*Article 3*).

The policing of marginalized drug users in public space ties into a range of recent developments in both the layout of our cities, the increasing pluralization in the policing of these cities and other policy developments that intertwine with the lives of homeless and socially marginalized individuals in different ways. Before I go on to describe the specific aims and purpose of this dissertation in more detail, I will therefore provide some background information on these issues and developments.

SOCIAL MARGINALIZATION AND THE USE OF PUBLIC SPACE

For the majority of history, humans have lived in small encampments, spatially dispersed from other groups. However, this is rapidly changing. The world is increasingly becoming urbanized. Rural areas are gradually being depopulated, while there is a substantial growth in people living in cities worldwide today. The United Nations Department of Economic and Social Affairs has projected that two-thirds (68%) of the world's population will live in urban areas by 2050 (United Nations, 2018). Thus, in a relatively brief timeframe, humans have been transformed from a 'predominantly rural people' to a "significantly urban people" (Lofland, 2017).

Living in close proximity to one another presents us with problems that are not as salient in the countryside as they are in urban space. Furthermore, cities have always contained more social diversity than the surrounding countryside, as they have historically been magnets for both permanent migrants as well as short-term travelers (Valverde, 2012). While a stranger in traditional societies used to be perceived as a threat that could not be ignored, inhabitants in large cities today live in a "world of strangers" (Lofland, 1973). Consequently, because inhabitants of cities have to co-habit and co-exist in relatively small geographical spaces with 'strangers' that might have radically different interests and desires to themselves, there might be substantially differing opinions on how to behave in the public spaces that make up "the life between buildings", as the Danish architect Jan Gehl (2011) called the activities that go on in the external urban spaces accessible to the general public. People might hold widely different views on what constitutes a pleasant public area, which makes the notion of 'order' in public space far from natural, self-evident and immutable (De Backer, Melgaço, Varna & Menichelli, 2016). Consequently, the line between legitimate complaints about offensive behavior and intolerant 'fussiness' about the ordinary hustle and bustle of everyday city life is "clearly a delicate one" (Thacher, 2009, p. 61).

A phenomenon that has been perceived as a serious problem of disorder in urban contexts has been the rise of so-called 'open drug scenes'. An open drug scene is a public place where individuals engage openly in the use and trading of illicit drugs. During the 1970s and 1980s marginalized and disadvantaged individuals began assembling in urban public spaces and engaged in drug use throughout Europe as well as the US, Canada and Australia. These open drug scenes have varied in how they manifest themselves with different sizes, drugs used, geographic concentration and visibility (Bless, Korf & Freeman, 1995). Such congregations of homeless and marginalized drug users have been problematized according to a range of different reasons. First, the presence of

intoxicated individuals might result in unpredictable, aggressive and disorderly behavior, which might be perceived as ‘out of place’ and as a threat and nuisance to other people (Cresswell, 1996). Furthermore, the discovery and rise of the human immunodeficiency virus (HIV) in the early 1980s in particular contributed to the problematization of these drug scenes, as it made the public and local governments aware of the possible health risks and social externalities associated with, specifically, injecting drug use (Kübler & Wälti, 2001). Finally, congregations of disadvantaged and marginalized drug users have also been problematized due to both the aesthetic cost and the cost to economic activity that they might infringe on cities that increasingly organize their activities around consumption, economic growth and producing an urban space that is pleasing and perceived as safe by white-collar, middle-class residents (Mitchell & Staeheli, 2006).

In other words, the concern with visible homelessness and street people can be linked to the wider transformation of cities from industrial to post-industrial sites of consumption. In these post-industrial spaces of consumption, local governments are actively engaged in attracting those who are considered to be assets for the city’s economy and their tax revenue (Kübler & Wälti, 2001). In order to entice such populations, local governments are continuously seeking to beautify and modernize the inner city. This process has been widely known as ‘gentrification’: the adaption of the urban environment to the needs and tastes of the middle class. In this new urban context, the presence of homeless or socially marginalized individuals may be problematized, because their mere presence may be sufficient to cause feelings of insecurity, discomfort and anxiety for others, which might infringe on consumption and the so-called ‘quality of life’ of middle-class citizens (Pennay & Room, 2012; Kübler & Wälti, 2001). Attracting those that are considered good customers and removing those that are considered ‘bad for business’ has been argued to be an increasingly dominant logic of contemporary urban governance (Mitchell & Staeheli, 2006; Walby & Lippert, 2012).

Increasingly, socially marginalized individuals are perceived as ‘staining’ the image of the well-functioning post-industrial city geared towards consumption and the display of wealth. Moreover, public and collective space is shrinking due to the increasing privatization of our cities. The post-industrial city is increasingly made up of ever-more ‘retail spaces’, such as shopping malls and entertainment venues, which have reconfigured the public domain at large (Karrholm, 2016). This has profound consequences for who can move where and especially limits the movement of homeless and other marginalized people who are not considered to be attractive customers in these commercialized spaces (Mitchell, 2003; Kohn, 2004).

THE POLICING OF PUBLIC SPACE

In this new urban context, security has become a salient issue. Some have even described recent developments as a securitization of urban space, referring to the fact that the design and regulation of cities is increasingly being organized around issues of security, reassurance and safety (Lippert & Walby, 2013). In the urban geographic literature, the different ways that ‘urban undesirables’ have been actively sought to be excluded and removed from city centres in recent years has been amply documented. However, the policing and regulation of ‘street people’ is not a new phenomenon. Vagrancy laws that criminalized people who wandered from place to place without a home, employment or income were first passed in 1349 in England and have since spread throughout the world (Chambliss, 1964). Across history, vagrancy has been penalized by such diverse forms of punishment as imprisonment, fining, forced labor, branding and flogging (Rogers, 1991). During the 1970s, these laws were increasingly found to be inappropriate, because they were perceived as criminalizing the status of being poor and, in many countries, the laws were repealed (Laurenson & Collins, 2007). Following this, the status of being without home, employment or income was no longer criminalized in itself. However, the concern with regulating the behavior of urban undesirables did not end with the vagrancy laws. Behaviors such as begging, sleeping in public, drinking in public and car window washing have since been prohibited in many places, and, even though these regulations purport to be neutral rules of behavior in the public space, they invariably target behaviors that are commonly associated with being homeless (Waldron, 1991).

Another way in which homeless and marginalized street people have increasingly been governed is through a reconfiguration of the physical landscapes making up our cities. Prominent examples include the now ubiquitous ‘bum-proof benches’, which can be found in most large cities today, where either dividers or other objects have been strategically installed on benches in order to stop homeless people from sleeping on them (Davis 1990/2006). More obvious examples include ‘anti-homeless spikes’, i.e. metal spikes installed on the ground in order to discourage homeless people from sleeping in otherwise unrestricted places, which caused some controversy in London in 2014 (Petty, 2016). Other examples include the use of ultraviolet light in public restrooms, which prevents people who inject drugs from seeing their veins properly, as well as the ‘weaponized’ use of classical music in public or quasi-public places, such as train stations and shopping malls, in order to discourage homeless and young people from loitering in the entrances and general areas of such places (Hirsch, 2007). Such measures might be said to be part of the wider turn towards ‘situational

crime prevention', i.e. measures "that involve the management, design, or manipulation of the immediate environment in as systematic and permanent a way as possible so as to reduce the opportunities for crime and increase its risks as perceived by a wide range of offenders" (Clarke, 1983, p. 225).

Critical urban geographers have described the array of punitive practices that bear down on homeless people and on their use of the public space, such as punishment, arrest and exclusion from public space. One of the earlier and very influential accounts is Davis's (1990/2006) description of Los Angeles. Davis (1990/2006) describes how the consequence of the ambition to secure the city has ended up in "the destruction of accessible public space" (p. 226). Furthermore, Davis (1990/2006) points to the increasing privatization of public space, the rise of 'gated communities' and how the homeless are increasingly being neglected and excluded from the city. Some years later, Smith (1996/2005) described similar developments in New York City. With his concept of the 'revanchist city', Smith (1996/2005) famously depicted a shift in sensibilities from welfarist policies of anti-poverty and housing, to the "revengeful and reactionary" (p. xix) regulation of homeless people. Smith (1996/2005) described similar processes of exclusion and neglect in New York City as Davis (1990/2006) had documented in Los Angeles, but, in addition to this, he also pointed to a range of punitive practices that actively targeted homeless people, such as anti-camping ordinances and the forceful removal of homeless people from parks and other public spaces, as well as the destruction of homeless encampments and a proliferation of general zero-tolerance policing of various misdemeanors. Mitchell (2003) has since argued that the anti-homeless ordinances first described in New York City by Smith (1996/2005) have spread throughout the USA and has criticized how this undermines homeless people's 'right to the city'.

The accounts offered by Davis (1990/2006), Smith (1996/2005) and Mitchell (2003) might be said to operate within what has been called a 'political-economic' and broadly Marxist perspective (Beckett & Herbert, 2008). This means that the focus is on how the regulation of urban space is "structurally determined by political-economic conditions" (Rhodes, 2009, p. 199). These perspectives explain how global capitalism produces gentrification, a transformation of urban economies and, ultimately, punitive and exclusionary measures against those that are seen as a threat to these economies (Beckett & Herbert, 2008, p. 16). The political-economic perspective provides an explanation for the current state of urban regulation and the targeting of homeless and other 'street people' and links it to larger global capitalist forces. However, in order to analyze the specific ways in which this regulation takes

form and how it might take on different forms, this perspective might be slightly too static, even though the explanations might be wholly appropriate and valid.

A more recent and growing body of literature has recently begun to identify the range of different responses to homeless and other marginalized ‘street people’ around the world (Aalbers 2010; Cloke, May & Johnsen 2010; May & Cloke, 2014; DeVerteuil 2006, 2014; DeVerteuil et al., 2009; Laurenson & Collins 2007; Johnsen & Fitzpatrick, 2010; Murphy, 2009). This literature emphasizes how responses might be complex and contradictory and not always uniformly punitive. While previous studies have done much to expose how inequality operates through space in the city and how homeless people are targeted with punitive policies, it is suggested that the response towards homeless and ‘street’ people might be more variegated and ambiguous than prior accounts have proposed. Specifically, regarding the policing of homeless people, Stuart (2014) has argued that by perceiving such policing as necessarily exclusionary, some accounts miss how policing and regulation can vary greatly across urban space. As Stuart (2014) argues, all “police regulation of homelessness is spatially contingent, serving alternative functions in different spaces according to the social relations found in them” (p. 1912). Accordingly, studies of the regulation and policing of homeless people might benefit from paying greater attention to the complexities inherent in responses to homelessness both across urban contexts as well as within the contexts studied.

The focus on punitive and repressive policies in accounts of the regulation of homeless people might be related to the fact that the most influential studies on this topic have been carried out in the US, where the responses might have been the most punitive and exclusionary, and general claims about how homeless people are treated have been based on studies from New York City, San Francisco and Los Angeles (DeVerteuil, May & von Mahs 2009; DeVerteuil, 2014). However, accounts based on the US context might not fit as well with the political reality in other countries and how local governments and other actors deal with the problem of homelessness might vary considerably. In addition to this, it has been argued that previous research on the regulation of homeless people has been too state-centered by focusing one-sidedly on measures taken by state authorities (DeVerteuil, 2006). Studies of the regulation of homelessness have thus not fully engaged with the increasing importance of non-state actors in the regulation of urban space, including other types of policing actors than the public police (but see Walby & Lippert, 2012; Eick, 2012). In recent years we have seen a transformation of the provision of security, sometimes referred to as the ‘pluralization’ or ‘multilateralization’ of policing, which is the process where an increasingly complex array of public and private bodies are engaged in the regulation of security (Bayley & Shearing, 2001; Jones &

Newburn, 2006; Shearing & Johnston, 2013). This development has naturally led criminologists and socio-legal scholars to no longer necessarily equate policing with the state institution of the public police, and, when looking at the policing of homeless and marginalized drug users, private forms of policing arguably have a growing significance, with the increasing privatization of public space (Kempa, Stenning & Wood, 2004).

RESEARCH QUESTIONS

These limitations in the current literature have led to calls for more detailed empirical studies on the regulation of homeless and other street people that take complexities and contradictions into account (May & Cloke, 2014). Furthermore, there have been calls for case studies reporting on the regulation of homeless and other street people outside of the context of the US (Gowan, 2002; Mitchell, 2005; von Mahs, 2005).

Against this background, this dissertation will compare two cases of responses to homeless and marginalized drug users in public space. The case studies concern two open drug scenes situated in the two major cities of Denmark, Aarhus (population: 300,000) and Copenhagen (population: 1,200,000). Specifically, the dissertation seeks to answer these research questions:

- 1) How are marginalized drug users in the two public spaces problematized?
- 2) What are the ‘logics’ and the specific ‘techniques’ utilized in governing marginalized drug users in the two public spaces?

In order to answer these questions, the dissertation will investigate two policing projects targeted at homeless and marginalized drug users in two urban public spaces in the two cities. The terms ‘problematization’, ‘logics’ and ‘techniques’ are theoretically informed by post-Foucauldian governmentality studies. Problematization refers to the process of something becoming a ‘problem’, logics refer to the assumptions about reality and the ethical justifications that underlie governing, and techniques refer to the specific procedures through which this governing takes place. The meaning of these concepts will be further elaborated in the next chapter, where the analytical framework of the dissertation will be outlined.

Having reviewed the literature that concerns the general regulation of homeless people in urban public space in the previous sections, I will now consider the existing literature that specifically engages with these research questions concerning the policing of open drug scenes and marginalized drug users in public spaces.

Bless et al. (1995) compared different strategies to control drug scenes in nine European cities and found that strategies could be conceptualized as operating on a continuum from ‘preventive’ to ‘corrective’ strategies. Preventive strategies aimed at preventing open drug scenes from emerging or disrupting existing drug scenes, while corrective strategies aimed at regulating existing drug scenes in order for marginalized drug users to coexist with other citizens. Elements of both strategies were found in all of the cities studied and many of the cities operated with a “balance between preventive and corrective” strategies (Bless et al., 1995, p. 134).

More recently, Waal et al. (2014) have made a similar comparison between control strategies in five European cities that had “effectively closed the existing open drug scenes” (p. 10). In that way, these cities could be said to operate with a ‘preventive’ control strategy, since the aim and objective was to shut drug scenes down, even though the cities used a combination of “prevention, enforcement, harm reduction, and treatment measures” (Waal et al., 2014, p. 10) in achieving this outcome. Nafstad (2011) has reported specifically on changes in the open drug scene of Oslo and on how the increase in foreign citizens on the scene might drive and sustain punitive law enforcement measures directed at marginalized drug users there, even though there has been a general move from “a perception of the user as a criminal to a perception of the user as sick” (p. 128). Lundeberg and Mjåland (2017) have investigated a range of new policies that the local government has launched in order to manage an open drug scene in Bergen, Norway. These policies included both supportive and control measures, such as increased resources to drug treatment as well as intensification of police patrolling with increases in fines and exclusionary measures. However, Lundeberg and Mjåland (2017) found that the most visible and important aspect of these new policies to the marginalized drug users was the increase in police presence, which they experienced as threatening and exclusionary.

Specifically concerning the open drug scenes studied in this dissertation, Dahl (2008) has investigated the different control strategies towards open drug scenes in Aarhus through recent history. Dahl’s study provides valuable background information about the different strategies of the police and local government, which can aid in contextualizing the current strategies, described in this dissertation. Furthermore, Frantzen (2003; 2005) has specifically studied the policing practices on the open drug scene of Copenhagen in the 1990s, which consisted of zero-tolerance and ‘stress’ policing that constitutes an interesting contrast to the ‘harm reduction policing’ documented in this dissertation. Houborg and colleagues have also investigated different issues surrounding the open drug scene in Vesterbro, Copenhagen in recent years, including the changes in policing towards non-enforcement of the drug legislation (Houborg & Frank, 2014; Houborg, Frank & Bjerre, 2014; Houborg, Søgaaard

& Kammergaard, 2019). These studies, of course, form an important background for my own investigation of the Vesterbro drug scene in Copenhagen and the policing thereof.

While the literature that explicitly deals with the policing of open drug scenes is somewhat limited, this dissertation simultaneously engages with a range of other studies and broader theoretical questions and, with its focus on *private* as well as *public* policing, the dissertation also engages with the recent literature on the ‘pluralization’ of the policing function. Consequently, each of the three articles that make up this dissertation contributes to a distinct field of research. In the following sections, I will present each of these fields.

Studies of the police and (drug) law enforcement (Article 1)

Studies that relate to the police, foot patrol policing, drug users and (drug) law enforcement are multiple and diverse. Starting chronologically, a well-known and now classic ethnographic study of the policing of a skid-row district by Egon Bittner (1967) shares similarities with the cases studied in this dissertation, even though the events took place half a century ago on the other side of the Atlantic. Bittner (1967) described, in his seminal study, how patrol officers were policing an impoverished neighborhood on foot and how the police officers would have particularized knowledge of people and places in their ‘beat’, how informal conversations were seen as a core aspect of this information-gathering and familiarization with the neighborhood and how officers would engage in the informal settling of disputes and only enforce the law as a last resort for ‘keeping the peace’. In other words, this policing was more concerned with order maintenance than law enforcement and was finely attuned to the specific context of the impoverished ‘skid row’ neighborhood. In his description of the police officers’ practices, Bittner (1967) drew on earlier work by Michael Banton (1964), who argued, contrary to popular imagery, that the police should not predominantly be seen as enforcers of the law, but rather as engaged in ‘peace-keeping’. Bittner (1974) agreed with this and clearly refuted the conception of the police as law enforcement and argued that criminal law enforcement is something that police officers “do with a frequency located somewhere between virtually never and very rarely (p. 154).

However, even though police officers are usually engaged in a range of important activities other than law enforcement, Bittner (1974) argued that police officers were compelled to minimize the significance of those instances where they act as a ‘nurse’ or a ‘social worker’, and, because of this, police officers miss their true vocation (p. 170). This does not mean that the work of police officers

and social workers is the same, but the police can assist social workers in carrying out their work in important ways. The police, according to Bittner (1974), have a distinct competence, which is that they are empowered to “coerce a provisional solution upon emergent problems without having to brook or defer to opposition of any kind” (p. 150). In other words, the police have the right to use coercive power to settle any given emergency – whether this emergency relates to crime or not. In other words, relevant emergencies consists of all situations where “something-that-ought-not-to-be-happening-and-about-which-someone-had-better-do-something-now!” (Bittner, 1974: 161).

Law enforcement is also a salient feature of current drug policy. Studies have shown how the majority of drug policy expenditures worldwide go towards enforcement of the drug legislation, even though these investments do not achieve the intended goal of deterring people from using or trading in drugs (Babor et al., 2010; Hughes, Moxham-Hall et al., 2017; Friedman, Cooper et al., 2006). Furthermore, there have been several studies that document the harmful effects of drug law enforcement for marginalized drug users (Aitken et al., 2002; Burris et al., 2004; Davis et al., 2005; Cooper et al., 2005; Maher & Dixon, 1999; Kerr et al., 2005; Small, Kerr et al., 2006; Wood & Kerr, 2005; Werb et al. 2008). Among others, these include the fact that drug users will be more reluctant to carry their own syringes if this is cause for arrest and, consequently, they will be more likely to share and borrow syringes from each other and use discarded syringes, which increases the risk of HIV and other blood-borne viruses (Beletsky et al., 2014; Cooper et al., 2005; Maher and Dixon, 1999; Wagner, Simon-Freeman and Bluthenthal, 2013). Furthermore, the threat of arrest and confiscation might create pressure to inject quickly in order to dispose of the illegal substance, which might result in a heightened risk of overdose and various infections (Cooper et al., 2005; Maher and Dixon, 1999). Consequently, these studies recommend changing law enforcement practices, such as refraining from confiscating syringes and injecting equipment, refraining from interacting with drug users during the injecting process, and that the police should keep their distance from drug treatment centers, needle exchanges and DCRs (Maher and Dixon, 1999; Kerr et al., 2005).

Furthermore, in addition to documenting several adverse consequences for how the police deal with drug *users*, there are also significant adverse consequences connected to how they deal with drug *distributors* (Dorn & South, 1990; Curtis & Wendel, 2007; Caulkins & Reuter, 2009; Stevens, 2013). Coomber et al. (2019) have argued that police crackdowns on drug markets have little lasting effect and that these are primarily symbolic displays aimed at convincing the public that something is being done. Furthermore, such crackdowns have been shown to be unlikely to reduce drug supply and

disrupting drug markets can actually increase various forms of drug-market-related violence rather than reduce it (Werb et al., 2011).

These studies illuminate how a one-sided focus on law enforcement and particularly drug law enforcement in policing might produce adverse effects and exacerbate drug-related harms. Consequently, several drug policy researchers have argued that the principles of harm reduction could fruitfully be applied to the field of drug policing in order to assess the policing in this area (Dorn & South, 1990; Maher & Dixon, 1999; Greenfield & Paoli, 2012; Spooner, McPherson, & Hall, 2004; Stevens, 2013). The concept of ‘harm reduction’ has generally been used to describe policies and programs aimed at reducing the harms associated with drug use, without necessarily eliminating or reducing the drug use itself and the concept has traditionally been most closely associated with measures aimed at reducing health risks for drug users, such as DCRs, low threshold drug treatment, methadone substitution therapy, needle exchange programs and instructions in good injection techniques (Andersen & Järvinen, 2007; Des Jarlais, Friedman, & Ward, 1993; Riley et al., 1999).

Nevertheless, according to Caulkins and Reuter (2009) the principles of harm reduction provide “a framework for explicitly taking into account both the benefits and the potential adverse consequences of policing” (p. 21). This entails acknowledging that drug law enforcement can cause or increase various drug-related harms, such as the health harms associated directly with drug use as well as increase the violence associated with drug distribution (Shiner, 2016). Dorn and South (1990) have argued that, given that we cannot totally prevent illegal drug markets and given that drug distribution may be organized in ways that are more or less harmful, such as with or without shootings and violence, the police should aim to organize practices in a way that pushes drug markets in the least undesired direction.

Studies that investigate how the police actively engage in harm reduction and actively commit to reducing drug-related harm, rather than drug use, are relatively scarce. This perhaps reflects an empirical reality where the police do not engage very systematically in such endeavors (Caulkins, 2017). Caulkins and Reuter (2009) have listed some existing ways in which the police are already engaged in harm-reduction practices, such as by warning users about tainted batches of drugs on the market, assisting in the case of overdoses and targeting particularly violent drug dealers. Nonetheless, detailed empirical studies of such policing practices and their organization as well as their potential for reducing drug-related harms are limited in number. Recent studies have documented increased cooperation between the police and supervised injection facilities in several countries, as well as a

reorientation away from traditionally prohibitionist approaches to drug law enforcement in some police forces where DCRs have been established in their areas of operation (Watson et al., 2018; Landsberg et al., 2016). However, the changes in police practices documented in these studies typically consist of the police refraining from actions that might produce or increase drug-related harm, rather than policing practices that actively seek to reduce it.

Against this background, *Article 1* in this dissertation specifically aims to expand, develop and advance the concept of ‘harm reduction policing’ by providing an empirical investigation of how the policing of a local open drug scene has been organized since drug possession has been partially decriminalized in a neighborhood of Copenhagen.

Studies of private security in public space (Article 2)

One of the cases investigated in this dissertation concerns a private/public policing project, where a private security firm was co-financed by both the municipality and a collective of local business owners, in order to install private security guards on a public square in the city centre of Aarhus in response to the presence of a group of marginalized drug users there. Consequently, this dissertation also contributes to a growing body of literature on private policing.

The growth in private security has stimulated a simultaneous growth in the literature on this topic and many research questions have been raised about how private security companies operate and especially about the effects and consequences of their operations (Rigakos, 2002; Jones & Newburn, 2006). However, according to Manzo (2011), studies that explore what private security officers actually *do* are still relatively sparse, at least in comparison to the many accounts of the operations of the public police which have been documented in now classic ethnographic studies since the 1960s (Banton, 1964; Bittner, 1967; Skolnick, 1966). Some research has investigated the practices of private security officers of various types working in different contexts, such as the night-time economy (Hobbs et al. 2003; Rigakos, 2014; Søgaaard, 2014), shopping malls and other large commercial facilities (Manzo, 2006; Wakefield, 2008; Wakefield, 2012), and the patrolling of a variety of other private spaces, such as industrial sites at night (Button, 2016; Hansen Löffstrand et al., 2016). However, the operations of *private* security officers have, unsurprisingly, mostly been studied in *private* settings. Consequently, as Vingevoel (2005) has argued, “we know very little regarding private security operations in public space”.

Some exceptions include studies that have investigated how private security guards operate in so-called business improvement districts (BIDs) (Vingevogel, 2005; Cook, 2010; Miraftab, 2007; Stokes, 2002). A BID is a scheme that makes it possible for business owners in a designated area to collect additional tax from those owning property or operating in a delimited area, typically a centrally located business district, in order to finance additional services including cleaning, marketing and security measures, such as the contracting of private security officers to conduct patrols of the area. This transferring of management and responsibility for public spaces to private actors has proven to be an attractive solution for cash-strapped local authorities to achieve landscaping and design of perceived ‘high quality’ in their cities (Pratt, 2017). In New York City alone, hundreds of private security guards work for different BIDs (Vingevogel, 2005). The first BID was established in the Bloor West Village in Toronto in the 1960s in order to compete with shopping areas outside of the city (Ward, 2007). Since then, BIDs have spread throughout North America, and, especially since the 1990s, the numbers have increased dramatically (Peyroux et al. 2012; Ward, 2007). The BID model spread to the UK and several other European countries in the beginning of the 2000s (Lloyd & Peel, 2013).

The proliferation of BIDs has, however, received substantial criticism for supporting the increasing privatization of public space. They have been called ‘malls without walls’ (Graham & Marvin, 2002), as they arguably possess some of the same exclusionary properties as the modern shopping mall (Eick, 2012). In other words, the ‘dynamics of exclusion’ that were previously confined to the shopping mall and other private properties have gradually extended into public space (Crawford, 2011). The legislation in Denmark does not yet allow for collectives of businesses to establish BIDs; however, networks and alliances are pushing for the introduction of these, and several reports and analyses have been produced in order to assess the possibility and value of BIDs (Richner & Olesen, 2019). Nevertheless, collectives of businesses operating in the same geographical space, where members voluntarily pay to the organization in order to advertise and arrange different events, are widespread throughout the country, arguably operating somewhat akin to a BID but on a voluntary basis. These are often referred to as ‘city associations’ [DA: *Cityforening*] or ‘business associations’ [DA: *Handelsstandsforeninger*]. It was such a business association that co-financed the private security guards with the municipality on the public square in the city centre of Aarhus. However, a defining feature that set this case apart from BIDs was that the public square had in no way been privatized or the management outsourced to private agents. This meant that the private security guards patrolling there did not hold any formal, legal authority over the space that they were supposed to

police. In that regard, the case also provides an opportunity to investigate how different forms of ‘soft power’ operate in private policing, as the security guards were not able to utilize the hard, coercive power that comes with private property rights. The practices by the private security guards in their policing of the marginalized drug users on the public square in Aarhus, will be investigated in *Article 2*.

Studies of problematizations of marginalized individuals in public space (Article 3)

In addition to investigating the specific policing practices on the open drug scenes, in both cases it has also been an objective to investigate how congregations of marginalized drug users in public space are problematized in the first place. As mentioned earlier, the presence of marginalized drug users in public space have been problematized in a range of different ways, as well as the related issues of homelessness and general, social marginalization. Some of the studies from the US paint a markedly dystopic picture of how these groups have been problematized and treated. Smith (1996/2005) argued that in NYC in the 1990s it was portrayed as if homeless people had *stolen* the public parks and that the authorities were just engaged in ‘taking back’ these public spaces when they raided several homeless encampments. This rhetoric was only intensified with New York Mayor Rudolph Giuliani, who according to Smith (1998), was engaged in a “vendetta against the most oppressed” (p.1) and portrayed homeless people, squeegee cleaners and prostitutes as “enemies” (p. 3) and as a threat to the “quality of urban life” (p. 4). However, as mentioned before, while the ‘revanchist’ thesis proposed by Smith (1996/2005) has been widely influential, responses to marginalized people in public might be different in other contexts and display more complexity and contradiction (Aalbers 2010; Cloke, May & Johnsen 2010; May & Cloke, 2014; DeVerteuil 2006, 2014; DeVerteuil et al., 2009; Laurenson & Collins 2007; Johnsen & Fitzpatrick, 2010; Murphy, 2009).

Kübler and Wälti (2001) have argued that, in most European cities, the responses from local governments to marginalized drug users in public space have been variegated and have oscillated between an ‘attractiveness policy’ and a ‘social policy’. Responses have been structured by the simultaneous goals of both attracting and creating a favorable environment for gentrifiers and urban developers, who might want to see the socially disadvantaged moved out of sight, as well as a social commitment towards homeless and marginalized individuals. As Kübler and Wälti (2001) argue, local governments in Europe cannot afford to lose political support from either the gentrifiers or the socially marginalized and those middle-class groups that claim solidarity with them and,

consequently, it might not be politically feasible to coercively exclude socially disadvantaged groups from city centres. However, even though responses might be more variegated, punitive policies targeting homeless people certainly still exist in a European context, as several studies have documented (Atkinson, 2003; MacLeod, 2002; Belina, 2007).

In *Article 3* it will be investigated how marginalized drug users were problematized in the two cases. In the article, it is described how problematizations and discourse surrounding socially marginalized people were far removed from the punitive and ‘revanchist’ policies which have been documented in a US context by the likes of Davis (1990/2006), Smith (1996/2005) and Mitchell (1997; 2003). This might point to a significant regional difference between the US and the European context and the findings support the argument by Kübler and Wälti (2001) that it is generally not feasible for local governments in Europe to advocate for the coercive exclusion of socially disadvantaged groups from city centers. However, it was also possible to identify differences in how the marginalized drug users were being problematized in the two cases and how the governmental response to their presence in the public space was shaped by these problematizations. These differences and similarities between the cases speaks to the complexity in how homeless and marginalized individuals in public space are problematized and dealt with in different urban contexts, and reflects how these policies are highly locally determined and closely tied to narratives and stories about how our neighborhoods are supposed to be and feel like.

THE DANISH POLICY CONTEXT

Welfare politics and homelessness are closely related issues. Countries with extensive welfare systems, such as Denmark, and correspondingly low levels of poverty and social inequality, tend to have lower levels of homelessness compared to countries with less extensive welfare systems. However, it has been argued that homelessness in countries with extensive welfare systems tends to be concentrated amongst those with complex problems, such as mental illness and substance dependency, whereas homelessness in countries with less extensive welfare systems is more likely to result directly from poverty and housing affordability issues (Stephens & Fitzpatrick, 2007; Shinn, 2007; Toro, 2007; Benjaminsen & Andrade, 2015). Accordingly, previous surveys of homeless people in Denmark have shown high levels of mental illness and substance dependency among this group. In 2017, a survey showed that 82% of homeless men and 79% of homeless women either had mental illness or substance dependency issues (Benjaminsen, 2017). The recent cuts to psychiatric services and the concomitant increasing deinstitutionalization of the mentally ill have consequently

been coined as a primary driver behind the problem of homelessness in Denmark for decades (Nordentoft, 1990).

There is a lack of consensus as to what homelessness is and what conditions ‘qualify’ a person to being considered homeless. In Denmark, the official definition is based on the ETHOS classification made by the European Federation of National Organisations Working with the Homeless (FEANTSA). This definition encompasses rough sleepers, users of homeless shelters, individuals who, because of lack of housing, sleep with family or friends, and people about to be released from prison or discharged from a hospital without having any housing. Based on this definition, there were 6,635 persons qualifying as ‘homeless’ in Denmark in February 2017 (Benjaminsen, 2017). One group that is not included in this definition are individuals who have some sort of accommodation, but spend considerable time on the streets. These individuals might have issues with staying in their own home because of various factors, such as mental illness, or they might be attracted to the streets because of the opportunities for socializing and drinking as well as drug using and trading (Laurenson & Collins, 2007).. For the purpose of this research, these individuals are as important as those who officially are defined as being ‘homeless’, because it is their visibility in public space which makes them potential targets for problematization and regulation by local governments

While Danish policies towards homeless and marginalized people who use drugs in public space might be more supportive compared to the punitive policies documented in the US context, there have nevertheless been some policy developments in recent years that resemble some of the strategies that have been utilized across the Atlantic. In 2017, the penalty for soliciting money or other gratuities in public was increased (Legislative proposal L215, 2016-17). Prior to 2017, the standard procedure was for the police to issue a formal warning if they encountered someone soliciting money or other gratuities in public, and, if the activity persisted, the police could then arrest the individual. In 2017, the requirement of a formal warning was removed if the solicitation took place in or nearby a supermarket, a shopping street, in a bus or in a train, as well as in a bus station or a train station (Danish Criminal Code §197). Furthermore, the penalty for soliciting was doubled from a minimum sentence of one week to two weeks. In the title of the proposal for changing the law, it was stated that this was an increase in the penalty for the solicitation of money that could make people feel uncomfortable and undermine their sense of safety [DA: *utryghedsskabende*]. However, it was not specified in the law that the behavior of the person soliciting money had to be aggressive or confrontational in order for these increases in penalty to be applied and thus soliciting when passively

sitting with a sign was also subject to these new regulations, if this was taking place in any of the abovementioned places.

Simultaneous with this change in the regulations and penalties for soliciting money in public, new regulations were also introduced that increased the penalties for sleeping in public, if the sleeping area could be considered a ‘camp’ (Legislative proposal L118, 2016-17). A camp was defined in fairly broad terms and could be any arrangement of objects, such as tents, sleeping mats and sleeping bags, which could indicate that someone had taken up more or less permanent residence in a public place. Furthermore, individuals sleeping together in groups of two or more were, by default, defined as a ‘camp’. The police were instructed to disband such camps. In that regard, the police also had the power to issue a ‘zone prohibition’ to individuals found sleeping in camps. Previously, such a prohibition would apply to a diameter of 400 and 800 meters from the location where they had been found sleeping, while the new regulations made it possible for the police to issue a prohibition that applied to the entire geographical space of the municipality in question. Violations of such a ‘zone prohibition’ will usually lead to 7 days of incarceration the first time the prohibition was violated, 14 days for the second time, and 40 days for the third time. After the third time, it would be up to a court to decide a penalty, with a maximum penalty of 1 year and 6 months (Comments on the Danish Law on Police Enforcement §23, part 3).

These changes in the regulation of soliciting and sleeping in public were openly and explicitly directed at foreign travelers and immigrants in Denmark by the politicians passing the new laws. Specifically, the perceived problematic presence of the nomadic Romani people and other people of Eastern European descent was presented as the target for the regulations and increased penalties. However, due to principles of equality before the law and policies of the free movement of persons in the European Union, special legislation for the specific groups that the policy makers wanted to target was not a possibility. As the minister of justice at the time told to a local newspaper: *“If it was possible to make a law where it was only those traveling to our country that would be targeted, I would have done that. But you cannot do that, because that would be considered discrimination”* (Ekstra Bladet, 2017, September 28).

Another set of policies that affect homeless and marginalized drug users are drug policies. While drug policy in Denmark had previously been characterized by reluctance to criminalize drug users, legislation introduced in 2004 put an end to the de-penalization of the possession of smaller amounts of drugs, which had been in place since 1969 (Houborg, 2010). Up until 2004, the default response

for the possession of drugs which were intended for own consumption was confiscation and a warning. Furthermore, it was not a priority for the police to apprehend users of illicit drugs. In 2003 the Danish government presented a white paper with the title ‘The Fight against Drugs’, which signaled a radical change in Danish drug policy, where all possession of drugs was now to be punished with at least a fine. These changes were put into practice and policy in 2004. Later, in 2007 this new development towards zero tolerance for drug possession was underscored with the quadrupling of the minimum fine for the possession of drugs, which was raised from EUR 67 to EUR 269 (Houborg, 2010).

However, in parallel to these developments in the general drug policy, experimentation with different harm reduction measures has also been widespread throughout the previous decades. For instance, almost concurrent with the increased sanctions for drug possession in 2007, the Copenhagen Police Department had already begun experimenting with new methods of ‘non-enforcement’ towards marginalized drug users in the open drug scene of Vesterbro by 2008 (Houborg, Frank & Bjerger, 2014). Contradictory policies such as these led Laursen and Jepsen (2002) to characterize Danish drug policy as “an ambivalent balance between control and welfare” (p. 20). Furthermore, since 2012, DCRs have been established in most of the major cities in Denmark, which led to a ‘de facto’ decriminalization for drug possession in and around these facilities for the target group. However, the extent of this decriminalization varied significantly between the different cities, whereas in Copenhagen drug possession was decriminalized for marginalized drug users in the entire inner part of the neighborhood of Vesterbro (Houborg, Frank & Bjerger, 2014), the decriminalization in other cities was only applicable to the immediate street in front of the DCR (Interview with Funen Police; interview with Eastern Jutland Police). These differences in practice reflect that it was up to the municipality and the local police to decide what the extent of the decriminalization should be. This furthermore illustrates how the expression of specific drug policies is often a highly localized matter (Wodak, 2006). Even if the general, national policy is based on criminalization, this criminalization can be enforced to varying degrees in different local contexts and general policies directed at homeless and marginalized drug users might also vary significantly between cities.

DEFINING KEY TERMS

As argued by Mol (2002), research ‘makes’ realities, just as other social practices may do. Consequently, the unquestioned use of terms and categories might support and reinforce specific realities as “real” and immutable (Bacchi & Goodwin, 2016). In other words, research can have the

same effects as policy making in naturalizing specific ways of thinking and acting on ‘social problems’. This might be a particular issue when studying marginalized and vulnerable populations such as homeless people and users of illicit drugs, where specific categories and terms might reinforce conceptualizations of these as problematic, rather than question their ‘problem status’. For that reason, I will briefly present and discuss the different key terms I have utilized in describing my findings. These key terms, which also comprise the title of the dissertation, include the words ‘policing’, ‘marginalized drug users’ and ‘public space’.

Defining ‘marginalized drug users’

Depending on who I talked to during the course of fieldwork, a range of different terms were used to refer to the individuals in the public space at whom the two policing projects were primarily directed. Unsurprisingly, while interviewing a leader of a local branch of the national organization for homeless people, he would primarily refer to the group as ‘homeless’. When interviewing the head of a DCR they were referred to as ‘drug users’ or just ‘users’ of that facility. These concepts could be said to characterize the individuals according to the function of the respective organizations in question, i.e. as users of a specific facility or as members of a specific organization.

Some more general and less specific terms that were used by various actors included: the ‘socially vulnerable’ [DA: *socialt udsatte*], which was primarily used by those interviewed in the Aarhus context and ‘drug users’, which was used by those interviewed in the Copenhagen context. These definitions might be described as *emic* concepts, as they were used by the actors themselves in the two social contexts and they were seen as adequate and fitting in these circumstances by the social actors themselves (Harris, 1976). However, in order to cut across all these different contexts, I have found it necessary to utilize an *etic* concept, i.e. a concept ‘made up’ by the researcher for the purpose of analysis and description and thus not necessarily one found in the social contexts studied.

Consequently, throughout this dissertation, I operate with the broad concept of ‘marginalized drug users’. The term ‘drug users’ is utilized, as the group in question was primarily problematized because of their tendency to assemble on public streets and public squares and engage in alcohol and/or drug use. Furthermore, to distinguish this group from other ‘drug users’ whose presence in public spaces might be seen as problematic, including young people engaging in nightlife and clubbing activities on the weekends, I have furthermore used the term ‘marginalized’. I could have used the term ‘homeless’, but by using the term ‘marginalized’, I aim for an inclusive definition that is not solely

based on housing status. Social marginalization is a more inclusive category and the markers that have been used to identify and assess the extent of marginalization often include homelessness, mental illness and drug and/or alcohol dependency (Benjaminsen et al., 2017; Christensen, 2018). Furthermore, it was their visibility in public spaces that has made these individuals potential targets for problematization and regulation by the local governments, rather than their housing status.

The term ‘drugs’ itself is also somewhat problematic. Today, the term ‘drug’ is usually taken to refer to an illicit substance used for altering your psychic state. However, the concept of ‘drugs’ does not have any scientific basis (Derrida, 1993). To label a substance a ‘drug’ should be understood as an evaluative rather than a descriptive act and outside of these evaluations there exist only chemicals and plants, both naturally occurring and entirely synthetic, which might have a variety of effects when ingested by humans (Seddon, 2016). The specific labels attached to these are simply human constructions, which are both historically and culturally contingent. According to Seddon (2016), the term ‘drug’ should be understood as an “invented legal-regulatory construct” (p. 396), which serves the purpose of prohibition. Consequently, according to Seddon (2016), fundamental or radical change to our ‘drug’ laws might be difficult as long as we remain attached to this concept.

For practical purposes, the term ‘drug’ will still be utilized in this dissertation. However, by utilizing the term ‘drug(s)’ it is not the purpose of this dissertation to reinforce an understanding of specific illicit substances as inherently problematic or as essentially different from other licit substances. The ‘marginalized drug users’ described in this dissertation used a range of both licit and illicit substances, including alcohol, medicines and illicit drugs. However, the focus of this dissertation is not on the usage of these substances per se, but rather on how this usage was problematized when occurring in public spaces. While acknowledging that the term ‘drugs’ might be problematic, it is still important to investigate how ‘drugs’ and people engaging in ‘drug use’ are being problematized, and, to do that, it is convenient to keep the ‘drug concept’ for practical purposes in this dissertation.

Defining ‘policing’

According to Reiner (2010), it is important to make a distinction between ‘the police’ and ‘policing’. Whereas ‘the police’ refers to a social institution, ‘policing’ refers to a function and an activity. In everyday discourse the term ‘policing’ is usually taken to refer to the activities of the public police and perhaps specifically the catching of lawbreakers, i.e. the law enforcement activities that the police engage in. However, the term ‘policing’ might be extended in at least two directions. First, it is not

only the public police that might be said to engage in policing activities, and, second, policing might entail a range of activities beyond law enforcement, which seek to maintain a particular social order and guarantee security in various ways. Some utilizes a very broad definition, and argue that the activity of ‘policing’ can take place without any coercion or threat of coercion, as long as the activity seeks to maintain order or guarantee security (Valverde & Cirak, 2006, p. 104). However, others maintain that policing does not encompass all activities directed at achieving social order and argue that those which are specific to policing are the creation of “systems of surveillance coupled with the threat of sanctions for discovered deviance” (Reiner, 2010, p. 5).

In this dissertation, the focus is on agencies that have security and order maintenance as their primary role, specifically the public police and a private security company. It is, however, acknowledged that a range of other actors might be said to engage in ‘policing’ in the two studied contexts, including the staff at the NGOs and charity organizations and the various social outreach workers operating in the areas. However, regularly their ‘policing’ would rely on the support of security actors, such as the public police force or the private security guards, e.g. as the police often would be called upon if non-coercive tactics were not effective in their attempts to maintain order.

While studying two different organizations, namely the public police and a private security company, the basic practices and goals of the individuals carrying out the policing in the two contexts were surprisingly similar. There were, of course, significant differences between the two policing projects, the most notable being that the public police legally had the right to use physical power to enforce their will, which the private security guards did not, since they were operating in a public space. However, both organizations were engaged in foot patrol policing of a delineated geographical space by a single policing agent in the daytime. Furthermore, this policing was primarily directed at order maintenance of and for a group of marginalized drug users who spent time in the public spaces of an inner city area.

Likewise, both of the policing projects operated in a space between control and protection. Both policing projects were simultaneously engaged in controlling the movement and behavior of marginalized drug users, as well as protecting these from harm, including both drug-related harms and violence. These were the two *logics* of policing, which simultaneously shaped the two policing projects. Additionally, both policing projects attempted to function with a minimal level of coercion, through practices of ‘soft power’. This could generally be said to be the overall *technique* of the two projects. In this regard, the two case studies of policing are highly illustrative of how policing might

entail a range of practices beyond law enforcement and the threat of coercion, what might be referred to as punitive policing practices; that is to say, practices revolving around arrest and punishment.

Defining 'public space'

Last but not least, the context which this 'policing' of 'marginalized drug users' took place in this study was in the 'public space'. The activities of the marginalized drug users, such as drug use, drug trading and unruly behavior, were principally problematized because they took place in spaces defined as 'public', which were shared with other citizens and because these activities were thought to infringe on the quality of life of these citizens. According to Low and Smith (2006):

Whereas private space is demarcated and protected by state regulated rules of private property use, public space, while far from free of regulation, is generally conceived as open to greater or lesser public participation. "Public space" has very different meanings in different societies, places, and times, and as all of this suggests, its meaning today is very much bound up with the contrast between public and private space. It is impossible to conceive of public space today outside the social generalization of private space and its full development as a product of modern capitalist society (p. 3-4)

Low and Smith (2006) contrast 'public space' with 'private space', and define the concept as those spaces that are not privately owned or managed and which are more or less open to the public to use. As mentioned earlier in this chapter, people might hold very different views about appropriate behavior in public space and thus the policing of public spaces can often be said to be concerned with achieving some kind of 'order'. However, as Waddington (1999) argues:

The police do not maintain order per se, but impose a particular order. The distinction is crucial, since many deviant subcultures could be considered to exhibit their own order; conforming to their own values and norms and not at all behaving in a disorderly manner. Their behaviour is not unordered, but ordered in ways that do not conform to prevailing notions of respectability (p. 42)

In other words, as argued earlier, the notion of 'order' in the public space is thus of course far from neutral or self-evident. In this study, the fact that the policing activities occurred in places that were defined as 'public', had significance in a range of ways. First, the fact that the policing took place in the public space meant that the policing agents had to mediate between different groups of people who were supposed to co-exist and share such spaces. Second, the discourses about the 'proper'

behavior in the public spaces of the city center were invoked by policy makers and other stakeholders in both cases, when problematizing the presence and behavior of the marginalized drug users, and thus provided the background and, to some extent, gave rise to the policing activities of the policing agents in the two cases. Thirdly, in the case where private security guards had been tasked with policing a public square, the designation of that space *as* public served the purpose of setting specific legal limitations on the policing practices of these security guards, since they did not have any formal jurisdiction in that space.

SOFT AND HARD POLICING

A common thread in this investigation of the policing of marginalized drug users in public space is how the policing agents were engaged in what could be termed ‘soft policing’. Innes (2005) has made a useful distinction between ‘soft policing’ and ‘hard policing’. He argues that:

There is significant research literature documenting the ways in which the occupational culture of ‘street cops’ tends to value the conduct of ‘hard’ policing functions, such as pursuing ‘real’ criminals, public order policing and so forth, whilst treating the less coercive aspects of the police role with disdain [...] The former set of activities can be defined as ‘hard’ policing functions in as much as they are all founded upon the direct implementation of a coercive form of power. In this manner they can be distinguished from ‘soft policing’ where police power is based less upon the direct enactment of coercion and rests instead upon a persuasive mode of social control. Thus soft policing can be defined as the non-coercive aspects of police-led social control encompassing the provision of a visible presence of authority, persuasion, negotiation and community interaction (Innes, 2005, p. 157)

In other words, the use of force or coercion can be understood as ‘hard policing’, while ‘soft policing’ can be understood as policing that works along the lines of persuasion, negotiation and/or attraction. Innes (2005) argues that this distinction between hard and soft policing is somewhat analogous to the distinction between hard and soft power which had been made in the field of international relations in order to account for the varying diplomatic relations between different nation states (Nye, 1990; 2008). Additionally, Crewe (2011) has used the distinction between hard and soft power to describe the operations of prison guards in a context where their formal, hard powers had been greatly diminished, but where prison guards nevertheless engaged in a range of activities that aimed to shape the conduct of prisoners in significant ways, which he describes as exercises of soft power. Stenning

(2000) has argued that the soft power used by private security guards might be less overtly coercive, but is often “no less effective in getting the job of policing done” (p. 333). Furthermore, Mopas and Stenning (2001) have argued that the appearance, apparel and “authoritative presence” (p. 69) of security guards might enable them to achieve consent with their demands, even though such security guards might only possess very limited legal powers. In this dissertation, the terms ‘soft power’ and ‘soft policing’, will be utilized with inspiration from Innes (2005), to denote those instances of policing that are based less on the direct enactment of coercion and instead rest on “persuasion, negotiation and community interaction” (p. 157).

In order to get closer to a conceptualization of the soft power engaged in by the policing agents in this study, I will utilize the theoretical resources of governmentality studies. Those studying ‘governmentality’, have specifically enquired into more ‘opaque’ forms of power, as they argue that governmental practices increasingly operate this way in our contemporary society. While punishment historically have been the preferred method for policing unwanted behavior, governmentality scholars argue that the exercise of coercive power is increasingly perceived as inappropriate and excessive and therefore too costly and risky to employ. Consequently, it is increasingly seen as more effective to guide individuals “*through* their freedom” and “prompt them to govern themselves” in certain ways, which are compatible with the desires of the authorities (Bröckling et al., 2011, p. 13).

As Foucault phrases it: “power reaches into the very grain of individuals, touches their bodies, and inserts itself into their very actions and attitudes, their discourses, learning processes, and everyday lives” (Foucault, 1980, p. 39). Power in this Foucauldian sense, as Garland (1990) argues, does not necessarily operate *against* individuals, but can operate *through* them and indeed constitute them. Consequently, Foucault argues in the first chapter in his book *Discipline and Punish* that we need to study the ‘positive’ effects of punishment as well as the ‘repressive’ ones:

Do not concentrate the study of the punitive mechanisms on their ‘repressive’ effects alone, on their ‘punishment’ aspects alone, but situate them in a whole series of their possible positive effects, even if these seem marginal at first sight. (Foucault, 1995/1975, p. 23)

When Foucault writes that we should not only concentrate on the repressive effects of punitive mechanisms, but also situate them in their possible positive effects, he means that we should not only focus on practices that are overtly coercive as forms of power, but also investigate the more subtle and hidden forms of power, which might operate positively *through* people, rather than *against* them.

In the specific case of policing, this means that we should not only focus our attention on the coercive use of power by policing agents, but also on more seemingly benign policing practices, which might still shape the conduct of those who are on the receiving end of policing in various ways. This has been referred to as '*subjectivation*', which is the process of making subjects self-govern, by encouraging them to take up specific subject positions; that is to say, to understand themselves in certain ways and act according to this understanding in ways that produce effects which are desired by the authorities.

The police might have traditionally been more closely associated with hard, coercive power, rather than more benign and opaque forms of control described in the 'governmentality' literature. In the US specifically, there was a rise in policing strategies which were based on the proactive enforcement of misdemeanor laws and a zero tolerance for minor offences in the 1990s. These strategies were in part inspired by the 'broken windows theory' (Kelling & Wilson, 1982). The theory argues that there is a causal link between visible disorder in a neighborhood, such as broken windows, and the production of more disorder and also more serious forms of crime². This suggested link between disorder and minor offenses with serious crime has been used as a justification for zero-tolerance policing by policymakers. However, these zero-tolerance policing strategies have also been controversial and have received widespread criticism. Activists from the so-called Campaign Zero, a police reform campaign associated with Black Lives Matter, have specifically called for the need to "end broken windows policing" (Campaign Zero website, n.d.).

In such a context, it makes sense that issues of police brutality, violence and harassment receive the attention of police reformers and researchers. However, the recent growing interest and developments toward 'community policing' strategies and other forms of 'soft policing' in the last couple of decades might mark a change towards alternative and less coercive uses of power in policing (Innes, 2005). Community policing might of course entail a range of different policing strategies, as Cordner (2014) has argued, "one can do almost anything and call it community policing" (p. 148). However, it is often strategies other than traditional law enforcement activities which come to be associated with the label, such as considering citizen input, helping victims, resolving conflicts and an overall more

² The claim in the broken windows theory about visible cues of disorder leading to serious crime has been widely debated in the criminological literature (see Harcourt, 2009).

personal contact between the police and citizens, where officers “deal with citizens in a friendly, open and personal manner designed to turn them into satisfied customers” (Cordner, 2014, p. 155).

Such soft policing practices that rely on communication and consent might be perceived as more legitimate by those on the receiving end of policing. In that regard, the work on ‘procedural justice’ has found that people care less about the actual outcome of their interactions with authorities and more about whether the process and procedures used to reach these outcomes; that is to say, if they feel they are being treated respectfully (Lind & Tyler, 1988; Tyler, 2006). If people feel that they are treated fairly and with respect, they are more likely to cooperate and comply with requests made by the authorities. The procedural justice agenda is currently receiving widespread attention by police departments and in public and academic debates about policing and it has a real potential for reducing the need to resort to coercion, by showing that authorities can usually ensure compliance more easily by treating people fairly, rather than threatening them with force (Thacher, 2019). Ensuring compliance based on the establishment of trust and legitimacy is, of course, a desirable alternative to the use of coercive force and it is arguably better if the police and other authorities are treating those they encounter with respect and dignity rather than treating them poorly. However, the procedural justice perspective might blind us to how procedurally just and fair policing practices can simultaneously be understood as a form of manipulation and ‘soft’ power. In the context of an increased focus on using ‘soft’ and ‘procedurally just’ policing strategies, it becomes important to investigate how these strategies operate. While some of these policing strategies might offer increased support and protection to those at the receiving end of policing, they might simultaneously entail an increase in less visible forms of social control.

In this dissertation, the analytical framework of governmentality studies will inform discussions on soft power in policing. This particular analytic, I will argue, is helpful in ‘grasping’ and conceptualizing how such soft power operates in practice and it can inform and develop our understanding of the usage of such powers. This particular view of power is inclusive of processes that we might not normally connect to the execution of control and includes all activities that aim to “shape, guide or affect the conduct of some person or persons” (Gordon, 1991, p. 2). Consequently, this analytic can help in illuminating some of the more subtle forms of power employed in policing. In *Chapter 2*, the historical roots and analytical framework of governmentality studies will be presented and it will be discussed how this particular analytic informs the dissertation. In *Chapter 3*, the data and the research settings will be presented and the methods for investigating the cases will be discussed. In *Chapter 4*, the core findings in the articles and the issues that cut across the different

studies will be presented and the analytical implications of these findings, as well as the implications for policy, will be discussed.

CHAPTER 2.

ANALYTICAL FRAMEWORK

The political-economic and broadly Marxist perspective utilized by Davis (1990/2006), Smith (1996/2005) and Mitchell (2003), alert us connections between global capitalism and the urban regulation of post-industrial cities today. Thinking about how the displacement of homeless and other street people is connected to an increasing neo-liberal reasoning in local governments that attempt to attract investment and the people that are seen as economic assets for the city alerts us to the grave consequences that a global free-market economy have for our cities. However, to see practices of regulation as structurally determined by political and economic relations might also prevent detailed analysis of the complexities in how we deal with homeless and marginalized drug users in public space. If every instance of the regulation or policing of homeless and marginalized drug users is seen as an expression of economic, capitalist relations, then it becomes unimportant to look at the actual details of this regulation and policing. My notion when embarking on this project was, in contrast, that the details of how this were carried out actually mattered.

Consequently, I have utilized a different analytical perspective for my analysis in this dissertation. This does not mean that I discount the political-economic analyses of the ‘big-picture’ causes of this type of urban regulation – I am, in fact, largely sympathetic to these accounts – it just means that my investigation operates at another level of analysis. If the political-economic perspective tends to the ‘big picture’ of urban regulation of homeless and marginalized individuals, this dissertation tends to the ‘small picture’ of such regulation (Huey, 2009).

In analyzing the policing projects, this dissertation draws inspiration from post-Foucauldian governmentality studies (Rose & Miller, 1992; Rose, O’Malley & Valverde, 2006). The governmentality analytic provides an alternative to the Marxist-inspired frameworks in studies of responses to homelessness (Davis, 1990/2006; Smith, 1996/2005; Mitchell, 2001). Since one of the foundational principles of the governmentality perspective is the rejection of totalizing accounts, the governmentality framework is particularly suited to the task of analyzing the ‘small picture’ and the complexities in governmental responses, which has been called for by critics of the previous literature on the regulation of homelessness (May & Cloke, 2014). In so doing, the analytic can also aid in alleviating the focus on state-level interventions in the current literature, by eschewing high levels of

abstraction and theorizing around the ‘capitalist state’ and instead focusing on the range of different authorities who govern in different sites with different logics, by rendering these visible and relevant for analytical attention (O’Malley, Weir & Shearing, 1997). Consequently, the public police cannot be considered as an instrument of the powerful at the very outset of an analysis (Stenson, 1993; Rose & Miller, 1992). To what extent this might be the case must be shown through a careful analysis of the multiplicity of functions and practices in which the police engage. As Marenin (1982) have argued, the police have typically been engaged both in practices that can be perceive as ‘class repression’, as well as in practices that would be difficult to categorize as such, like the issuing of parking tickets. Likewise, private security guards cannot a priori be understood as engaging solely in economic loss prevention for their clients, as they often are compelled to act according to moral obligations as well as according to strictly economic ones (Loader & White, 2018).

Governmentality studies has its origins in a series of lectures by Michel Foucault given in 1977-78, where he introduced the term ‘governmentality’ in order to think about power in a post-disciplinary way. This is to say that he wanted to capture a form of power that he had not described in his seminal work *Discipline & Punish*, in which he contrasted ‘disciplinary power’ with ‘sovereign power’ (Foucault, 1977/1995). This new form of power, which he termed ‘governmentality’, worked not so much as a top-down, hierarchical power, but also as a productive process, where certain forms of knowledge and discourses are internalized by subjects, who then become active participants in their own government. This line of thinking has, since the death of Foucault, been further developed by different scholars, in what can be termed ‘post-Foucauldian governmentality studies’ (Rose, 1990; 1999; Rose & Miller, 1992; Rose, O’Malley & Valverde, 2006; Dean, 2010; Valverde, 2011; 2014).

In this chapter, I will first introduce the thinking of Michel Foucault and specifically his ideas on ‘governmentality’, then I will discuss the utility of using Foucauldian ideas or ‘concepts’ in empirical research. In discussing these themes, I draw productively on arguments made by Mariana Valverde, as she has produced several texts on the utility of theory for research on crime, law and security (Valverde, 2011; 2014; 2016), as well as specifically commented on the uses of Foucauldian concepts in empirical research (Valverde, 2009; 2010; 2017). I will then present my own analytical approach, which is primarily informed by post-Foucauldian governmentality studies, but retains an open-endedness towards borrowing different ideas, terms and metaphors from other approaches. Lastly, I will consider the social and political implications and utility of producing accounts with this analytical framework, while discussing the remarks Foucault has made on the possibility of critique and social transformation.

MICHEL FOUCAULT AND HIS LEGACY IN THE SOCIAL SCIENCES

As this dissertation draws its main analytical ideas and approach from governmentality studies, I will briefly discuss the scholarship of Foucault and its impact on the social sciences. In his writing, Foucault departed from the then widely popular Marxist analytical framework, which dominated the critical academy in Paris in the 1960s and 1970s (Valverde, 2017). His approach was not opposed to the political aspirations of Marxism, but Foucault chose not to study the structures of power embedded in class divisions, rather his object of study was the formation of modern forms of knowledge of humanity, the human soul and human populations (Valverde, 2017). Foucault's investigations focused on three aspects: 1) forms of knowledge, 2) technologies of power and 3) processes of self-formation, or, in short, *power*, *knowledge* and *subjectivation* (Lemke, 2016, p. 3). It is the mutual constitution and coupling of these three elements of governing that comprised the analyses in which Foucault was engaged. Our current 'knowledge' and assumptions about how things work shape relations of power and thus knowledge is never neutral or, in the words of Foucault, "truth isn't outside power, or deprived of power ... it induces the regular effects of power" (Foucault, 1977, p. 13). In his earlier work, Foucault stressed how notions of truth and what is counted as valid 'knowledge' were a vital part of governing and forming subjects in networks of power/knowledge, such as the expert knowledge of psychiatrists or medical doctors. However, in his later work on 'governmentality', he also stressed the subject's own role in self-governing (Lemke, 2016). In this sense, the 'subject' has a double meaning, as it means both being 'subject to' political forces as well as being a 'subject of' such forces (Cremonesi et al., 2016).

Foucault argued that the discursive formations at any point in time determine the boundaries of thought and what is rendered 'sayable' at that specific point in time. This is also what Foucault referred to as an 'episteme'; that is to say, "the conditions of possibility of all knowledge, whether expressed in a theory or silently invested in a practice" (Foucault, 2005, p. 183). Foucault's investigations into the historically different ways of thinking and living challenge our current assumptions and naturalized ways of doing things, by showing the always contingent nature of these 'epistemes'. In *Discipline & Punish*, where Foucault investigated the historical shift from public executions to confinement as the preferred method of punishment, he states in the first chapter that he is writing a "history of the present" (Foucault, 1995, p. 31). This meant that Foucault was not concerned with describing historical events as accurately as possible, rather his studies of the past were undertaken in order to challenge our current assumptions. In other words, the aim was not to

think “historically about the past but rather to use historical materials to rethink the present” (Garland 2014, p. 373).

In Marxist scholarship, questions of crime and punishment will usually take their point of departure in the fundamental issue of class relations, which renders small empirical details such as the particular *form* of punishment somewhat irrelevant (Valverde, 2017). According to Rose et al. (2006), Foucault provided radical intellectuals in the 1970s with an alternative to the then dominant Marxist-inspired analytical frameworks. These scholars wanted to find ways of analyzing social, cultural, political and legal practices, not simply as expressions of class and economic relations, but also on their own terms. This enabled more empirically oriented research, because the different authorities who governed in different sites with different logics, suddenly became theoretically and analytically relevant.

Foucault was reluctant to provide models or a grand social theory of power, instead he was engaged in detailed empirical historical analysis and produced hundreds of pages of meticulous descriptions of different historical practices and ways of reasoning. According to Valverde (2016), Foucault even argued that empirical investigation was a necessary foundation for all original thought. However, while Michel Foucault might have abstained from producing a world-scale theory and totalizing accounts about his objects of study, his work has “generally been misused as if it were sociological theory” (Valverde, 2014, p. 380). According to Valverde (2010), Foucauldian terms are increasingly being used in a ‘cookie-cutter’ manner and applied uncritically to various cases or, alternatively, the terms are treated as being somehow “more real than the practices they are supposed to describe”, by scholars who ponder how “discipline relates to governmentality” in the general, as if the terms were static concepts (p. 51).

Instead of challenging the approach of world-scale theory then, Foucault’s work has largely been absorbed by this style of thought. Furthermore, this way of using Foucault’s ideas may also have the unfortunate result of “closing down paths for research instead of opening them” (Valverde, 2017, p. 83). According to Bröckling et al. (2011), such an application of Foucault’s ideas “protects scholars against any possibility that the phenomena they are studying will force them to rethink their approach” (p. 16). However, Foucault’s work might be most useful when we, rather than attempt to ‘apply’ it, use it as a methodological inspiration to ask some of the same types of question about our past or future (Valverde, 2010). According to Valverde (2017), the question for Foucault would always be: “how well are you capturing the complexity of actually existing governance practices?” (p. 102). Theoretical terms and concepts should aid in such descriptions, rather than subsume them.

USING THEORY FOR EMPIRICAL RESEARCH

In this dissertation, the terms and ideas of Foucault are used as tools rather than as static scientific propositions about how the world works (Valverde, 2016, p. 174). This has also sometimes been referred to as a ‘heuristic’ approach to theory (Lund, 2014). While what can be called explanatory theory will propose statements about the social world, or a section of it, and sometimes even attempt a systematic theory of it, a heuristic approach to theory will only utilize theory for some conceptual tools, terms and ideas, which rather than tell us something substantial about the social world, will suggest “ways of approaching it” (Lund, 2014, p. 229).

Grand social theories that are meant to be total frameworks and accounts of reality are not very compatible with other frameworks, as they are meant to either exclude or falsify other perspectives (Valverde, 2016). However, when rejecting such a view and instead using theory in a ‘post-philosophical’ manner, as Valverde (2016) calls it, it is quite possible to borrow ideas and approaches from different sources. By questioning the great models thought out by social theorists, it is possible to “work together in a more collective fashion to develop less grandiose, more modest, more research-friendly ways of thinking about the broader implications of particular developments” (Valverde, 2016, p. 174). Accordingly, while post-Foucauldian governmentality studies might provide the principal inspiration for the analyses developed in this dissertation, I will simultaneously draw on various ideas from different science and technology scholars, urban geographers and criminologists in order to describe the practices observed in the study as best as possible.

Furthermore, this dissertation is based on the rejection of the idea of the social world as being possible to classify in a static system. Rather than classifying the world with static concepts, theoretical ideas are used in order to aid in accounting for the contingency, mobility and fluidity of social relations (Valverde, 2015). While world-scale theorizing and most of traditional social science has sought out commonalities, while evading and avoiding representations of differences and contradictions, such an approach emphasize heterogeneity and staying with the complexity of social life. As Law (2004) has argued, we should stay with the ‘messiness’ of social reality, not try to hygienically wash this messiness away.

Accordingly, in this dissertation I will attempt to stick with the ‘messiness’ of the empirical reality of my cases, rather than subsume details in order to provide an account that fits with pre-established Foucauldian terms and ideas (Law, 2004). Placing one’s findings into a theoretical framework risks

making everything ‘fit’ a little too neatly with the ‘concepts’ one has chosen. In this way, the concepts of the theory risk becoming more ‘real’ than the actual thing that is being studied. While this dissertation might draw some inspiration from Foucauldian studies, it is still principally empirical and practical in its orientations. The project primarily draws methodological inspiration from Foucault and post-Foucauldian scholars, in asking specific questions, while also drawing on more substantial ideas about the possibility of hidden, consensual and productive power. However, the aim of the dissertation is not to discuss different Foucauldian ‘concepts’ or ‘types of power’ and compare these in any systematic fashion. Different theoretical terms and ideas are only used insofar as they can help explain or describe the empirical findings of the cases studied. With these introductory remarks about my stance on the use of theory in this dissertation, I will now go on to present the specific analytical framework of governmentality studies and how it has informed my investigations.

THE ROOTS AND USES OF ‘GOVERNMENTALITY’

As mentioned, the term ‘governmentality’ was introduced by Foucault in a series of lectures at the College de France in 1977-1978. In these lectures Foucault argued that a certain mentality, which he named ‘governmentality’, had become the primary form of organization for how governing took place in modern societies. However, Foucault never provided a clear and stable definition of the term. He used it to highlight similarities between a range of different governing practices that did not operate in a top-down, hierarchical manner. When Foucault referred to ‘government’ or ‘governing’, he did not necessarily equate this with to the state, rather these terms should be understood:

In the broad sense of techniques and procedures for directing human behavior. Government of children, government of souls and consciences, government of a household, of a state, or of oneself (Foucault 1997, p. 82)

In the lectures, where Foucault introduced the term he was investigating, he considered the birth of liberalism, not as an ideology, but as a political rationality (Rose et al., 2006). Studying liberalism as a form of political rationality meant that he was interested in understanding the basic assumptions that underlined this mode of governing. Foucault suggested that in liberalism one could observe the emergence of the distinction between state and society and the idea that human behavior should not be governed solely according to the interests of the state, but rather in the broader interests of ‘society’, perceived as a realm that was external to the state (Rose et al., 2006). Foucault traced the emergence of this political rationality through history and suggested that it should be understood not

so much as a substantive doctrine of how to govern, but rather as arising from a critique of excessive government, in the sense that the emergence of liberalism came from “a search for a technology of government that can address the recurrent complaint that authorities are governing too much” (Rose et al., 2006, p. 84).

Practices of governmentality act at both the collective and individual level, in order to foster either the health of the population, the wealth of the nation and/or economic growth, and they are fundamentally concerned with the management of persons in their relations to each other and to their surroundings (Stenson, 1993). A common way of explaining the term ‘governmentality’ is by contrasting it with other terms introduced by Foucault to name different forms of power, such as ‘disciplinary power’ and ‘sovereign power’. While sovereign power is a type of power that operates in a top-down manner, relies on punishment, and does not have a need for knowing its subjects, disciplinary power operates in a more continuous and fluid manner, and is based on knowledge-based techniques such as observation, examination and normalization, and governmentality works in even more sophisticated ways, without direct command and control and is directed at populations and collectives, rather than at individuals (Bröckling et al., 2011; Dean, 2010; Valverde, 2017). Practices of governmentality might then designate governing that acts indirectly by enlisting the individual in his or her own government. It is a form of power that “generally seeks to incentivize rather than punish, and to guide rather than to coerce, usually appealing to individuals’ own desire for freedom of choice along the way” (Valverde, 2017, p. 81). Scholars investigating ‘governmentality’ argue that power is not necessarily about imposing constraints upon someone, but can rather be about making subjects capable of bearing a kind of regulated freedom by acting on their will, their circumstances and their environment (Rose & Miller, 1992).

Those studying ‘governmentality’ argue that regulation of our conduct is increasingly becoming ‘invisible’ and consensual. Post-disciplinary forms of power are generally on the rise in societies where overt and coercive control is progressively being seen as inappropriate. As Foucault (1978) has remarked: “Power is tolerable only on condition that it masks a substantial part of itself. Its success is proportional to an ability to hide its own mechanisms.” (p. 86). Instead of operating overtly coercively, the exercise of power becomes increasingly subtle, cooperative and in some cases even consensual. Power might operate through an alignment of the aims and interests of those that are being governed with the aims and interests of the authorities (Valverde, 2017). In this sense, power can be seen as productive and positive rather than reductive and negative, as acts of control do not necessarily seek to prohibit certain behaviors directly, but can also operate by producing specific

ways of behaving, acting and thinking in people. This has also sometimes been referred to by the term ‘*subjectivation*’. This is the process of enlisting individuals in their own government (O’Malley, 2002). According to Foucault this is a form of power that:

Categorizes the individual, marks him by his own individuality, attaches him to his own identity, imposes a law of truth on him which he must recognize and which others have to recognize in him. It is a form of power which makes individuals subjects (Foucault, 1982, p. 781)

Practices of government can make subjects by “invoking and legitimizing certain images of the self while excluding others” (Bröckling et al., 2011, p. 13). Becoming a subject “always means actualizing certain subject-positions” and “understanding oneself as a subject” and “working on oneself in alignment with this self-understanding” (Bröckling et al., 2011, p. 14). Individuals can take up different subject positions and understand and govern themselves according to them. By studying such *subjectivation* it is possible to account for how processes of political government are linked with processes of self-governing.

In one of the case studies in this dissertation, I investigate how the police were engaged in making the marginalized drug users perceive of themselves and govern themselves as ‘responsible drug users’, who would conduct themselves in a manner that produced as little nuisance to others and as little harm to themselves as possible. In this case, it could be argued that the drug users were encouraged to take up a specific subject position, that of the ‘responsible drug user’, and govern themselves according to this subject position, through a process of *subjectivation*.

PRE-LIBERAL AND LIBERAL UNDERSTANDINGS OF ‘POLICE’

As mentioned, this dissertation focuses on the policing of marginalized drug users in public space, studied through cases of both private and public policing. However, as an institution the public police force did not receive much of Foucault's analytical attention. Unlike the prison and the mental asylum, the police force as an institution was mentioned only sporadically in some of his texts (Herbert, 1996). This might relate to the fact that the police force, as we know it today, is a distinctively modern institution and Foucault mostly focused his attention on ‘pre-modern’ historical practices and institutions. Perhaps because of this, Foucauldian terms and ideas have not been utilized as widely in studies of policing as in studies of prisons, health and social institutions.

In his 1977-1978 lectures, Foucault allocated some space to discuss the ‘police power’ of the state, which he emphasized was different from the institution of the police:

[What] I want to talk about today, is what at the time was called “police”, which it must be understood has very little, no more than one or two elements, in common with what we should call police from the end of the eighteenth century. In other words, from the seventeenth to the end of the eighteenth century, the word “police” had a completely different meaning from the one it has today (Foucault, 2007, p. 312)

While most people today will think of police officers enforcing the criminal law, when they hear the word ‘police’, this is a relatively new understanding of the word. In the seventeenth and eighteenth centuries, the word ‘police’ denoted the “regulatory and preventive governance of the internal order and tranquility of the kingdom” (Valverde, 2017, p. 93). Rather than taking the form of grand principles of law, police regulations worked through long lists that specified “detailed rules about who could sell what goods where and at what times; where dangerous trades or morally risky businesses could be located; who could manufacture what items according to what standards; where trash and waste should be placed; and how citizens ought to act in the case of a plague or other threatening disease” (Valverde, 2017, p. 93). Accordingly, the tasks of the first ‘police officer’ in Denmark, appointed by King Christian V in 1682, were to ensure that citizens did not dress too fancifully, did not serve too many dishes at their parties and did not invite too many guests to their weddings. Furthermore, this police officer was to check up on bakeries every second week, to ensure that bread sold as wheat bread was indeed made out of wheat and that rye bread was indeed made out of rye (Stevnsborg, 2010).

While these tasks might seem far removed from the work of modern police forces, which is arguably most closely associated with the enforcement of the criminal law, it is still possible to find resemblances between eighteenth century police regulations and modern police forces. According to Dubber and Valverde (2006), in a volume that documents the large variety of governing activities that are and have been authorized under the label ‘police’, it is not merely by a ‘semantic accident’ that these seemingly different practices have been referred to as ‘police’.

From police regulation to the modern police force

While Foucault never traced the connection between the old ‘police power of the state’ and the modern police organization, others have attempted to trace the historical connections between them. Stenson (1993) has argued that the modern police institution, and specifically discourses around ‘community policing’, can be interpreted as an attempt to reconcile the pre-liberal notion of ‘police’

as the sovereign's attempt to exercise absolute control over a given territory, through detailed regulations, with the birth of liberalism. In this new liberal era, authoritarian and repressive policing were regarded as "inherently unstable in their effects" and could possibly create "major problems of legitimation" (Stenson, 1993, p. 375).

Rather than carrying out the will of the sovereign to "exercise a totalizing will" over the "whole of a territory", the modern police should rather be 'for' the people, after the birth of liberalism (Stenson, 1993, p. 376). In other words, the police evolved from being a "state instrument, protecting the interests of the state and a propertied elite" to instead "being a more authentically public service, responding to individual citizen complaints, and, in theory at least, providing security and protection to the whole population" (Garland, 2001, p. 32). This notion is also readily apparent from the 'policing by consent' slogan that was central to the establishment of the modern British police force in the mid-1800s by Sir Robert Peel. Rather than being the 'handmaiden' of a repressive state, the police, in the modern era, should exercise their power in agreement with the population and with the goal of ensuring the wellbeing and security of this population.

The relatively recent rise in discourses around 'community policing' can be seen as a furthering of this liberal vision of the police (Stenson, 1993). Community policing has been called a 'floating signifier' (Stenson, 1993), because it can denote a range of very different techniques of policing. Consequently, it might not be very useful to consider community policing as a 'historically homogenous formation' (O'Malley & Palmer, 1996). Nevertheless, community policing often designates a kind of policing where the police force is responsive to community demands, engages in partnerships with various community representatives, interacts with community members and engages in broader policing functions than law enforcement. By invoking and activating 'the community', this type of policing generally goes beyond top-down, authoritative deployments of power and it has been used to designate policing practices, which aim to be in greater correspondence with local community norms and desires. In the community policing view then, ideally the order that is to be imposed in public space should not have its origin from 'above' or from the state, but should rather ideally be determined based on the norms for behavior present in the specific community that the officer has been tasked to police.

In some cases, this might reflect a desire to be "building bridges with poor sections of the population" and to "maintain public spaces which all citizens can use in reasonable safety" (Stenson, 1993, p. 385). However, the 'community policing' label has also been used to denote governing that seeks to

produce “ethically reflective, creatively self-regulating citizens” (p. 384). This can include measures such as prompting people to install security systems in their homes or to participate in neighborhood watches. Additionally, when invoking ‘the community’ as the unit that the police should be responsive to, it is important to consider exactly *who* is being counted as members and part of this ‘community’. Marginalized drug users living on the street risk not being considered as part of ‘the community’ in community policing projects, as they are simply not as likely to show up to ‘police-community meetings’ (Thacher, 2001, p. 3). When ‘the community’ becomes engaged in policing, it is then often not the entire community, but rather particular segments of it. Ironically then, when the police organization seeks to be responsive to communities, they risk sacrificing the important ideal of equity, which seeks to direct the services of the police equally to all segments of the public. In other words, when the police engage in community relations, they are often only responsive to the specific community groups that organize and are able to make themselves heard by the organization; this introduces the risk of skewing priorities towards the well-off at the expense of the poor.

These potentially problematic aspects of ‘community policing’ illustrate the new contradictions and conflicts that are introduced when the police and policing are reconfigured. These aspects reflect wider tendencies in governance, such as more subtle forms of rule and governance, which are key concerns in the governmentality literature. Consequently, this specific analytic is helpful in analyzing the two policing projects considered in this dissertation. While the discourse surrounding the specific policing projects analyzed in this dissertation might not have alluded to ‘community’ explicitly, the practices associated with the policing of the public spaces share many of the components said to constitute modern ‘community policing’. These include a return to ‘foot patrol policing’, rather than the use of motorized vehicles as well as the notion that policing agents should work in a personalized way with those they are tasked with policing.

Accordingly, the two cases display several of the contradictions and dilemmas of modern, liberal policing mentioned above. These include issues around how to reconcile community norms and desires of marginalized and homeless drug users in city centers with those of the housed public in those areas, as well as issues concerning the ‘contracting out’ of security to private actors. These issues will be explored further in the three articles making up this dissertation.

ANALYTICAL FRAMEWORK OF GOVERNMENTALITY STUDIES

While in this dissertation it has been useful to think about governmentality as a way of capturing more hidden and sophisticated types of power in policing, it is especially in the methodological sense that this analytic has been helpful as a way of opening up the empirical material for lines of questioning and investigation. In this regard, we will now turn to the specific analytical framework and methodology of post-Foucauldian governmentality studies.

Since the beginning of the 1980s, Foucault's notion of governmentality has been taken up in different disciplines and in order to investigate different problems (Rose et al., 2006). In these analyses, the notion of 'governmentality' and the analyses that Foucault provided in his lectures have been salvaged more for their analytical and methodological potential rather than the substantive content of the specific accounts Foucault provided in his accounts of the birth of liberalism. A fundamental point in these post-Foucauldian analyses of governmentality is that a grand theory of the role of the 'state' or of 'ideology' is avoided and instead the minutiae of routine and mundane practices of governing are investigated (Bacchi & Goodwin, 2016). Furthermore, governing practices are analyzed beyond conventional political institutions in order to acknowledge a wide range of forms of knowledge and discourses as part of governing practices (e.g. Rose, 1990, which examined the role of psychological and psychiatric knowledge and discourses in the governing of the self). Moreover, it is important to recognize that the governmentality framework is "far from a theory of power, authority or even governance" (Rose et al., 2006, p. 85). Rather, it should be understood as a way of asking "particular questions" of the phenomena that one seeks to understand, with these questions being "amenable to precise answers through empirical inquiry" (Rose et al., 2006, p. 85).

The questions usually asked in a governmentality analysis relate to *problematizations*, *rationalities* and *technologies* of government (Rose & Miller, 1992). In addition to this, Valverde (2011; 2014) has suggested that the *scope* of government could also be considered as a separate analytical domain. These concepts have been highly important for how the questions and aims of the analyses in this dissertation have been constructed, and, consequently, I will now briefly describe each of them.

Problematizations

As Rose and Miller (1992) have noted, government is fundamentally a "problematizing activity" (p. 181). Throughout history, different authorities have measured "the real against the ideal and found it wanting" (Rose & Miller, 1992, p. 181) and by that created a 'problem' that they could attempt to

alleviate. The starting point in an analysis of problematizations is then the postulated solutions to different problems, which are analyzed in order to distinguish and examine the process of something becoming a ‘problem’ (Bacchi, 2009; Bacchi, 2012b). Studying problematizations then, in the words of Foucault, is an inquiry into “how and why certain things (behavior, phenomena, processes) become a problem” (Foucault, 1983, p. 65). By studying how problems emerge *as* problems the presumed natural state of these as problematic is called into question. This makes it possible to investigate the moral assumptions that underlie specific problematizations.

As governing takes place through particular problematizations, this approach makes it possible to investigate the relationship between different problematizations and their connection to specific governmental practices and responses. Studying problematizations can illustrate that certain ways of thinking can reflect specific institutional and/or cultural contexts rather than being immutable and self-evident (Bacchi, 2012a). This denaturalizes specific ways of perceiving issues and alerts us to the fact that things can always be otherwise. The study of problematizations can aid us in understanding the thinking that constitutes our ‘current condition’ and how this is constituted (Bacchi, 2012a).

In this dissertation, the concept of ‘problematization’ is used in order to investigate how and why the presence of marginalized drug users becomes a problem and a cause for governmental intervention. Furthermore, the specific assumptions about the use of public space that underlie this problematization will be investigated along with how differences in the problematizations of marginalized drug users might produce differences in the responses from local governments.

Rationalities

Another important term in the governmentality analytic is the *rationalities* of government. These concern the aims, the assumptions, the moral justifications of governing, as well as the notions of appropriate forms, objects and limits of power (Rose & Miller, 1992). In that regard, governmental rationalities are distinctively moral (Rose & Miller, 1992). They consider what ‘things’ should be the proper objects of government and how these should be governed, such as towards ideals like “freedom, justice, equality, mutual responsibility, citizenship, common sense, economic efficiency, prosperity, growth, fairness, rationality and the like” (Rose & Miller, 1992, p. 179).

Furthermore, governmental rationalities are also epistemological in character, meaning that they are based on some understanding of the nature about the things that they govern (Rose & Miller, 1992).

According to Rose et al. (2006), each formulation of governing embodies, either explicitly or implicitly, an answer to questions like: “Who or what is to be governed? Why should they be governed? How should they be governed? To what ends should they be governed?” (p. 84-85). Depending on the specific governmental rationality, those who are regarded as the objects of government can either be understood as “members of a flock to be led, legal subjects with rights, children to be educated, a resource to be exploited, elements of a population to be managed” (Paul Veyne cited in Burchell, 1991).

Governmental rationalities also take on a specific language. According to Rose and Miller (1992), the language that constitutes governmental rationalities, should be seen as an “intellectual machinery” that aids in “rendering reality thinkable” in a way that makes political intervention possible (p. 179). In other words, political rationalities are “made thinkable through language” (Rose & Miller, 1992, p. 179). However, Valverde (2014) has argued for the use of the term ‘logic’ in place of ‘rationality’, in order to emphasize the less than rational dimensions of governance, which should be included in an analysis of governmental responses, such as the ‘mood’ of political projects, including both fearful reservations, as the construction of some populations as ‘dangerous’, such as marginalized drug users, as well as the optimistic aspirations of projects, such as different forms of nationalism. The terms ‘rationalities’ and ‘logics’ of government will be used interchangeably throughout this dissertation.

In this dissertation, the logics or rationalities of the two policing projects under consideration will be investigated. It will be explored how these projects are supposed to function, what their aims are and toward what ends they are being implemented. It will be argued that both of the two policing projects could be said to operate in a space between control and protection, where the *logic* of the policing was to control the movement and behavior of marginalized drug users, while simultaneously protect them from various types of harm.

Technologies

Another important term and point of analysis in governmentality studies is the *technologies* or the *techniques* of governmental projects. This refers to the mechanisms through which governing takes place, such as the specific procedures, documents and calculations involved. Technologies of government are the specific ways in which rationalities become operable and “capable of deployment” (Rose & Miller, 1992, p. 183).

Technologies should not be understood in a narrow ‘technical’ manner, such as necessarily entailing computers and hardware, but in a broad way as all processes that can carry out governing projects. In this sense, foot patrol policing can be understood as a specific technology of policing. However, these technologies do not necessarily implement the political rationalities in an unobstructed manner. The specific technologies also “shape what it is possible to think” (Bacchi & Goodwin, 2016, p. 44). Policing by car and on foot are two very different technologies of policing, which render the reality manageable in distinct ways. Likewise, writing a qualitative report renders reality governable in a different way than generating a set of numbers for statistical manipulation (Valverde, 2014). In this sense, technologies of government do not directly ‘implement’ governmental rationalities. In some instances, the techniques of a project smoothly promote the overall rationality of governing, but, in other instances, the techniques might end up acquiring a life of their own and undermine it (Valverde, 2014). In this way, the specific techniques can have feedback effects on the governing projects as well and are not merely shaped by the rationalities or logics of government.

In this dissertation, the specific ‘techniques’ of policing utilized in the two policing projects will be considered. This concerns the specific ways the policing agents behaved when patrolling, what they said and what they did in order to police the open drug scenes. In this regard, it is particularly interesting how these policing agents did not utilize traditional law enforcement techniques or coercive powers, but rather engaged in practices of ‘soft power’. In other words, it could be argued that ‘soft power’ was the favored policing *technique* of both of the policing projects. How the policing agents specifically practiced such ‘soft power’ in the two contexts will be investigated in the analysis.

Scope

Valverde (2011) has argued that distinguishing and analyzing the *rationalities* and *technologies* of government is now a conventional move in governmentality studies, but one might also consider the *scope* of governmental projects as an independent dimension and feature of these. This includes investigating both the *temporal* and *spatial* scale that the governmental project operates on and the specific *jurisdiction* to which the project has been relegated (Valverde, 2011; 2014).

Different projects operate with different temporal and spatial scales. A police officer undertaking foot patrol will be doing this in a specific geographical area and sometimes also during a specific time, encompassing the temporal and spatial scale of that specific project. Furthermore, the patrolling police officer may be mostly involved in securing order and preventing crime proactively or the

officer might be engaged in arresting offenders reactively on the spot for law breaking, encompassing respectively a future-oriented or a past-oriented temporal scale of the policing project.

Furthermore, questions about the jurisdictional scope of a governing project; that is to say, the question about who has the legitimate power to govern this or that problem might also produce revealing analyses of governing projects (Valverde, 2011; 2014). These include analyses of how and why a specific problem is considered to fall under the jurisdiction of either the state, the municipality, private actors or the police and how this might affect how governing takes place, e.g. the same problem might be governed differently, depending on the jurisdiction it has been relegated to in the specific case. Drug use and possession might be governed very differently depending on whether it is perceived as a health issue and falls under the jurisdiction that governs health and medicine, or if it is perceived as a criminal issue and thus falls under a criminal justice jurisdiction.

In this dissertation, the scope of the two policing projects will be considered. Both of these projects operated in specifically defined geographical spaces and at specific times. Specifically, both of the projects operated spatially and temporally in attractive urban spaces where there was a great concentration of business owners, consumers and middle-class citizens, rather than at the margins of the city. In the case of the project of installing private security guards on a public square in Aarhus, it will be argued that even though representatives of local government argued that the project was to the benefit of the marginalized drug users, the spatial and temporal scale of the project suggested that it was principally supposed to secure a pleasant and safe urban environment for the middle class.

Using the concepts

In this dissertation, I will question and analyze the two policing projects according to these different lines of inquiry proposed in the governmentality studies literature. I will consider how marginalized drug users and their presence in public space has been *problematized*, I will consider the underlying *rationalities* of the specific projects aimed at alleviating this ‘problem’, as well as the assumptions about the proper use of public space underlying such governing. Furthermore, I will consider how the specific *technologies* through which the governing of this ‘problem’ took place. In particular, I will consider the technology of foot patrol policing and its application in the two different cases. I will also consider the *scope* of these two projects of foot patrol policing, including questions about both the temporal and spatial scale on which they operated. As all three of the articles making up this dissertation are self-contained arguments, intended to be read on their own, I will not necessarily

consider all of these aspects of governing in all of the articles. The aspects I have considered relevant depend on the specific argument that I put forward in each of the articles. One could certainly have analyzed all of these aspects in all of the analyses; however, I have prioritized making the arguments as focused as possible.

These different terms from governmentality studies should be used as tools for empirical inquiry, rather than ends in themselves. As Valverde (2014) has argued, paraphrasing a fundamental Nietzschean insight, “it is not possible for human thought to be as nimble and mobile as the realities which thought attempts to capture; but we can at least try for more dynamic approaches” (p. 389). Governmental projects are highly complex, but the tools of governmentality studies might aid in doing the impossible, which is “to capture in thought, and especially in writing, something of the constantly shifting reality that is before us” (Valverde, 2014, p. 389).

CRITICISMS OF THE GOVERNMENTALITY ANALYTIC

While the governmentality analytic has been widely utilized in a range of disciplines, there have, of course, also been some criticisms aimed at it and at Foucault-inspired analyses more generally. In this section, these arguments about the limitations of the governmentality analytic will be presented. Furthermore, it will be discussed how these limitations have been sought to be resolved in this dissertation. First, the issue that governmentality studies usually only concern programmatic texts and schemes, rather than actual practices, will be considered. Second, the issue that Foucauldian analyses more generally might overstate the importance of power in social relations, while ignoring other, important factors will be considered.

Limited relevance for studying ‘actual’ social practices?

A common critique of governmentality analyses is that they ignore the messy world of the actual implementation of governmental policies and only focus on the texts describing such policies. Foucault himself argued that he did not aim to describe what he called the “witches’ brew” (Foucault, 2000, p. 232) of the actual functioning of institutions. He was interested in the theoreticians’ schemes and the programmatic texts, rather than the implementation of such schemes. Because of this, governmentality studies have been criticized for their “lack of attention to multiplicity and context” (Brady, 2014, p. 13) and have been accused of disregarding the “messy empirical actualities” of governmental projects (McKee, 2009, p. 473). Some governmentality scholars argue that it is not within the scope of their analyses to investigate the actual implementation of governmental programs.

Nikolas Rose (1999) has argued that studying governmentalities is very different from studying “the actual organization and operation” (p. 19) of government. The study of governmentalities is, according to Rose (1999), focused on the programmatic thinking of government and thus is focused on the texts wherein such thinking is organized.

Such discounting of the actual implementation of governing might be a viable strategy for those solely engaged with tracing changes in thought and rationalities in government through texts, but this dissertation concerns both the actual functioning of the policing projects studied, as well as the logics and assumptions they are based upon. Fortunately, not all scholars engaged in governmentality studies have embraced the idea of focusing solely on the programmatic thinking of government and on the exclusive analysis of documents and texts. O’Malley et al. (1997) have criticized the tendency in governmentality studies to view “politics as 'mentalities of rule' to the virtual exclusion of understanding politics as social relations” (p. 501). In that regard, Hacking (2004) has utilized the governmentality analytic together with the micro-sociology of Erving Goffman, in order to get closer to the face-to-face interaction involved in governing. According to Hacking (2004), Goffman provides theoretical resources for considering “not only the words but also the tone, the accent, the body language, the gestures, the withdrawals, the silences” (p. 278).

While I am sympathetic to those engaged in analyzing body language and the tone of their research participants, such micro-details fall outside of the scope of the analysis in this dissertation. In my view, you need very detailed observations in order to forcefully carry out such analyses, preferably audio or video recordings of your research participants, such as those often utilized by ethnomethodologists and conversation analysts (Garfinkel, 1967). I did not have the opportunity to make such detailed recordings of my research participants, and, accordingly, I have chosen not to focus on these micro-details. This does, of course, not mean that analyzing such details is impossible without audio or video recordings, but nevertheless I have chosen to focus my analytical attention on the space between wider discourses and concrete practices, rather than analyzing the micro-details of body language and the tone of voice of the research participants.

However, during the last decade researchers from across the social sciences have found the governmentality analytic to be useful in combination with traditional social scientific methods and methodologies such as ethnographic observation and interviews, *without* drawing on the analytical framework of micro-sociology (Brady & Lippert, 2016). These scholars have advocated a combination of the analysis of political rationalities and discourses with ethnographic methods in

order to “render visible the concrete activity of governing, and unravel the messiness, complexity and unintended consequences” in such governing (McKee, 2009, p. 465). Li (2007) argues that a combination of the study of texts and actual practice can aid in analyzing “the intersection of governmental programs with the world they would transform” (p. 27). Furthermore, by conducting interviews and observations one can reveal problems and discourses which would not have been accessible by only studying texts (Lippert, 2005).

Some have argued that such an approach, which links the study of everyday governmental practices with wider political rationalities and discourses, should be termed a ‘realist governmentality theory’ (Stenson, 2005). However, to study actual practices does, of course, not mean replacing a ‘false’ object with a ‘true’ one (Li, 2007, p. 28). Governmental programs and the messy implementation of such programs are all equally ‘real’ and they both merit analytical attention (Li, 2007; Lippert, 2005). Indeed, as argued by O’Malley et al. (1997) it is precisely because that the governmentality analytic makes it possible to attend the “nexus between everyday practices and techniques, and more abstract technologies and broader political rationalities [that] the political insulation characteristic of many micro-focused frameworks (for example, ethnomethodology) is readily avoided” (p. 503).

In other words, the governmentality analytic provides tools for linking everyday practices with broader political rationalities and discourses in a way that we miss out on, if we insist that only the governmental texts and programs can be the proper objects of analysis in such an analytical framework. Furthermore, by linking everyday practices with wider political rationalities and discourses, a governmentality analysis can perhaps provide more politically relevant analyses than ‘micro-focused’ frameworks usually do. In addition to this and as argued in the previous chapter, governmentality studies should not be thought of as a total framework but rather as an “analytical toolbox” (Rose et al., 2006, p. 100), with tools that can be used alongside other tools. Consequently, theoretical resources from scholars who write specifically on policing and urban regulation are utilized throughout this dissertation together with the governmentality analytic.

In conclusion, it is clear that not all the aims, ideas and logics of government and every procedure and technique meant to carry out these are put into text. The specific policing projects which I have investigated as governmental practices, did not rely very much on texts that specified the particular procedures of policing. Consequently, I relied on a range of other methods and methodologies other than document studies in my analysis. In doing this, I have found inspiration in the growing body of literature where the governmentality analytic is being utilized to investigate the implementation and

functioning of governmental projects, as well as their schematic rationalities and technologies, with the aid of traditional social science methods, such as interviews and ethnographic observation (Brady & Lippert, 2016; Li, 2007; Lippert, 2005; Stenson, 2005; McKee, 2009). Consequently, the aim of this dissertation is to investigate how everyday practices of policing link with wider political rationalities and discourses.

Overstating power and domination?

Another common critique of Foucauldian-inspired analyses is that all social relations are reduced to relations of domination when utilizing this analytical framework. Seemingly benign or even supportive acts are conceptualized as acts of power and control. The texts by Foucault have been highly influential in the fields of health care and social work in order to conceptualize relations between staff and clients/patients. An example of this is Fischer et al. (2004), who argue that while DCRs might look like progressive and supportive facilities for marginalized drug users at first sight, they are in fact “powerful surveillance and discipline sites” (p. 357). Fischer et al. (2004) describe how the stalls for injecting in these facilities are usually organized in such a way that the drug users are visible to the staff while injecting at all times, forming what the authors call an “inject-icon” (p. 361). This is a reference to Foucault’s use of the term ‘panopticon’, which was a prison building designed by Jeremy Bentham to allow all prisoners to be centrally observed by a single prison guard without the inmates being able to tell whether they are being watched and thus prevent them from engaging in prohibited behavior. In DCRs, this surveillance usually has the primary function of preventing overdose deaths and thus it could be argued that even though DCRs *can*, of course, be conceptualized as sites of constant surveillance, this surveillance can be said to be quite benign in intent, as its purpose is to prevent the death of those being overseen. Consequently, it could be questioned whether an analytical perspective *solely* focused on power and surveillance fully captures the functioning of DCRs.

Henriksen and Prieur (2004) have questioned the focus on power as an ominous and omnipresent force in relations between clients and social workers. They argue that while all social relations contain elements of power, this power should not necessarily be seen as malign in intent or effect. Furthermore, this conception is seen as in agreement with how Foucault conceptualizes power. According to Henriksen and Prieur (2004), power for Foucault should not necessarily be equated with forms of malign manipulation. As they argue, it is difficult to conceive of any form of social work without power, but this does not mean that power cannot be used in a way that is caring and

supportive, rather than controlling and coercive. As the subtitle of this dissertation seeks to convey, power can indeed operate in a space between control and protection. The aim of the dissertation is to capture this tension between practices that simultaneously seek to control as well as protect and support marginalized drug users. If we only focus on the controlling features of such practices then we might fail to see the fuller picture.

Another common criticism of Foucault's notion of power is that he allows no 'escape' from power. This has led Steven Lukes, author of the influential book *Power: A Radical View* from 1974, to characterize Foucault's view of power as "ultra-radical" in a later edition, responding to the increased popularity of Foucauldian analyses of power (Lukes, 2004, p. 88). Lukes (2004) argues that if Foucault is right, then we must abandon the ideal of a society in which individuals are "free from the negative effects of power" (Lukes, 2004, p. 92) and that Foucault rejects "the very possibility of people being more or less free from others' power to live as their own nature and judgment dictate" (Lukes, 2004, p. 107). Foucault did indeed argue that "power is everywhere" (Foucault, 1978, p.93) and that power is "coextensive with the social body; there are no spaces of primal liberty between the meshes of its network" (Foucault, 1980, p. 142). In that sense, there is no escape from power, as power is what constitutes our very ideas, attitudes and characters. However, while there might be no escape from power altogether in order for a return to some "primal liberty", specific forms of power can still be resisted, questioned and subverted. Without any illusions of not being subjected to power and government altogether, we can still ask, Foucault (1997) argues, "how not to be governed like that, by that, in the name of those principles, with such and such an objective in mind and by means of such procedures, not like that, not for that, not by them." (p. 44). This leads us to the next section, where the practical purposes for conducting Foucauldian critique and analyses of power will be investigated.

CRITIQUE AND SOCIAL TRANSFORMATION

This chapter has so far engaged with questions of how to produce representations of governing projects as accurately as possible. It has been argued that looking at the *problematizations*, *rationalities*, *technologies* and *scope* of governing and policing projects can help us grasp the complexity of these and aid in producing accurate accounts of them. However, the political and practical implications for producing such accounts is another question. In other words, we now turn to the question of the practical utility of producing descriptions of an empirical reality in this section.

What is the point of describing these policing projects and the problematizations that give way to them?

Critique and criticism in research on the police and policing

If we consider the history of research on the police and on policing, Reiner (2010; 2015) has argued that the emergence of policing as an object of study in the social sciences was driven in large part by a growing skepticism and distrust of police authorities in the US and the UK during the 1960s and 1970s. This originated in particular from the violent clashes between police and protestors triggered by the civil rights struggle and hostility to the Vietnam War. These events acted as the backdrop of some of the first, and now classic, empirical studies of policing (Banton, 1964; Bittner, 1967; Skolnick, 2011/1966). Later, in the late 1970s and early 1980s, the field of police research came, according to (Reiner, 2015), to be dominated by a ‘radical critique’, which was concerned with issues of discrimination, accountability and democratic control of the police. In the end of the 1980s and in the early 1990s this critical and theoretical research was beginning to wane and the focus in police research shifted from the questions of ‘what *do* the police do’ to ‘what *can* the police do’ in terms of crime fighting. This focus on ‘what works’ in terms of lowering crime and/or the public’s feelings of unsafety, persists in contemporary police studies today, and it now supersedes more theoretical, conceptual and critical work done on the police (Brodeur, 2010; Reiner, 2010; Reiner, 2015). According to Reiner (2007), this development marked a sharp break in the questions that occupied policing researchers. While the advent of empirical police research started as a problematization of police practices, and “happened at the very time when the practice of policing was in crisis” (Wright, 2012: 20), today police research is primarily occupied with questions of how the police can most effectively control and reduce crime.

Sometimes a divide between ‘pure’ research and problem-oriented or applied research is made (Moore, 2004). One could argue that the turn from research *on* the police to research *for* the police is a turn away from the police as the object of inquiry in itself to the specific problems that this organization faces. According to Moore (2004), sometimes those engaged in more ‘pure’ research will criticize those engaged in applied research for taking part in new forms of social control and social engineering and, vice versa, those engaged in applied research will think that those engaged in ‘pure’ research might produce research that is theoretically elegant, but of little practical value. Nonetheless, the current focus on narrow policy-oriented questions of ‘what works’ has led some scholars, such as Holmberg (2014: 33), to question the absence of critique in contemporary police

research. Holmberg (2014) points to the fact that increasing integration between the police forces and police research might result in a one-sided focus on evaluations of specific police initiatives and prevent more fundamental debates and discussions about the role of the police today. Along similar lines, Reiner (2012) has argued that we “need to bring political economy and ethical critique back in to academic policing debate, as it was in the early years of the sub-discipline” (p. 107).

What is ‘critique’?

However, the question of what ‘critique’ is and how it should be practiced has itself been the subject of much scholarly debate (Raffnsøe, 2017). In a lecture given at the Sorbonne in 1978, later given the title ‘What is Critique?’, Foucault argued that critique is not *one* thing and that both the “high Kantian enterprise” as well as “little polemical activities” are commonly labeled as critical (Foucault, 1997, p. 42). Foucault characterized critique as an activity that always stands in relation to some other phenomenon and as always “subordinated” to that which is “positively constituted” (Foucault, 1997, p. 43). But even though critique only exists in relation to the subject matter which it relates to, it is not only a negative effort and thus it is more general than the activity of “eradicating errors” (Foucault, 1997, p. 43). In an interview, which appeared in the French newspaper *Liberation* in 1981, Foucault argued that:

A critique does not consist of saying that things aren't good as they are. It consists in seeing on what type of assumption, of familiar notions, of established, unexamined ways of thinking the accepted practices are based ... To do criticism is to make harder those acts which are now too easy (Foucault, 2000, p. 456)

For Foucault then, ‘doing critique’ of this or that phenomenon, is not necessarily about arguing against its functioning or operations. Rather, it is about investigating the phenomenon in detail to examine the unexamined ways of thinking that might support it. In addition, Foucault argues that doing critique is inexplicably intertwined with political action and social transformation:

So there is not a time for criticism and a time for transformation; there are not those who have to do criticism and those who have to transform, those who are confined within an inaccessible radicality and those who are obliged to make the necessary concessions to reality (Foucault, 2000, p. 457)

In this paraphrase, Foucault rejects the notion that those engaged in critique are not close enough to ‘reality’ to make any real social transformation. Indeed, he argues that critique is the only way that deep political and social change can be made possible. However, working to transform governing is again not merely a question of working *against* government. In the lecture at the Sorbonne, Foucault goes on to argue that the question of “how to govern” cannot be dissociated from the question of “how not to be governed” and stresses that this should not be understood as a question of not being governed *at all*, but rather, as mentioned, “how not to be governed like that” (Foucault, 1997, p. 44). Critique then, does not entail an escape from power, or governing, but rather a questioning of it, which might lead to a ‘better government’. In this sense, a critique functions as both a partner and an adversary of governing.

Practicing critique in research on the police and policing

Returning to the specific issue of critique in research on policing then, if one thinks that having an institution such as the police is a necessary and fundamentally beneficial thing for the current configuration of our society, then the question becomes how performing a critique of policing develops it in a direction that is the most beneficial and produces the least social harm. Norwegian police researcher Liv Finstad has characterized herself as a “critical friend of the police” (Finstad, 2018, p.18). This means that if we acknowledge the place and importance of a modern police force, we should not work *against* the police, but rather work towards a police force that is as good and just as possible. As a critical friend of the police, Finstad states that she sees her role as pointing out the things that can possibly undermine the trust or the legitimacy of the police. This role as a ‘critical friend’ is largely in agreement with what Foucault has expressed about critique in general. About the power of government, and by that token the power of the police, Foucault states that we must “escape the dilemma of being either for or against” (Foucault, 2000, p. 455). In other words, trying to reform the police or policing in general, without taking an explicitly ‘anti-police’ stance, does not necessarily imply an acceptance of current policing practices, but can be a way of attempting a transformation of these.

Investigating policing practices, and the assumptions about drug use, the proper use of public space and the relation between the police and drug users which these rest upon is useful for reflecting on how we govern marginalized individuals and ‘street people’ in our cities. In the two case studies of policing that will be presented in this dissertation, I have found practices that could be considered as both criticizable and practices that could be considered as commendable. For

instance, in the first article I describe how a local police officer was engaged in what I have termed ‘harm reduction policing’. This type of policing identified broad drug-related harms, such as the violence and victimization that marginalized drug users experienced in the open drug scene, as proper objects for police action. In the article, I argue that the reorientation away from traditional drug law enforcement and towards harm reduction arguably constituted an improvement of policing practices if one is committed to alleviating overall drug-related harm. The description of this policing then, might prove an example to follow, to circulate and to celebrate, while other descriptions in the dissertation might provide fair warnings of what we are in the process of committing ourselves to. A critique of policing will often point to errors and problematic practices; however, I believe that pointing out policing practices that seem to produce less social suffering might also prove a viable strategy for developing policing practices. It is my hope that the descriptions of the policing found in this dissertation can act as both inspirations for directions to follow, as well as cautions about the consequences of taking certain paths.

CHAPTER 3.

METHODS AND DATA

In this chapter, I will describe the methods and data that make up this dissertation. First, I will describe the process of identifying the cases, locating key informants and gaining access. Then, I will discuss the significance and utility of these data and describe the move from data collection to data analysis. Lastly, I will offer some reflections on the research process and some ethical reflections concerning the study.

Both of the cases in this dissertation concern policing projects aimed at marginalized drug users and their presence in open drug scenes. However, they are also different in key aspects. One case concerns public policing, while the other concerns private (or semi-private) policing. One case concerns a whole neighborhood, while the other primarily concerns a small public square. On one of the open drug scenes, alcohol was the most prevalent and visible intoxicant used, while on the other heroin and crack cocaine were the drugs most typically referred to. These differences illustrate that even though what is analyzed could be conceptualized as quite similar, i.e. two foot-patrol policing projects in two open drug scenes, in the two major cities of Denmark, there will always be important differences between different contexts.

The different interview persons, research participants and even the cases themselves, were not chosen based on a clear research schedule and plan, but rather they were discovered provisionally during fieldwork and during the research process. A pessimistic reading of such a “patchwork quilt of research”, as Moore (2007, p. 18) has called it, would be that it is inconsistent, that comparisons are made impossible and that the dissertation does not end up forming a coherent whole. However, a more positive reading would be that my openness towards the field enabled me to follow different ‘leads’ of where to go and investigate next. Sometimes those ‘leads’ ended up being dead ends, but other times they ended up giving way to interesting findings. My research questions, methods and analytical categories continually evolved and changed in the meeting with the different research sites and research participants and I have attempted to respond to such changes openly, rather than imposing and retaining a predetermined research design (Fangen, 2010).

In that regard, the study can be said to apply a ‘developmental research design’ (Atkinson, Coffey & Delamont, 2003, p. 162-163). This means that provisional analyses and theorizing begin at the same time as data collection and that sampling of new data can focus on those sources, which can address specific analytically interesting aspects of the emerging analyses. This is also sometimes referred to as ‘theoretical sampling’, which means that the sampling of research participants or other data sources is not necessarily driven “by attempts to be ‘representative’ of some social body or population or its heterogeneities but especially and explicitly by theoretical concerns that have emerged in the provisional analysis to date” (Clarke, 2005, p. xxxi). Throughout this chapter, I will reflect on these different decisions about sampling and which ‘paths’ or ‘leads’ to follow during the research process.

In the following, I will present the two cases that I have investigated and I will provide some background and contextual information about the cases as well as the urban spaces and political context in which they were embedded. Furthermore, I will describe how I gained access and how I selected the research participants for the study.

OPEN DRUG SCENE 1: VESTERBRO, COPENHAGEN

The purpose of the first case study was to investigate how the policing of an open drug scene in Copenhagen operated after the possession of drugs had been partially decriminalized for marginalized drug users in this specific area of the city. Furthermore, it was my objective to investigate the specific problematization of the presence of marginalized drug users in public space and how this connected to the policing of this group.

The main open drug scene in Copenhagen is located in the neighborhood of Vesterbro just south of the Copenhagen Central Station. This drug scene emerged during the 1980s when homeless people and marginalized drug users relocated to the area as a consequence of increasing gentrification and urban renewal in other parts of the city (Frantzen, 2003, 2005; Jepsen & Laursen, 1998; Houborg, Frank & Bjerre, 2014). Historically, the Vesterbro neighborhood has been distinctively working class and housing options were limited to small, run-down apartments. However, in the early 1990s urban renewal and gentrification hit Vesterbro. Small rental apartments were joined together, renovated and transformed into expensive privately owned apartments. As a consequence of this, the apartments in the Vesterbro area are today some of the most expensive in the city. These changes have naturally changed the demographic of the housed public in the neighborhood, which increasingly consists of people with an income that exceeds the average income of a Danish citizen (Henriksen, 2002).

Marginalized drug users and homeless people nevertheless still assemble in the neighborhood and a number of charities and organizations working for these groups are still present in the area. The drug scene is thus not located in a secluded area or in a skid-row district, but rather injecting drug users, families with small children, bar owners and young entrepreneurs are all sharing the space.

The relocation of drug users from other parts of Copenhagen to Vesterbro in the 1980s resulted in widespread complaints from residents and local businesses in the neighborhood, which led the Copenhagen Police Department to develop a response to public drug use and nuisance caused by injecting drug users in the area. This strategy was called Drug Strategy 90 [*DA: Narko Strategi 90*] (Frantzsen, 2003; Jepsen & Laursen, 1998). The strategy relied on intense drug law enforcement and patrolling of the neighborhood in order to charge anyone in possession of illicit drugs as well as an intensified investigation and prosecution of drug dealing performed by a special drug squad. The overall strategy towards the drug users was to ‘stress’ them in order to disperse and prevent them from congregating in central parts of the neighborhood (Houborg, Frank & Bjerger, 2014). Overall, the policing of the open drug scene could be characterized as punitive and repressive throughout the 1980s, 1990s and most of the 2000s.

However, in 2008 a drop-in center and health clinic for drug users was established in Vesterbro by an NGO (DUGNAD) and commissioned by the municipality. In this center an unofficial and illegal DCR was established by the NGO activists. This unofficial DCR was tolerated by the authorities and initiated a gradual change in the police practices towards the drug users on Vesterbro (Houborg, Frank & Bjerger, 2014). In 2011, another unofficial and illegal drug consumption facility was established by an NGO (Foreningen Fixerum), who had remodeled an old ambulance into a mobile facility that could provide drug users with clean equipment and supervision while injecting drugs (Houborg & Frank, 2014). At this time a legislative process had simultaneously started to officially allow municipalities to operate DCRs in Denmark.

In 2012, legislation that allowed drug consumption facilities was passed in the Danish parliament. The target group for these facilities was people over 18 years who had a “strong addiction as a consequence of a long and persistent abuse of drugs” (Law on euphoriant substances §3b). In connection to the establishment of drug consumption facilities, it was stressed that the police should not “normally” charge for possession of illicit drugs for personal use in the “immediate vicinity” of the DCRs if the person in question belonged to the target group of the facilities (Ministry of Health, 2012). The local police together with the municipality were to decide how “immediate vicinity”

should be properly interpreted for operational purposes in their specific context. In Copenhagen a fairly broad definition was decided upon and most of the neighborhood of Inner Vesterbro was included in a so-called ‘non-enforcement zone’, where the possession of illicit drugs was effectively ‘de facto’ decriminalized for the target group of the DCRs. These changes in the legislation thus codified and legitimized some of the less punitive policing strategies towards marginalized drug users in the open drug scene, which the local police had gradually employed since the establishment of the first unofficial drug consumption room in 2008 (Houborg, Frank & Bjerger, 2014). During the time of this study there were five DCRs in operation in Denmark, with two of these operating in Copenhagen. The DCRs in Copenhagen have been far busier than their counterparts in the rest of Denmark. In 2014, 87% of those drug users that had a registration with a drug consumption facility were with a facility in Copenhagen and 94% of the registered usages of the facilities were in Copenhagen (Ministry of Health, 2015). This reflects the fact that Copenhagen is home the largest open drug scene in the Nordic countries.

At the time of this study, the local police station of Vesterbro and the Inner City area of Copenhagen was located at the Copenhagen Central Station. The local police station had a small unit of 10-15 officers that worked in shifts in the daytime. The whole area of Vesterbro and the Inner City was divided into different sections. Two police officers were assigned to each of these areas and had the main responsibility of the ongoing policing and community engagement in these areas, somewhat akin to what has been known as Neighborhood Policing in the UK (Innes, 2005). This program was named the ‘Your Officer’ initiative and was employed throughout Copenhagen. The goal of the concept was to ‘bring the citizens and the police closer’ by making the police engage in ‘dialogue’ and ‘cooperation’ with citizens and local actors in the community (Copenhagen Police website, n.d.). The neighborhood of Vesterbro was divided into two sections by the police: the inner part and the outer part of the neighborhood. The outer part was the most gentrified part of the neighborhood, while the inner part, bordering towards the Copenhagen Central Station, was less gentrified, and this was also where the open drug scene was located. Two officers in the local police were assigned to handle community relations and proactive policing in the inner part of Vesterbro and it was one of these two officers who I was eventually allowed to follow on patrol in the area.

The local police also collaborated closely with the harm reduction and homeless services operating in the open drug scene of Vesterbro, Copenhagen. While the relationship between some of these NGOs and the police had previously been tense, the ‘de facto’ decriminalization of drug possession had opened up for increased cooperation (Frantzen, 2003; 2005; Houborg, Bjerger & Frank, 2014). At

the time of this study, there were several important health and social services located in Vesterbro with which the local police were cooperating. Some of these included: the Men's Home, Dugnad, H17 and the Maria Church.

One of the major NGOs working with drug users and the homeless on Vesterbro was the Men's Home (*DA: Mændenes Hjem*). This organization had been operating on Vesterbro since 1910 (Men's Home website, n.d.). The organization started as a Christian charity and homeless shelter offering services for homeless men. Today, the organization offers a variety of social and health services to homeless people and drug users, regardless of their gender, and employs approximately 275 people and a fluctuating number of volunteers, including approximately 45 volunteer doctors and dentists. The homeless shelter consisted of a lobby (*DA: kontaktstedet*) where homeless people could relax, get a meal and receive clean injection equipment as well as other medical services. Furthermore, there are 43 beds for short stays at the shelter and 15 beds for long-term stays. In 2013, following the changes in the national legislation that allowed the establishment of DCRs, the Men's Home started a service in the adjacent building, called Skyen, with eight injection spaces and six smoking spaces. Aside from the homeless shelter and the DCR, the Men's Home operated a range of other services at the time of this study. In 2010, the organization started a homeless shelter specifically for women on Vesterbro. From 2011, the Men's Home has undertaken the operations of a drop-in center (Café Dugnad) and health service (Sundhedsrummet) for drug users located on the street Halmtorvet on Vesterbro.

While the health service on Halmtorvet was originally run by the municipality, the drop-in center initially emerged out of Dugnad, an NGO which advocated for DCRs in Vesterbro in the 2000s. In 2006, the local government in Copenhagen decided to investigate whether DCRs could be established in the city, without this being in contradiction with national law (Houborg & Frank, 2014). The municipality proposed that Dugnad should commission a DCR in the neighborhood of Vesterbro. However, this was blocked by the National Board of Health, who, at the time, would not allow medical personnel to assist in the supervision of the consumption of illicit drugs. As an alternative to this, the municipality commissioned Dugnad to run a drop-in center for drug users in 2008. However, as mentioned, the NGO activists from Dugnad established an unofficial and illegal DCR at this center and the contract with the municipality was dissolved. Later, in 2011, another illegal DCR was established at Vesterbro by an NGO (Foreningen Fixerum), which culminated in the legal changes to national law in 2012, which allowed drug consumption facilities in Denmark. At the time of this study, these two facilities were operated by the Men's Home. The activities of these different activist groups and NGOs indicate a very active civil society, which was highly engaged in attempting to

solve what they saw as untenable circumstances for both residents and drug users on Vesterbro at the time, through civil disobedience and grass-roots activity (Ankjærgaard et al., 2015).

At the time of this study, H17 was the latest substantial addition to the health and social services directed at marginalized drug users on Vesterbro. The facility opened in 2016 and is the largest DCR in the Nordic countries with a size of approximately 1000 m² (1,195 square yards). The facility has 20 spaces for smoking and eight spaces for injecting drugs. In addition to this, the facility has a large lobby area (Copenhagen Municipality, 2018). The facility is open every day and for almost all hours, except between 11:00 and 13:00, where the facility is cleaned (Copenhagen Municipality website, n.d.). At the time of this study, the facility was operated by the municipality, however in 2019 the management of the facility was transferred to the Men's Home. This is an expression of how social welfare NGOs in Denmark have historically been closely tied with the government (Henriksen & Bundesen, 2004). The Men's Home and most other social welfare NGOs in Denmark operate within the legal framework of a "self-owning institution" (*DA: selvejende institutioner*). Historically, many of the social services in Denmark, such as homeless shelters, were started by volunteers in the civil society. However, with the extension of the social welfare state many of these services were gradually taken over by the public sector, which assumed responsibility for many of the fields previously covered only by charities in the civil society. Nevertheless, many of these NGOs are still operating, often in a close relationship with the public sector and often predominantly financed by public funds. In practice this means that the public sector is financing these NGOs in order for them to undertake some specific functions for the public sector (Thøgersen, 2013).

The Maria Church was historically an important organization on the open drug scene of Vesterbro. The area in front of the church, Maria Church Square, used to be the center of the open drug scene, with widespread public injection taking place there, and the church has been running a drop-in center since 1974 (Houborg, Bjerger & Frank, 2014). Health care personnel used to work outside of the Church and provide users with information about safe drug consumption. However, following the establishment of DCRs the square has gradually been depopulated by drug users. Consequently, at the time of this study, the Church no longer offered services directed at drug users, but rather towards the growing group of Romani people visible on the streets of Vesterbro (Personal communication with head of the church).

Access and sampling of research participants

While previous studies had documented the shift in policing of the marginalized drug users on Vesterbro, away from the zero tolerance of the past decades and towards a ‘non-enforcement’ of the drug legislation, I had an interest in investigating this issue further (Houborg, Frank & Bjerger, 2014). I wanted to describe in detail what policing practices the local police were engaged in, now that they generally no longer engaged in drug law enforcement. In order to describe this in any detailed manner, I figured that I had to observe this policing firsthand. My supervisor on the PhD project, Esben Houborg, had previously interviewed one of the police officers that had the specific responsibility for patrolling and handling community relations in the open drug scene. This police officer was open to allowing me to follow him on patrol, in order to gain a greater understanding of what his policing of the neighborhood entailed. However, while I had been given personal acceptance to follow this police officer, I still needed permission from the Copenhagen Police Department in order to carry out the observations.

Sometimes a distinction between formal and informal access is used to describe the issue of access in conducting ethnographic fieldwork, and it has been argued that even though one is given formal access to perform fieldwork in an organization, one might still not get informal access from the participants in the field (Fangen, 2010). In this sense, informal access should be understood as the cooperation from research participants, who should be willing to share their views and show the ethnographer the practices they are engaged in, in order for the observations to have any value. As Rowe (2007), has suggested, reflecting on his own ethnography with the police in the UK, formal access to the police organization is no guarantee of “meaningful cooperation” (p. 38) from frontline police officers. In my case, the problem was the opposite. I already had been granted informal access by the specific police officer to follow his patrolling, but I still needed formal access from the police organization to do this.

I applied for permission with the Copenhagen Police Department to follow the local police and their policing of the open drug scene in November 2016, two months after the PhD project commenced. This initial appeal for gaining permission to conduct research with the police was answered with a request for additional information about the project in December 2016. Following the submission of this additional information, it was not until more than a year after the initial request that access was finally given in December 2017. While I had requested to follow both the foot patrol policing and the motorized policing that the local police force carried out in the area, I was only allowed to follow the

specific police officer whom I already had established contact with during his foot patrolling of the open drug scene. Furthermore, it was specified that observations of the patrolling police officer should be carried out 2-3 times a week for 4 weeks, but that the details should be agreed upon with the head of the local police. Due to the fact that the foot patrol policing that the officer engaged in only were undertaken when he was not assigned to motorized patrolling of the area with one of his colleagues, the period of data collection ended up stretching over 8 months from February 2018 to September 2018. During these 8 months, I followed the officer on patrol on 10 occasions (59 hours).

Typically, a day of observation would proceed with me meeting the police officer in front of the anonymous door to the local police station, located in one of the entrances to the Copenhagen Central Station. Most days I would follow the officer on the shift from 10 am to 6 pm. However, the majority of the time I would leave an hour before the actual shift ended, as this time was usually allocated for a variety of paperwork-related duties. On a regular day of observation the officer would let me into the local police station, a small office divided into two sections where each section had room for six police officers with a table, an office chair as well as a monitor and computer for each officer. I would greet the other police officers and then have a seat at the police officer's table and briefly discuss the state of the open drug scene with him. Then I would usually have a look at the weekly reports that the police officer and his colleague produced at the end of every week in order to document their work and the developments at the drug scene. When the police officer had finished responding to his e-mails, calls and paperwork, we would go on our first patrol of the day. This would typically be followed by a break around lunch. This was followed by a second patrol, a short break and then a third and last round of patrolling.

A round of patrolling would usually consist of visiting the different facilities which offered services and support for marginalized drug users in the area. The key ones were the combined soup kitchen and health facility for drug users, Café Dugnad, the large drug consumption room, H17, and the homeless shelter combined with the smaller drug consumption room, the Men's Home [*DA: Mændenes Hjem*] and The Cloud [*DA: Skyen*]. It was very rare that the police officer had to arrest anyone or engage in any form of law enforcement during these patrols. Rather, he would mostly speak with staff at the facilities about the current state of the drug scene and specific individuals who might be unstable at the moment and in need of some extra attention (the so-called 'focus persons', see *Article 1*). Furthermore, the different drug users present at the scene would approach the officer during these patrols, either just to chat or sometimes to report different incidents of violence, aggression or theft to them. Furthermore, the officer would check if there were drug users injecting

in visible, public spaces and if he found any, he would usually ask them to go to one of the DCRs (see *Article 1*).

My impression was that I was generally welcomed by the police officer who I observed on patrol. He seemed proud of the work that he was engaged in and he never seemed reluctant to share information or show me how he carried out this work. Furthermore, after having spent several hours with him on patrol he also seemed more open towards criticizing different organizational aspects and issues around his work. The other police officers seemed more wary about my presence initially, but several opened up to me during the period of observation and wanted to discuss general issues of addiction and drug use with me. However, as these officers were not a focus of my study, their acceptance were not as important as that of the police officer whom I was allowed to follow on patrol.

In order to have the officer reflect additionally on his policing practices, as well as to clarify and elaborate on this, I conducted two in-depth, audio-recorded interviews with him. The first of these interviews was conducted approximately half way through the 8-month period of observation and the second was conducted after observations were finished. The fact that I had conducted extensive observations of the police officer and his policing before doing the interviews greatly aided in formulating interview questions that could probe interesting aspects of his policing practices and his reflections on them. This illustrates how interviews and observations can fruitfully “interact with each other” (Agar, 1996, p. 158). Furthermore, having established rapport and trust with the police officer during observations presumably also promoted an interview situation where he could speak openly about the difficulties and complications concerning the job. Furthermore, an interview with the head of the local police department was also conducted at the end of the observation period. This was in part in order to obtain information about whether the policing practices observed were reflective of the overall ambitions of the department, which they were found to be.

Additionally, in order to investigate how the police were perceived and the cooperation between the different NGOs and the local police, interviews were conducted with representatives from these organizations. The interviewees, who worked at the various facilities that offered services to the marginalized drug users, were identified through my observations together with the police officer and through my generally increasing knowledge of the field and the open drug scene. Consequently, interviews were conducted with the head of operations of all the key facilities that were visited during my observations with the police officer, including the homeless shelter, the DCR and the combined soup kitchen and health clinic. Furthermore, a social outreach worker working for the homeless

shelter was interviewed. Additionally, two representatives from a legal aid organization specializing in the legal needs of marginalized drug users were interviewed in order to obtain information about the persisting drug law enforcement practices that other police sections were engaged in at the open drug scene. Since these interviews and observations were conducted after I had done most of my observations with the patrolling police officer, this might have influenced how interviewees perceived me. I could have been assigned a role as being sympathetic to the police because of this and in fieldwork, “different roles will provide access to different kinds of information” (Harrington, 2003, p. 602). However, I found that this was beneficial rather than an obstacle, as there seemed to be a very favorable and respectful view of the patrolling officer. It could, however, have influenced the interviewees to not share their criticisms of the police with me.

In order to investigate the research question concerning the general problematization of marginalized drug users in the public space, different stakeholders were interviewed about their experiences with being situated next to a DCR. These stakeholders in the area were not identified through a ‘random sample’ of neighbors to the DCR, but were ‘theoretically sampled’, based on their involvement in the public debate on the state of the open drug scene. Specifically, they were found through an open letter to the mayor from business owners who were dissatisfied with the current state of affairs in and around the relatively new DCR, H17. The letter was co-written by four individuals, all of whom were renting buildings from the municipality in the Meatpacking District and signed by 40 business owners and other renters in the neighbourhood. In order to investigate their discourses on the neighbourhood and the marginalized drug users, the four individuals who had co-written the letter were contacted. Three of these were able and willing to be interviewed by me. These were a manager of a local theatre, the head of the office for a yearly street festival in Copenhagen and a representative from a high school in the neighbourhood. In this regard, I identified those stakeholders who had taken an interest in the issue of the DCR and had been active in the public debate around the open drug scene. In addition to these interviews, I conducted an interview with the manager of a large restaurant and bar that had opened just next to the large DCR, H17, as well as an employee working at a smaller dining and coffee place with outside seating, also very close to H17. In addition to this, observation of a network meeting with the local business owners in the Meatpacking District was also conducted (1.5 hours).

Moreover, I briefly observed two security guards employed by the municipality (5 hours), who were patrolling the Meatpacking District of the neighborhood during the night and interviewed the two supervisors overseeing this project. This project was identified through city council debates

concerning the complaints from the business owners following the establishment of H17. However, observations and interviews with the supervisors of the security guards revealed that they did not interact much with the drug users and that they did not engage in order-maintenance policing functions similar to those observed in Aarhus. Rather, they were mostly engaged in securing the gates and buildings in the district in order to avoid burglaries. Consequently, I did not make any further observations with these security guards. Nevertheless, these observations and interviews provided additional context and background information about the issues faced by business owners in the Meatpacking District.

In addition to this, several documents were collected. These consisted of publicly available information such as media reports and transcripts of debates in the city council, which were used in order to investigate the general problematization of marginalized drug users in the neighborhood. In this regard, 93 articles relating to the functioning and establishment of the DCR, H17, were collected. Furthermore, internal documents from within the police force were collected and analyzed; these consisted of weekly reports that documented the workings of the local police on the drug scene from week to week. These were analyzed in order to investigate how the policing of the open drug scene operated and how documentation formed part of this policing practice (for more information on the documents collected, see the section *Different sources of data*). In this research setting, I conducted 65 hours of observation and 14 interviews with 15 interview participants. The data collection lasted 8 months and took place from February to September 2018 (for a full overview of the collected data, see *Appendix A*).

OPEN DRUG SCENE 2: KLOSTERTORVET, AARHUS

The purpose of the second case study was to investigate a policy of installing private security guards on a public square in the city centre of Aarhus. While private security guards had become a common sight in different private and quasi-private spaces in Denmark, their presence on an open public square was still a novel phenomenon. These private security guards were employed as a response to the perceived problematic behavior of a disparate group of marginalized individuals, with substance dependence issues, housing issues, mental health issues or a combination of these, who were assembling on the public square, effectively making this space into an ‘open drug scene’, by engaging openly in the exchange and usage of drugs and large amounts of alcohol.

Congregations of individuals in public that engage in drug use and other forms of socializing had been problematized in Aarhus since at least the 1960s, when young teenagers gathered in the Town Hall Park and experimented with various psychoactive drugs as part of the ‘youth revolt’ (Dahl, 2008). After the youth revolt had settled down, the individuals who frequented these so-called ‘open drug scenes’ changed and increasingly consisted of a group of socially ‘marginal’ and ‘vulnerable’ people (Dahl, 2008). The police and municipal authorities in Aarhus responded in various ways to the emergence of different open drug scenes in various places in the city. During the 1990s, the injection of heroin in public became rarer, while the consumption of large amounts of alcohol increased, especially in combination with the use of methadone, due to a growth in the prevalence of methadone substitution treatment for individuals addicted to heroin (Dahl, 2008; Houborg, 2006; 2012). Perhaps as a consequence of the increasing prevalence of heavy drinking, the municipality introduced a ban on alcohol consumption outside of licensed bars, in the shopping street in the city as well as the adjacent public squares (Dahl, 2008).

At the time of this study, the public square called Klostertorvet was one of the central hubs and meeting places for marginalized people in Aarhus. This was a public square located in a central area of Aarhus that connected with the main shopping street in a mixed residential and shopping area. The area was shaped like a triangle, with several shops and cafés arranged in a V-shape, encompassing an open space in the middle paved with small cobblestones and several benches on each side. By the end of the square stood an old, large maple tree shielding the square from a busy street where one of the city’s most frequently used bus lines had a stop. However, not far from this public square, one of the largest shelters for homeless people in the city operated, as well as the first and only drug consumption room in the city, which was established in 2013. Moreover, just across from the square a local department of the Salvation Army ran a charity for homeless people, drug users and heavy drinkers. Small groups would often congregate on the corner of the square under the old maple tree and engage in public drinking and socializing. This was usually a group of 10-15 people, but sometimes considerably more. The individuals would typically find somewhere to sit either on one of the benches on the square, or one of the benches by the bus stop immediately adjacent to the square, and engage in public drinking. This was sometimes peaceful, while at other times less so, either as a consequence of people having a good time and becoming rowdy or because the participants were getting into quarrels and sometimes physical fights with each other.

In the summertime, three of the cafés on the square paid a fee to the municipality in order to be allowed to place their furniture on the public square to serve customers with food and drink outdoors.

However, by moving their business out onto the public square, the local café owners faced some challenges, because, by moving outside, the café owners and their guests would simultaneously move closer to those socially marginalized people who would also assemble on the square. According to the local café owners, this produced a range of problems for them as the aggressive and noisy behavior of the individuals assembling on the square was allegedly scaring customers away. Throughout the summer of 2016, there were several reports in the local media, where the local business owners criticized the situation.

As a consequence of this, just before the summer of 2017, the municipality and the local business owners' association co-financed a contract with a private security firm, specifying that the firm would carry out patrolling of Klostertorvet, in order to deal with the 'problem' of the individuals assembling there. This was part of a larger action plan that was put together by the technical department and the social department of the municipality with several different measures aimed at dealing with the issue of homelessness and the presence of marginalized individuals in the city. To assess the implementation of the action plan and the project of installing private security guards on the square, a network of governmental and non-governmental representatives was established. The network consisted of representatives from both the social and technical departments of the municipality, the local police, the business owners' association, the private security firm contracted to patrol at the square, an owner of a restaurant on the public square, a representative of the NGO that ran a shelter and a safe injection facility close to the square as well as two representatives from the national homeless organization in Denmark.

The first contract with the private security firm was planned to last from May to September 2017. At first, two security guards patrolled the public square from 11 am to 7 pm Monday to Saturday every week. Later, this was changed to only one security guard patrolling during the hours of 12 am to 7 pm and the contract was prolonged to October 2017. The contract was formally between the private business owners' association and the security firm, but the municipality also made a financial contribution to the arrangement. The size of this contribution was not made public, but freedom of information requests revealed that the municipality paid most of the expenses to the arrangement even though they were not formally a party in the contract (Walby & Larsen, 2012). The municipality contributed 13,000 euros, while the business association contributed 4,000 euros. Consequently, the municipality closely followed the implementation of the private security guards on the public square.

As mentioned, there were several NGOs operating in and around Klostertorvet, which offered services to homeless people and drug users. One of these was DanChurchSocial (*DA: Kirkens Korshær*), which ran a homeless shelter on the adjacent street to Klostertorvet. The shelter had been operating there since 1990 (Jyllands-Posten, 2000, February 2). DanChurchSocial runs shelters throughout Denmark as well as other services for vulnerable people, including “the homeless, the poor and the ill, those who suffer from addiction, and extreme loneliness” (DanChurchSocial website, n.d.). The homeless shelter near Klostertorvet was open all hours, except for three times daily when the facility was cleaned and the staff was substituted. The shelter offered meals to the homeless, bathing facilities, a place to rest as well as opportunities for socializing (DanChurchSocial Aarhus website, n.d.). In a building adjacent to the homeless shelter, DanChurchSocial additionally opened a DCR in 2013, following the changes in national legislation which allowed this. The facility had five injection spaces and two smoking spaces. The opening time was daily between 8:00 and 15:00 (Ministry of Health, 2015). The shelter and the DCR operated within the legal framework of “self-owning institutions” (*DA: selvejende institutioner*) and thus received public funding to finance their activities.

In addition to the homeless shelter and DCR operated by DanChurchSocial, the Salvation Army were housed in a building very close to Klostertorvet. The Salvation Army had been operating from this building since 1890 (Ahlin et al., 2013). At the time of this study, the Salvation Army did not have any activities specifically directed towards homeless people and drug users. However, the square outside of the Salvation Army building acted as an important gathering place for the homeless and marginalized drug users in the city and was used as an alternative location after they were increasingly instructed not to engage in alcohol and drug consumption on Klostertorvet. Their presence was tolerated by the Salvation Army, as long as they were not too loud or aggressive. In the same building, an organization called The Street Café (*DA: Gadecaféen*) was renting the basement floor from the Salvation Army. This was a Christian charity organization, which organized different activities directed at the homeless and marginalized drug users in the area. The café was open three evenings during the week and provided free meals and a place for socializing for the homeless in the city.

Another important NGO which operated on Klostertorvet was SAND, the national association of homeless people. While this organization did not have a building at Klostertorvet where they provided services, they were important stakeholders in the policies directed at homeless people in the city. The stated goal of the organization is to organize homeless people and act as a “watchdog” and seek influence on political decision regarding homeless people, both at the local and the national level

(SAND website, 2014). The organization has been active since 2001 (Beldring & Leth, 2004). SAND was very active in the policy process regarding the introduction of security guards on Klostertervet and had two representatives in the network, which was established by the municipality to oversee the implementation of new policies directed at homeless and other marginalized people in the city.

Access and sampling of research participants

This second case for my dissertation I stumbled on somewhat by chance. While waiting to gain access to follow the police officer in Copenhagen, I was seeking out other cases of the same type of policing. In the end of April 2017, one of my friends shared a newspaper article with me, which he thought might be of interest to me and the project (thanks, Frank!). In the newspaper article, it was reported that private security guards were to be installed on a public square in the city center of Aarhus.

Initially, my investigation of the case entailed following this new policy of installing private security guards at the public square as it unfolded in the media and in the publicly available transcripts and audio recordings of city council debates. These documents provided valuable information about the problematization of the marginalized drug users and their presence on the public square. Specifically, 99 newspaper articles related to Klostertervet and marginalized drug users were collected as well as six audio-recorded city council debates (for more information on the documents collected, see the section *Different sources of data*).

However, in order to investigate the purpose of the project of installing private security guards on the public square, I filed a freedom of information request to the municipality, in order to obtain any documents which detailed the purpose of the project and described how the security guards were supposed to operate. However, I received message from the municipality that, while the municipality financially contributed to the project, the contract was between the business association and the private security firm and, thus, they did not have any documents describing the project. In order to obtain information about the guidelines for the project, I contacted the head of the local business association. However, aside from a brief telephone conversation, he declined to participate in a face-to-face interview with me. In our brief exchange he argued that the operations of the project were continually discussed and agreed upon in a network group, which had been established in order to follow the policy.

I had previously identified a document which detailed the participants in this network and these individuals were contacted in order to request interviews. The network consisted of representatives

from the municipality, the police, two NGOs working with homeless and marginalized drug users, the security firm, a local business owner, and the head of the local business association. Based on this identification of the participants in the network I contacted every one of these in order to request an interview. Aside from the head of the local business association, I succeeded in interviewing representatives from each of the organizations. Interviews were conducted with the following interview participants: one lawyer employed by the municipality; one chairman for the local organization of homeless people; one director of a homeless shelter and drug consumption room; two senior police officers; one local business owner; and one supervisor from the private security firm that was tasked with the job of patrolling the square. Interviews with these stakeholders focused on their views of the project of installing private security guards on the public square, as well as the general policies directed at homeless and marginalized drug users in the city.

In addition to these interviews, I conducted interviews with two representatives from two different Christian charities for the homeless, which were both located very close to the open drug scene and thus had a great deal of interaction with and knowledge about the target group for the policing project. Furthermore, I conducted an interview with two social outreach workers, who worked with homeless people in the city and thus also had a wealth of knowledge about the target group. Lastly, I conducted interviews with two homeless people, who had complained about the security guards to the chairman of the local organization for homeless people and were thus recruited through my contact with him.

Observation of the open drug scene and other parts of the city where socially marginalized individuals would assemble, together with the head of the national organization for homeless people was also conducted on two occasions, resulting in informal chats with participants on the scene as well as the two in-depth interviews with two individuals that were homeless at the time (5 hours). These observations additionally yielded a considerable amount of background information about the local open drug scene and the community of homeless people in the city.

In addition to this, the public square and the policing of it by the private security guards was observed. Initially, this was from a distance, while sitting at one of the benches at the square or at a local café (14 hours). However, in order to gain access to follow the security guards on patrol at the square, I decided to write an e-mail to the local branch of the security firm that organized the private security guards and ask for access. Initially, I asked for interviews with a supervisor and some of the security guards that were patrolling at the square. This yielded an interview with the supervisor of the security guards. The interview was conducted in a centrally located park in Aarhus and, by the end of the

interview, I asked whether I could talk to some of the security guards as well. This prompted the supervisor to walk with me to the nearby square in order to introduce me to one of the guards. She left shortly thereafter and I was allowed to follow the security guard around on patrol and observe how he was patrolling the square. By the end of the day I asked whether it was okay that I came down to the square and observed him again the day after and he agreed to this. Following this, observation with this security guard took place on seven occasions during the next five weeks (56 hours). Later I contacted the supervisor again in order to inquire into whether it was possible to observe other security guards patrolling at the square; however, unfortunately, she told me that none of them were interested in having me observe them.

A day of observation with the security guard would usually proceed with me arriving in the early afternoon, shortly after the security guard had arrived himself, and then I would leave again shortly before the shift ended. The security guard told me about an office where he was allowed to go and rest and drink a cup of coffee, but he only used this if he needed to go to the restroom and, accordingly, we used the whole day outside patrolling the public square and the adjacent streets. During patrols the security guard would engage in informal chats with the drug users at the public square and he would intervene if people got into fights and help if anyone was in need of medical attention (see *Article 2*).

During observations the security guard seemed happy with sharing his views with me and telling me about his reflections on policing at the square. After my observations had ended, I attempted to conduct an interview with him, and I traveled from Copenhagen to Aarhus in order to carry it out, however, unfortunately he had to cancel. I tried to reschedule the interview, but without success. Reflecting on this, I should perhaps have conducted the interview while still doing observations with the security guard instead of after. However, the failed attempts to conduct the interview could also reflect a reluctance on part of the security guard to participate in a tape-recorded interview, which he, of course, had every right to refrain from participating in.

In order to gain some background information on the training that private security guards receive in Denmark, classroom observation of the 20-day required course for security guards was conducted on two occasions (15 hours). This yielded information about how security guards are trained in the legal framework they usually operate in and it made me aware of how different the legal framework was when security guards are patrolling in public spaces rather than in private spaces (see *Article 2*). In this research setting, I did 90 hours of observation and 11 interviews with 13 interview participants.

The data collection lasted 6 months and took place from May to October 2017 (for a full overview of the collected data, see *Appendix A*).

DIFFERENT SOURCES OF DATA

The analyses of this dissertation are based on a case study research design. A case study is a detailed and in-depth investigation of a specific subject, which aims to understand and describe complex social phenomena (Yin, 2017). In this dissertation, the two specific policing projects and the context they were embedded in are the central cases to be analyzed. Case study research and historical research overlap in important aspects. Case study research can be said to be “the empirical sciences of historical reality” (Lund, 2014, p. 225), meaning that case study research is historical in the sense that it is engaged in producing statements that cannot be “completely severed from the context from which data were drawn” (Lund, 2014, p. 225). However, while historians will principally rely on documents and perhaps material objects (artifacts) in their description of historical events, a case study researcher, when conducting a case study of contemporary events or organizations, is able to utilize methods that are not available to historical researchers. That is to say, case study research can involve direct observation of the events one is interested in, as well as interviews with the persons who are involved in these events. The unique strength of a case study then, is its ability to draw on a range of heterogeneous forms of data, as case study researchers can utilize both interviews and ethnographic observation as well as different texts and documents in their investigations (Yin, 2017).

Consequently, in investigating the two policing projects that make up the cases in this dissertation, I have utilized a range of different data sources, including both interviews with different participants and stakeholders, ethnographic observation of the drug scenes and of the policing agents tasked with policing these, various documents and written texts, as well as audio and video files. In total I have conducted approximately 155 hours of observation, I have conducted 25 interviews with 28 different interviewees and I have gathered and analyzed a range of different documents including: internal police documents, newspaper articles and transcripts from city council debates. In the following sections, I will consider how each data source has provided information on the cases that I have investigated. For an overview of the full range of collected empirical material, see *Appendix A*.

Documents

While utilizing interviews as well as participant observation, this study still engages in an analysis of documents and different forms of texts. While document studies and archival methods has been the

most prominent utilized strategy in different studies of governmentality, in the general social sciences documents have been characterized as an underutilized source of information (Prior, 2003). In much of social science, human agents are prioritized in the analysis and thus interviews or observations of human agents have been perceived as the most appropriate methods to adopt. This humanist stance is, however, increasingly being challenged by different post-humanist analytics, which focuses our attention to the importance of objects in social life (e.g. Latour, 2005). Human agents are only one component in social life and they “act and work in a field of things as well as people” (Prior, 2003, p. 3). In this dissertation, the different documents present in the field are considered according to how they function in the social setting, rather than just according to what information they contain (Prior, 2003). In other words, the documents are not just seen as vessels of information about the ‘reality’ of a particular subject, but rather they are perceived as part of and producers of discourse and action, which have an impact on the social settings that I have studied.

As mentioned, it was not possible to analyze the policing practices that were applied in these two cases through the study of texts, as most of how these operations were supposed to be carried out was simply not written down. Consequently, documents were not particularly useful in analyzing the specific procedures and ‘techniques’ involved in the policing of marginalized drug users in the two cases. However, different types of documents aided greatly in the analysis of the problematization of marginalized drug users in public space as well as in getting at the underlying assumptions about the use of public space in the two research settings.

In this regard, newspaper articles and other media reportage concerning the presence of marginalized drug users in the public spaces were useful in getting to the specific problematizations and logics this governing entailed. However, it is not only textual resources that should be considered ‘documents’, since discourse is now recorded in multiple other methods (Prior, 2003). Both publicly available audio and video recordings of city council debates have been vital resources in researching the logics of governmental responses to the presence of the marginalized drug users. These recordings were transcribed either in full or partially, in order to analyze and draw out the problematizations and logics of government inherent in these statements.

The media reports and recorded city council debates were most important in analyzing the project of installing private security guards in Aarhus. This might relate to the fact that this policy was just being established simultaneously with my observations and consequently the issue was debated both in the media and in the city council. In other words, there was a ‘controversy’, as Latour (2005) calls it,

surrounding the marginalized drug users and the private security guards that could be studied, rather than an already established ‘fact’. This made it possible to study the process of problematization in these various documents. In the case of Copenhagen, the change in policing practices and the establishment of the DCRs had taken place years before my observations and consequently the ‘controversy’ and debate surrounding these issues had settled down. Therefore, in order to get at the problematizations and discourses in this research setting, interviews were a useful resource as well. However, there was some ‘controversy’ surrounding the establishment of the most recent DCR, H17, which resulted in an open letter to the mayor of Copenhagen and this letter was highly useful in order to obtain information about the problematization of the presence of the marginalized drug users in the Copenhagen context.

Specifically, all publicly available audio files of city council debates relating to Klostertorvet were collected. The first relevant debate was on December 18, 2013 and the latest on May 10, 2017. In total six audio-recorded debates were identified which related to Klostertorvet. These were listened to and relevant passages were transcribed. Newspaper articles relating to Klostertorvet were collected from all electronic and printed media from the period January 1, 2013 to January 1, 2018 by using the search engine Infomedia. The search term “Klostertorvet + udsatte” was used, which yielded a total of 168 newspaper articles. The term “socialt udsatte” or “udsatte” (*EN: ‘vulnerable’*) was the most commonly used term to refer to the group of marginalized individuals assembling on the public square. After having checked for duplicates and articles relating to other issues, 99 of these were related to Klostertorvet and marginalized drug users.

In order to assess the problematization of marginalized drug users in Copenhagen, Vesterbro a recent debate about the introduction of a new DCR were identified. In order to investigate this issue, newspaper articles were collected from all electronic and printed media from the period of January 1, 2016 to January 1, 2019 by using the search engine Infomedia. The search term “H17” was chosen in order to find articles which specifically engaged in this debate. This yielded a total of 176 newspaper articles. After having checked for duplicates and articles relating to other issues, 93 articles relating to the functioning and establishment of the DCR, H17, were identified. In addition to this, one debate in the city council on October 12, 2017 related to this debate and the functioning of the DCR. The video-recording of this was watched and relevant passages were transcribed and analyzed.

The newspaper articles in both cases were carefully read for the representations of ‘marginalized drug users’, the problematizations of these marginalized drug users and the possible solutions to these

problems. Furthermore, central actors and stakeholders were identified, such as local business owners, local politicians and representatives from NGOs who were active in the debate. Likewise the city council debate transcripts were read through carefully and the specific problem representations, as well as the underlying assumptions behind the different statements concerning the marginalized drug users, were identified. These included specific assumptions about the proper use of public space and how the city center should ideally look.

A type of document that also was useful in analyzing the specific ‘techniques’ of policing was the weekly report that the police officers in the local police on Vesterbro were required to produce about incidents and strategic considerations. These weekly reports were studied during breaks at the police station, where I would take notes about their content. Specifically, I read all weekly reports from the period of January 2018 to September 2018, when my fieldwork in this research setting concluded. The weekly reports included the following sections: *(1) events during the week (2) strategies for the upcoming week (3) status in the neighborhood (4) current focus and investigations*. Especially the first section on events would change from week to week and mention arrests or the whereabouts of so-called ‘focus persons’, while the other sections would be more fixed and include some of the same statements every week, such as “visible patrol” in the second section and “ongoing focus on drug waste and drug users injecting in public” in the fourth section. The third section would e.g. mention the cold weather during the winter and early spring and how this resulted in less activity on the streets.

The weekly reports played a role in documenting the work that the police officers did in the drug scene and in informing other colleagues as well as the management about the current state of affairs. The reports also played a role in legitimizing a kind of police work which was not easily evaluated based on numbers of arrests, amounts of drugs confiscated or other traditional measures of police efficacy. These documents were useful in analyzing how the drug scene were rendered ‘governable’ by the police (Rose, 1999). Furthermore, the weekly reports informed both observations and later interviews with the patrolling police officer and specifically prompted questions regarding the use of the term ‘focus persons’ (see *Article 1*).

Apart from functioning as primary data sources, documents were also utilized during the research process in order to sample research participants analytically. In the first case of private security guards in Aarhus, different publicly available policy documents on the website of the municipality helped identify a network of different stakeholders that were to follow the implementation of the security guards on the public square. Based on this identification, several of the key interview participants

were first identified and later contacted in order to conduct interviews. Similarly, in the second case, concerning the policing of the open drug scene in Copenhagen, the open letter to the mayor, both provided information on the discourses around the marginalized drug users in the neighborhood *and* helped identify those business owners who were actively attempting to have an impact on the public policy. These business owners were then contacted in order to conduct interviews, as well as observation of one of their meetings. Arguably, this non-random and analytically informed sampling yielded a different kind of information than a random sampling of all the business owners in the neighborhood would have done. While it is not possible to conclude what the attitudes of the business owners in the drug scenes *generally* were about the presence of the marginalized drug users, it was possible to conclude something about the attitudes of those that organized themselves and proactively tried to influence the policy.

Observation

Ethnographic observation has primarily been utilized in this project in order to investigate the specific ‘techniques’ of government involved in the governance of marginalized drug users in public space. The two specific projects analyzed in this dissertation were foot patrol policing projects. As mentioned, instructions for how policing should be carried out were not described in any detail in any governmental texts intended to administer these projects. Rather, the policing agents had to rely a great deal on intuition and discretion in figuring out how to carry out the projects.

Precisely because policing always entails a great deal of discretion about how, when and where to enforce the law, police researchers have often emphasized participant observation as a necessary source in order to obtain information on how policing is actually carried out (Finstand, 2000). A vast amount of police work is never recorded in any case file: warnings instead of fines or legal sanctions, questions about whereabouts or commands about ‘moving on’ (Holmberg, 2015). These police practices cannot be studied from case records and, while policing agents are expected to act within the boundaries of the law, they are also expected to handle interactions with citizens based on the specific features of the given situation. Discretion is a fundamental feature of policing and, because of this, policing as a governmental practice cannot be studied adequately on the basis of strategic texts and programmatic statements about policing.

In this dissertation, observations with the policing agents have provided indispensable and in-depth information about the specific techniques used in policing homeless and marginalized drug users in

public space. Interviews alone with policing agents or supervisors could of course provide accounts of how policing were organized; however, being able to observe this policing carried some advantages. Following the policing agents on patrol did not only generate ‘observations’ in a strictly visible sense, but it also allowed continual informal interviewing about the considerations and deliberations that went into the policing. As mentioned, the specifics of how the policing agents were to act were not described very accurately in any of the cases and thus they were expected to rely on their judgment, within the limits of the law, about how best to carry out their policing. Their thoughts on this revealed valuable information about the specific logics of the policing they were engaged in. Furthermore, observations with the policing agents provided an increased understanding and familiarity with the open drug scenes and the policing thereof, which have informed subsequent interviews with both the policing agents themselves and with other stakeholders.

Those researchers conducting ethnographic fieldwork with policing agents often reflect on the need to obtain their trust in order for them to be able to collect data on how policing actually unfolds. As Rowe (2007) argues about his observations with the police in the UK, “there were times when it seemed officers were presenting the ‘official line’ on their work, rather than sharing their own perspectives” (p. 40). Conducting observations with only one policing agent in the two research sites, of course carried some limitations for the findings, but spending prolonged time with two individuals, rather than a changing roster of officers, also meant that I was not forced to establish relationships of trust with new officers all the time. My impression was that the security guard and police officer that I observed candidly expressed their views on policing and other matters with me, including criticisms of colleagues and their working procedures, as well as of the organizational policies and priorities that affected their ability to do their job.

During my observations of both the private security guard and the police officer, I would write down short field notes on my phone in order to recollect the events for later. After a day of observation, I would either sit down to write up complete field notes directly after I had left or I would do it first thing the day after. Sometimes, when doing observations of the police officer, I would also utilize the breaks at the police station between the patrols to write out more extensive field notes. These more extensive field notes were based on the ‘jotted notes’ that I had made on my phone. ‘Jotted notes’ (sometimes also referred to as ‘scratch notes’, see Sanjek, 1990) refers to the field notes written more or less simultaneously with the events that are observed and described (Emerson et al., 2011). Using the phone to make ‘jotted notes’ allowed me to catch details of situations I might not have remembered when writing up the full notes.

The observations with the public police officer in Copenhagen produced field notes amounting to approximately 35,000 words, while observations with the private security guards produced field notes totaling approximately 13,000 words. The difference in how much was recorded based on the observation reflects, firstly, that I observed the public police officer for more hours, and, perhaps more importantly, on more occasions, which might have yielded more diverse observations. However, this might not fully account for the difference in the amount of information recorded based on the observations. Another explanation could be that the activities of the public police officer were more diverse compared to the private security guard. The public police officer alternated between being at the police station and on the streets and he patrolled a larger geographical area than the private security guard. Consequently, he would engage in interaction with a larger range of individuals throughout a shift, which yielded more diverse observations.

The initial observations of Klostertorvet and the security guards from a distance, yielded field notes amounting to approximately 2,600 words. Again, this reflects the fact that I only did this type of observation for a short amount of time and the fact that it was harder to record as many and as diverse details on the policing practices of the security guards, when these were only observed from a distance. Classroom observations of the 20-day required course for security guards yielded field notes of about 3,000 words. Observations together with the local organization for homeless people in Aarhus yielded field notes of about 2,300 words. Observations together with the municipal security guards in Copenhagen yielded field notes of about 2,200 words. Finally, observations of the network meeting of local business owners in the Meatpacking District yielded field notes of about 1,200 words. In total, observations produced about 59,300 words with most of these notes being based on the observations carried out together with the policing agents in the two research sites.

Interviews

In addition to ‘casual interviewing’ during fieldwork, I also conducted in-depth, audio-recorded interviews. However, some of the conventions that usually go together with the interview as a research method might pose difficulties for researchers that utilize a Foucauldian analytic. Bacchi and Bonham (2016) argue, that, in order for the interview method to become relevant to Foucauldian analysis, it is necessary to disentangle the method from its humanist foundation and its assumptions about the individual, autonomous self. Furthermore, the interview cannot be considered as an opportunity to mine and collect undistorted knowledge about a given topic, or about a subject’s experience of that topic, as long as the questions posed do not introduce “bias, error,

misunderstanding, or misdirection” (Holstein & Gubrium, 1995, p. 3). In place of the ‘founding subject’, who is assumed to have a deep, inner core and fixed attitudes, we have to understand subjects as always in process, as fluid and as relational, rather than having a fixed essence (Bacchi & Bonham 2016, p. 115). This view of the subject entails reflecting on how certain things are rendered ‘sayable’ and how these have been considered truthful or legitimate things to say (Bacchi & Bonham, 2016, p. 116). In other words, in interviews the analyst has to consider the underlying logics, problematizations and assumptions which what is being said is based upon.

As Lippert (2005) has argued, rationalities and logics of government are present in both talk as well as in texts, and, accordingly, it is relevant to speak with those who are tasked with carrying governing out in order to probe into the rationalities behind it. Interviews have been conducted in this project in order to answer both of the research questions; first to answer questions about the problematizations of drug users in the public space and second to answer questions about the specific policing practices that go into governing this group. Interviews with business owners and government officials made it possible to probe into the specific problematizations surrounding marginalized drug users in the public space and to consider how different things were rendered as ‘legitimate’ and ‘sayable’ about this group in the two different urban contexts (see *Article 3*). Interviews have also been a tool for probing into the logics and practices of the different agents that were involved in the policing of marginalized drug users, such as police officers and government officials.

Yin (2017) has argued that interviews in case study research “will resemble guided conversations rather than structured queries” (p. 161). I agree with this observation and, accordingly, the interviews were generally conducted in an open-ended and informal manner. However, in order to support the interviews, I had sketched out interview guides for each interview participant prior to the interview. In that way, I did not operate with a standard interview guide. Some of the guides were somewhat similar, such as those to the local business owners, where the questions would primarily revolve around problematizations of the open drug scenes (see *Appendix E* for the interview guide for business owners in Copenhagen, see *Appendix F* for the interview guide for NGOs in Aarhus). Other interview guides were highly personalized, such as those used in interviewing the patrolling police officer in Copenhagen (see *Appendix B* and *Appendix C*) and the supervisor of the private security guards in Aarhus (see *Appendix D*). Interview guides used in interviewing other stakeholders, such as officials from the local government and municipal employees were also produced for the specific interview participant, in order to get to their specific knowledge, i.e. different questions were posed to a municipal legal consultant, a social outreach worker and the head of a drug consumption room.

As mentioned earlier, some of the questions to the interviewees were informed by prior knowledge obtained through observations and/or document studies. For instance, the interviews with business owners in the Copenhagen case were informed by carefully studying the open letter which they wrote to the mayor in order to complain about the current situation with the open drug scene. Specifically, I inquired regarding what the effects had been, if they had been granted what they had requested and how they had experienced the response. Likewise, the interviews with different stakeholders, such as the representatives from the municipality and the NGOs, in the Aarhus case were informed by reading everything made publicly available about the policy of introducing security guards to the public square. This included recorded city council debates and the accompanying documents to these debates, as well as newspaper articles. Questions on the legal authority of the security guards and the inquiries regarding their instructions to the legal practitioner from the municipality were, for instance, informed by this initial research.

Furthermore, interviews with the patrolling police officer were, of course, informed by my observations with him. The first interview in particular was structured around all of my initial observations. In this first interview I, for instance, inquired along the lines of: “I have been following you on your shifts for some time now and I have noticed that you use a lot of time just walking the streets in the neighborhood. Why is that?” (Interview 1, police officer). Furthermore, based on my reading of the weekly reports, which documented the work of the local police in the drug scene, I inquired: “In the weekly reports I noticed the term ‘focus persons’. Could you explain what that means?” (Interview 1, police officer). The second interview, which was conducted towards the end of my fieldwork, was also informed by my provisional analyses and specific concerns regarding the focus of these. Consequently, I inquired specifically about his categorization of ‘good’ and ‘bad’ drug dealers. This was something that he had mentioned in the first interview and on other occasions, which were analytically interesting for one of the analyses that I was developing. However, I felt that I needed a deeper understanding of *how* drug dealers were categorized into these two categories and *how* they were treated accordingly (for more on this, see section *Developing the analysis*)

The interviews were either conducted in the offices and workplaces of the interview participants or in public places. The interviews were audio-taped and most lasted between 45 and 60 minutes, with the longest lasting 90 minutes and the shortest lasting 20 minutes. The interviews were transcribed by research assistants employed by the university.

ASSESSING THE SIGNIFICANCE OF THE DATA

According to Flyvbjerg (2006) the case study has generally been misunderstood in the social sciences as somewhat inferior to other research methodologies, because of its perceived lack of use in making general claims and perhaps only usable as so-called ‘pilot studies’ that can provide ‘hypotheses’ for later systematic ‘testing’ (Flyvbjerg, 2006, p. 220). In the Germanic languages, the word ‘science’ is translated to *Wissenschaft* (German) and *videnskab* (Danish), which literally means ‘to create knowledge’ (Flyvbjerg, 2001). However, Flyvbjerg (2001) has argued that the ideal of producing generalized and universalized knowledge has come close to being the only legitimate view of what constitutes social science today. But social scientific knowledge can arguably be created in a range of different ways. Formal generalization is “only one of many ways to create and accumulate knowledge” and the fact that a piece of knowledge “cannot be formally generalized does not mean that it cannot enter into the collective process of knowledge accumulation in a given field or in a society” (Flyvbjerg, 2001, p. 76).

Other scholars, associated with post-structural analysis, have begun to leave the notion of ‘generating knowledge’ altogether. Law (2004) has argued that “we should certainly be asking ourselves whether “‘knowing’ is the metaphor that we need ... [or] perhaps the academy needs to think of other metaphors for its activities” (Law, 2004, p. 3). According to Law (2004), we should stay with the ‘messiness’ and complexity of social reality and the act of producing ‘knowledge’ might imply that we are able to produce solid facts about social life, which we might not be. Bacchi (2012a) has also questioned our ability to produce ‘knowledge’ about a stable social reality. In describing the foundation of her post-structural policy analysis, Bacchi (2012a) has argued that “the objective is *to make politics visible* rather than to generate ‘knowledge’” (Bacchi, 2012a, p. 6, emphasis in original). ‘Making visible’ in this sense implies a more descriptive process of investigating concrete policies, rather than the attempt to uncover underlying ‘truths’ about specific social phenomena and generating universal knowledge about these.

Whether ‘knowledge’ might be a problematic term for post-structural analyses arguably depends on how ‘knowledge’ is defined. If ‘knowledge’ and ‘knowing’ denotes universal, context-independent and general claims about the functioning of the world, then it might be problematic. However, if we use a more inclusive understanding of what ‘knowledge’ can consist of, such as more provisional statements and accounts of a piece of the social world, then it might not. However, to ‘*make visible*’ might be a good metaphor for distinguishing the types of knowledge produced in concrete case

studies, such as the ones presented in this dissertation, and social science studies that aim to generate general, context-independent knowledge about social phenomena. In the next section, I will consider what processes my investigations made visible and what kind of knowledge-creation this entailed. Specifically, I will consider the issue that my observations in both cases were restricted to only one policing agent.

The significance of studying two single policing agents

As described in the previous section, I encountered some issues with gaining access to follow additional police officers in Copenhagen, as well as additional private security guards in Aarhus. However, I will argue that this did not necessarily jeopardize my ability to answer my research questions. The aim of the project was to investigate how marginalized drug users were problematized in the two public spaces, and what the governmental responses were to this problematization, studied through the two cases of foot patrol policing projects. Since the aim was not to uncover how marginalized drug users generally are being policed in Denmark or the world today, but rather to provide concrete, practical and context-dependent knowledge about specific policing projects and the policing practices associated with them, the small number of officers studied might not be that problematic.

In the case of the public police in Copenhagen, the police officer I was following on patrol was the main proponent of the ‘harm reduction policing’ that I wished to investigate (see *Article I*). It was this officer and his colleague that did the foot patrol policing of the open drug scene, while the other officers in the unit only conducted motorized patrol of an area encompassing the drug scene as well as other areas. It would have been desirable to observe the other police officer that was patrolling this specific area, as well as those officers that did not have this area as their specific responsibility, but nevertheless carried out the patrolling of it regularly. However, interviews and conversations with the police officer I were following on patrol, as well as the head of the local police, suggested that the practices of this police officer could be seen as the most pronounced version of harm reduction policing in the local police force, rather than as an expression of the average policing practices of all the police officers employed in the department.

Flyvbjerg (2006) specifically argues that, “when the objective is to achieve the greatest possible information on a given problem or phenomenon” (p. 229), relying on a random sample might not be the best possible strategy. The reason for this is that “the typical or average case is often not the richest

in information” (p. 229). An ‘unusual’ case might provide more valuable information about a given phenomenon (Flyvbjerg, 2006, p. 230). Rather than being an average police officer chosen randomly, this officer was policing in a way that was found to be of particular interest to this study. In other words, the case was purposefully chosen for its analytical potential and for its expected richness of information (Flyvbjerg, 2006).

In the case of the private security guards in Aarhus, I did not get to choose the security guard I ended up following on patrol. However, interviews with different stakeholders, such as the head of the national homeless organization, suggested that I had been allowed to follow the security guard that had the best relationship with the marginalized drug users at the square and who did not overstep his legal authority. According to the head of the homeless organization, there were both security guards who had a good relationship with the marginalized drug users and security guards who had a bad relationship with them. It could be argued that it is a problem that I was only introduced to the security guards that were behaving according to the legal framework and had a good relationship with the marginalized drug users. However, the ‘soft power’ that this particular security guard utilized became the principal object of study in my analysis and consequently this limitation is less problematic (see *Article 2*).

Furthermore, I have attempted to illustrate the ways that some of the security guards might have overstepped their authority and ‘feigned’ a kind of legal authority over the public space, by interviewing some of those at the receiving end of the policing and inquiring about their experiences with the security guards. In addition to this, interviews and observations with the head of the national organization of homeless people also alerted me to the fact that not all security guards behaved in the same way. Lastly, observations of the square were initially conducted from a distance, which included some observations of the other security guards and their policing of the space. Taken together with the conversations with some of the marginalized drug users and the head of the organization of homeless people, it was ultimately also possible to describe these more problematic aspects of the policing of the public square.

Furthermore, it is important to be clear that the police officer and the private security guard were not studied in a de-contextualized way. They were both part of a larger policing project, which was studied in detail in order to probe into the logics and techniques that went into these specific governing projects. In that sense, the policing practices of these two individuals were not studied in order to produce universal knowledge about how the police act in general or how security guards act in

general, but rather they were studied in order to investigate their connection to wider issues of problematization and governing in the two specific cases.

FROM DATA COLLECTION TO DATA ANALYSIS

An analysis does not simply “emerge” from the data that have been collected in an unmediated fashion. It is the researcher who decides what should be included and what should be excluded from the analysis and, furthermore, there are an infinite number of observations that could have made it into the ‘dataset’ in the first place, but which did not (Gilgun, 2005). Research is an active process where the specific account is produced “through selective observation and theoretical interpretation of what is seen” (Hammersley & Atkinson, 2007, p. 16). However, as Latour (2005) argues, just because a textual account always is “fabricated”, does not mean that it cannot be more or less “accurate” (p. 126). In this sense, Latour (2005) retains a commitment to describing social reality as accurately as possible, while acknowledging the fabricated nature of the textual accounts we produce.

How, then, should we differentiate between a good and a bad account? According to Latour (2005, p. 128-131), a good textual account is one that pays attention to the details of a social situation and where all the elements (which he refers to as “actors”) in such a situation are analyzed and investigated, in order to assess how they matter in the situation. A bad textual account, by contrast, is one where only a few elements are identified as the cause of how the social is unfolding in the situation. Accounts that automatically resolve towards ‘patriarchy’, ‘capitalism’ or the ‘police culture’, as the be-all-and-end-all explanations for social activity could be considered weak accounts. This does not mean that these entities are unimportant in social situations, but describing exactly *how* they become so important, is the job of the researcher to ‘trace’, rather than resort to reductive explanations of the social situations.

Accordingly, the findings in this dissertation are not analyzed in order to explain or generate universal claims about the nature of policing or specifically about the policing of open drug scenes in any formal, general sense. Rather, the aim is to provide concrete, practical and context-dependent descriptions about specific policing projects and the policing practices associated with them. In other words, the aim of the dissertation is to examine how certain definitions of problems and solutions to these problems emerge, as well as how these solutions unfold in practice. This has important implications for the move from data collection to data analysis, which will be discussed now.

Generalization, abstraction and theorization

According to Lund (2014) it might be a problem that case studies are frequently presented as ‘self-evident’ and as having significance in and of themselves. As he argues, it is important to consider *what* the study is a case *of*, since a concrete case of a very specific incident is not necessarily very interesting from a social science perspective, unless it becomes linked in some way to other inquiries (Lund, 2014). The move from data collection to data analysis then, consisted of thinking about what the two cases were cases *of*. While case studies of specific practices and procedures *may* be interesting and illuminating in themselves, it is when they resonate with practices and procedures in different settings that they can become truly valuable. Furthermore, the identification of fundamental or constituent properties in specific cases can arguably inform the analysis of other cases in other contexts. Even though he is often treated as engaged in producing ‘theory’, as mentioned in the last chapter, Foucault never developed a theory of power or governance. Instead he was engaged in several specific historical *case* studies. He then abstracted and conceptualized different types of power, such as ‘disciplinary power’, based on concrete historical events and investigations. In this way, empirical investigations can be highly illuminating for theorizing and, as mentioned, for Foucault the only way to produce original thought (Valverde, 2016).

The empirical material or data is never a case in itself, it only becomes so after an analysis. In other words, what the case is a case of “lies *outside* of the data themselves” (Lund, 2014, p. 230, emphasis in original). Lund (2014) defines three analytical moves that can be made in the analysis of cases:

Generalization is an attempt to see resonance with events and processes, largely at the same level of abstraction but in different temporal or spatial contexts. Abstraction, in turn, is an attempt to identify inherent decontextualized qualities or properties in the studied events. Theorization, finally, is about moving from observation of empirical events, through concepts, to be able to say something about the inherent qualities and dynamics in contexts other than the ones studied (Lund, 2014, p. 229)

While *generalizing* in any formal sense, based on case studies might be difficult, unless one seeks to falsify and debunk some existing general proposition, generalizing in the sense of seeing resonance between cases is still very achievable. Developments in policing practices in one setting might very well resonate with similar developments in policing practices in another. The work of other researchers might affirm or contradict the generalizability of the processes identified in one’s case and, by that, the extent to which the findings are generalizable is established in a collective fashion

(Lund, 2014). *Abstraction* entails going from the specific and concrete properties of a case, through concepts to a more abstract description of the matter, such as describing the ‘power’ involved in specific policing practices. Power, then, works as a concept from which the details of an empirical case can be abstracted through and analyzed in relation to other instances of ‘power’ in a manner that is abstracted from the immediate circumstances of the study. *Theorization* involves going a step even further into the abstract. This may provide some of the most significant analyses, but there is also a danger of moving too quickly towards theorization and losing a grip on the concrete empirical phenomenon one is studying.

In other words, while Lund (2014) argues forcefully for the need to generalize, abstract and theorize this also carries some potential problems. As Latour (2005) has argued, there is a tendency to sometimes ‘jump’ from the very local to the global and connect “vast arrays of life and history, to mobilize gigantic forces, to detect dramatic patterns emerging out of confusing interactions, to see everywhere in the cases at hand yet more examples of well-known types” (p. 22). Specific and local cases will often contain their own idiosyncrasies and in attempts to connect and abstract such cases with larger ‘social forces’, interesting and important particularities might easily get lost. This does not mean, however, that we should abandon the goal of abstracting and theorizing based on case studies, but that we should perhaps be more modest about the conclusions we are able to make and a move ‘away’ from the data should always be based on a “long, slow, familiarization with the details” (MacLure, 2013, p. 174).

As Lund (2014) has argued, the same study will often provide knowledge at different levels of generalization, abstraction and theorization, and this is true for my study as well. While some of the analyses might be relatively specific and concrete, with possible concrete and specific resonance and policy implications in other contexts, such as questions about the effects of decriminalization on the relationship between police officers and marginalized drug users, other analyses operate on a more theoretical level. These more abstract analyses might connect with other analyses of governance that use Foucauldian concepts. By connecting with these other studies of governmentality, this project simultaneously makes a (small) contribution to the more abstract analysis of contemporary neoliberal governance in the specific field of policing, yet hopefully without losing sight of the concrete, empirical context.

DEVELOPING THE ANALYSIS

Sometimes specific procedures, such as systematic coding, are presented as a way to increase the validity of a study by ameliorating the partiality and particularity of our accounts. Examples of this include those that utilize ‘blind coding’ by multiple coders, with little knowledge about the research participants or the theoretical underpinnings of the study, in order to achieve inter-coder reliability. However, as St. Pierre and Jackson (2014) have argued, such an approach is ill-suited for those that utilize the theoretical resources of post-structuralism and other ontologies that see the world as “unstable and becoming” (p. 716). According to St. Pierre and Jackson (2014), while the *theoretical* approaches of post-structuralism and similar ontologies have been widely utilized in the social sciences, qualitative *methods* often still come with a baggage of positivist assumptions. As Jackson and Mazzei (2011) similarly observe, chapters in qualitative textbooks are “teaching data analysis as mechanistic coding, reducing data to themes and/or writing up transparent and ‘transferable’ narratives” (p. 718).

According to these researchers, the work of analysis in post-structuralism cannot and should not be reduced to a mere mechanistic process of systematic coding or any other formalized research methodology. But how should we then describe this movement from data collection to data analysis? According to St. Pierre and Jackson (2014), the work of “post-coding analysis cannot be neat, tidy, and contained. Furthermore, it cannot be easily explained either during or after analysis. It certainly cannot be replicated because it is emergent and experimental” (p. 717). I acknowledge that the process of analysis can be difficult to describe, especially when one is deviating from systematic and mechanistic research methodologies. Furthermore, it is acknowledged that superficial structure and orderliness might be imparted on a world which is fundamentally ‘unstable’ and ‘becoming’ by the act of analytical classification and ordering. However, at the same time the act of analyzing and describing something will also always entail a loss of complexity. In other words, an account of the social world can never be complete. Consequently, for the sake of transparency, I will now attempt to describe the analytical process which produced the different accounts found in this dissertation.

As mentioned, this process of analysis began simultaneously with the data collection, an approach which sometimes has been referred to as a ‘developmental research design’ (Atkinson, Coffey & Delamont, 2003). For instance, during my writing of the field notes after observations with the policing agents, I would simultaneously write ‘analytical notes’, which consisted of provisional analyses and the theorizing of some of the aspects of the cases, which I found particularly interesting.

In addition to these notes, I also attempted to produce some more substantial analyses in order to help organize my thinking about the cases, which were sometimes presented to colleagues at smaller seminars, in order to obtain input on the analytical process.

Some would argue that there can be risks involved in starting analysis early in the process, while data collection is still ongoing, because there can be a danger of prematurely closing the analysis down, which may blind the researcher to other aspects of the social world being studied and perhaps make the researcher inclined to only gather evidence which supports these provisional analyses. In this regard, it is important that these analyses are treated as exactly preliminary and partial and that the researcher goes back to the field, in order to check these analyses and look for conflicting evidence.

As mentioned earlier, such provisional analysis also makes ‘theoretical sampling’ possible, which was also important in my study. This means that the sampling of research participants and data sources was driven by theoretical or analytical concerns that emerged in the provisional analyses. Such sampling was utilized in order to explore particular elements in the field in more depth, by collecting additional data on those elements. Later in this section, I will provide an example of how I used theoretical sampling in developing research questions for the patrolling police officer.

After data collection, I did not code observations and interview data by using NVivo or other software packages dedicated to organizing qualitative data. Instead, I read the interview transcripts, field notes and documents and continually made notes and provisional analyses based on this reading and re-reading of the data material. Simultaneously, I read different conceptual and theoretical work, which I believed might be helpful in describing the data. This movement between the concrete, collected data and more abstract and theoretical work gradually aided in determining specific focuses of each of the analyses, as well as forming the ideas that were cutting across the separate analyses (Lund, 2014). In this process of familiarizing myself with the data and reading of other texts, some aspects of the cases gradually grew into “greater significance than others” and these became the subjects around which my writing developed (MacLure, 2013, p. 175). An important element which regulated my analytical attention was, of course, my analytical framework which steered me towards the specific subjects which became key themes in my analysis.

Utilizing a Foucauldian and governmentality-inspired framework, it was in particular issues around *power* and *governing* which caught my analytical attention. In this sense, the analytical perspective can be said to direct analytical attention and by that which observations that are focused upon and which observations that become less relevant. The initial research phase of data collection was

informed by the concepts of *problematizations*, *logics* and *techniques* as these helped form the overall research questions for the project, as well as the specific interview questions to the research participants. However, during data analysis other concepts were of course needed in *answering* these research questions. The analysis then, cannot be said to be developed solely from the data, but rather through an interplay between theory and data, between abstract concepts and concrete observations. In other words, the analysis is developed in the space between reading abstract theory, the existing substantive literature relating to the research questions and poring over one's observations. This analytical process was similar for all of the three analyses, but they emerged out of different research concerns and interests. In the following three sections, I will reflect on how the key themes for each of the three articles and analyses were developed.

Article 1. Harm Reduction Policing: From Drug Law Enforcement to Protection

The first article of the dissertation is based on the data collection that took place in Copenhagen. Specifically, this article concerns the policing carried out by the public police in the open drug scene on Vesterbro. I considered different ways in which I could conceptualize and summarize the policing which I observed during this case study. I grew to believe that what made this case special, was that it depicted how policing of an open drug scene was practiced *after* drug possession had ceased to be a police concern. The criminalization of drug possession and the associated drug law enforcement by the police relies on an assumption of deterrence, where the threat of arrest and punishment is expected to produce a decrease in drug use. However, this type of policing of drugs and drug users could not rely on such enforcement methods, since drug possession had been 'de facto' decriminalized in this specific area.

Fairly late in the analytical process, and only after data collection had ended, was the concept of 'harm reduction policing' picked up in the literature on the policing of drug users and sellers (Dorn & South, 1990; Caulkins & Reuter, 2009; Shiner, 2016). While the police officer I was following *did* refer to harm reduction as an important aspect of his policing, the overall policing project was not presented as 'harm reduction policing' in the police organization. However, the notion of reducing drug-related harm without necessarily reducing drug use, which is what distinguishes harm reduction policies from other drug policies, was nevertheless prevalent in the policing practices utilized by the local police. Consequently, this appeared to be a suitable term for describing the policing practices which I had observed, given that the policing observed in this case no longer relied on the enforcement of the drug

legislation. As a result of this, I began to categorize the collected data, according to which types of harm the police were engaged in reducing.

In this process, a text by Caulkins and Reuter (2009) was particularly useful. In the text, Caulkins and Reuter (2009) present a model with four different ‘pathways’ through which the police can engage in harm reduction, namely:

- 1) *Use reduction*: Reducing drug use itself in order to reduce the associated harms that can occur with this behavior, e.g. through drug law enforcement.
- 2) *Harms to self*: Reducing the harm that drug users can cause to themselves, without necessarily reducing drug use itself.
- 3) *Harms to surroundings*: Reducing the harm that drug users can impose on others and their surroundings, e.g. by injecting drugs in public, leaving drug-related waste behind and acting intoxicated in public spaces.
- 4) *Drug market harms*: Reducing the harm associated with drug markets by pushing markets towards less harmful distribution practices.

This model of harm reduction that Caulkins and Reuter (2009) suggest is very broad in scope and even includes the goal of reducing drug use through drug law enforcement as the first of four pathways to reduce drug-related harms. Aside from this first pathway, of reducing drug use itself, the local police described in this study could be said to engage in harm reduction through all of these pathways. However, while pointing to many important routes the police can take in reducing drug-related harm, the model that Caulkins and Reuter (2009) have proposed, misses an important pathway that was significant in the type of policing observed in this study. The model proposed by Caulkins and Reuter (2009) does not include the harm that is caused to drug users by *others*. However, the reduction of the harms and victimization that the marginalized drug users experienced, such as violence and assault, was a very salient concern in the policing practices investigated in this case study. In this way, the categories which came to form this analysis were developed through a close reading of the relevant literature and previous studies, as well as an awareness of where my findings contradicted or expanded on this existing research.

The analysis thus sets out to describe the different ‘techniques’ involved in harm reduction policing. It starts with charting how the police were engaged in reducing the harm that drug users may cause to *themselves* and the harms that they might cause to their *surroundings*, by managing when and where drug consumption took place. Following this, it proceeds to describe how the police were

engaged in reducing drug-related harms by steering the *drug market* in directions that were less harmful to both drug users and the general surroundings. Lastly, the analysis describes how the police were engaged in reducing the harms that *others* might cause to drug users. The attention to the harms that others might cause is furthermore described as a fundamental change in the ‘logics’ of policing, where decriminalization allowed a reconceptualization of the drug users as citizens with rights, rather than as offenders.

Describing this policing as a form of “harm reduction” simultaneously made it possible to connect my analysis to critical investigations of general harm reduction drug policies (O’Malley, 2002; Keane, 2003; Moore, 2004; Moore & Fraser, 2006; Roe, 2005). This literature points to the fact that, while harm reduction policies might generally be less problematic than policies based on prohibition and use-reduction, they might simultaneously constitute (even more) effective means for controlling people who use drugs. Consequently, drawing on the concept of ‘subjectivation’ from governmentality studies, some of the harm reduction policing practices could be seen as a more effective response towards the goal of reducing public nuisance, by relocating injecting drug use and drug waste to designated drug consumption facilities via a process of responsabilizing drug using individuals to take up governance of themselves. However, other aspects of the harm reduction policing observed were aimed at reducing the wider harms that drug users might experience, such as violence and theft, and thus could not readily be interpreted as merely an alternative way of relocating people who use drugs and drug waste to the margins.

As mentioned, provisional analyses and theoretical sampling were important for this study in order to follow specific ‘leads’ in the data collection. An example of how theoretical sampling informed the analysis in this first article concerns the policing of drug dealers. In the first interview conducted with one of the patrolling officers in the open drug scene, he explained that he differentiated between ‘good’ and ‘bad’ drug dealers in his policing and that he did not interfere with the good, non-violent drug dealers, because if he removed a good drug dealer, then a bad, violent one might just take his or her place. As part of the research process, I presented this interview data and my provisional analyses of it to some colleagues at a research seminar. While my colleagues found the provisional analysis interesting, they simultaneously inquired about *how* the police officer dealt with these two categories of drug dealers more specifically. As I had not witnessed the officer interact directly with any drug dealers during my observations and since he had only made a brief remark about this practice in the first interview, I could still not answer these questions in much detail.

However, in the second interview with the police officer I inquired specifically about this issue and thus learned more about the practice. Luckily, I had also witnessed the officer interact with one of the drug dealers on an earlier shift, which provided an opportunity for inquiring about a specific incident, rather than just about his general practice. Consequently, I learned that violent drug dealers were dealt with by informing the drug squad about their operations, in order to remove them from the drug scene. This often relied on intelligence from users in the drug scene, who had experienced the dealers being violent or aggressive. Furthermore, by inquiring about an episode with a non-violent drug dealer, I learned how the police officer would engage in conversation with them and attempt to manage their location and behavior, in order for it not pose a nuisance to residents and others.

This demonstrates how the process of analysis and data collection was highly intertwined in this research project and, as mentioned, how this enabled me to flexibly follow different ‘leads’ in the fieldwork. The continual change between being ‘in the field’, engaged in observation, and being ‘at the desk’, engaged in analysis, facilitated new ideas on what to look for and what questions to ask, when returning to the research sites, in order to further develop the provisional analyses.

Article 2. Private Security Guards Policing Public Space: Using Soft Power in Place of Legal Authority

The second article in this dissertation is based on the data collection which took place in Aarhus. Specifically, the article aims to describe the policing practices of some private security guards who were co-financed by the municipality and a group of business owners and had the aim of policing a public square in the center of the city, where a group of marginalized individuals had congregated and, according to the business owners, had caused a disturbance. The novelty of this particular case stemmed from the fact that the security guards were operating in a public place and thus they did not have any formal authority over the space they were tasked with policing. Thus I was interested in investigating how they achieved control over the public square, with no legal tools at their disposal.

In this case, my investigation started with examining the city council debates and media coverage on the issue, in order to gain an understanding of the aim of the project and how it was supposed to operate. From these initial debates and the media coverage, it was clear that the project arose out of a concern that the marginalized individuals present on the square were infringing on the ability of the business owners there to operate their businesses, as well as a concern about other residents in the city being intimidated by the presence of these individuals. The different statements about how the

individuals at the public square supposedly constituted a problem were thus noted. In order to investigate how the project was supposed to operate, I looked specifically for statements which related to how the security guards were supposed to behave on the public square. Particularly in the city council debates there was some discussion about the role of the security guards, because city council members from the left wing contested whether introducing security guards on the square was a good idea. In defending the proposal, the city council members who had suggested introducing security guards on the public square argued that the guards should be ‘social’ and that the project should be ‘dialogue-based’.

In order to obtain some more specific information about how the security guards were supposed to behave and patrol the public square, I requested any documents detailing this from the municipality through a freedom of information request. However, as mentioned earlier, no such documents existed, since the contract was formally between the local business association and the security firm and thus the municipality did not have any plans detailing how the project was supposed to operate. Rather, they merely provided a financial contribution to the arrangement. Because of this, I started to interview different stakeholders who were involved in shaping the policy. As mentioned earlier in this chapter, a document which detailed a network consisting of representatives of different governmental and non-governmental organizations, that were to follow the policy of installing security guards on the square, provided information on the key actors involved. These included representatives from the municipality, representatives from local NGOs, the police, the supervisor from the private security firm and the local business association.

Together these interviews provided detailed information about how the security guards were *supposed* to operate. Similar statements were found in interviews with the different stakeholders, either because they, like the city council members, argued that the security guards should be sociable and engage in conversations with people rather than act coercively, or because they criticized that the security guards did in fact *not* act in such a way, or because they disputed *if* they should act in such a way. These data sources were important in order to investigate how the policing project was supposed to operate, how it was contested and how different stakeholders attempted to shape it to their needs.

However, in order to unpack exactly how this policing operated in practice, the observations with one of the private security guards were essential. Consequently, the field notes based on these observations were scrutinized for every incident where the security guard interacted with the marginalized individuals on the square, in order to reveal how these interactions unfolded. In order

to summarize and conceptualize the policing by the private security guards, I utilized the concept of ‘soft power’. This concept has been used by other researchers in other contexts, to describe similar strategies where coercive power was not an option or generally refrained from, such as Crewe’s (2011) study of prison guards in a context where their formal, hard powers had been greatly diminished, but where prison guards nevertheless engaged in a range of activities that aimed to shape the conduct of prisoners in significant ways.

Furthermore, the analysis was connected to the governmentality literature, which has specifically dedicated attention to studying indirect and opaque forms of power (Bröckling, Krasmann & Lemke, 2011; Rose, 1999; Rose & Miller, 1992; Rose, O’Malley & Valverde, 2006; Dean, 2010). This literature helped in unpacking how the security guards could be successful in asserting control over the public square, without resorting to coercive methods. Again the concept of ‘subjectivation’ was important in this, because it describes governing processes that do not rely on coercive power, but rather attempt to make individuals self-govern, by acting on their will, their circumstances and their understanding of themselves. In this way, the security guards were engaged in making the individuals present on the public square moderate their behavior by building relations with them and by prompting and suggesting that they refrained from certain types of behavior, which might be perceived as intimidating or as a nuisance by others. Furthermore, the work on procedural justice aided in explaining why these policing practices seemed to be accepted as legitimate by the stakeholders involved in the project, who were representing the homeless and marginalized individuals.

However, while this literature was helpful in unpacking the subtle forms of power inherent in this project and how the security guards were able to exert control over a space where they did not hold any formal or legal power, there were, simultaneously, forms of interaction that such an analysis did not account completely for. While much of the policing by the private security guards could be conceptualized as acts of *control*, a close reading of the field notes also revealed that some of the policing practices could be characterized as acts of *protection*. The security guard engaged in different practices, where he helped and assisted the marginalized individuals when they were in need of medical assistance or if they were being threatened with violence by others. Preventing and intervening in such situations did of course also aid in ensuring a level of orderliness on the public square, but it simultaneously afforded some protection to a group of individuals who are victimized to a much greater extent than the general population.

Highlighting these aspects of the policing again shows the interplay between abstract theory and the concrete observations. If I had relied very rigidly on the governmentality analytic, then these nuances of the policing project might have been subsumed in the analysis. As argued in the chapter on the analytical framework of this dissertation, I have attempted to account for the ‘messiness’ of the empirical reality, rather than disregard the aspects of the cases which concepts and terms from governmentality studies does not account for, since otherwise the concepts of the theory risk becoming more ‘real’ than the actual thing that is being studied. A central aim of this article was thus to illustrate how the policing practices in this project could be said to operate in space between control and protection.

Article 3. Being ‘In Place’, Being ‘Out of Place’: Problematizing Marginalized Drug Users in Two Cities

The third article utilized data from both of the case studies. The purpose of this article was to take a ‘step back’ and consider how the marginalized drug users at the receiving end of policing in the two contexts were spoken about in the first place. In other words, how their presence in public space was made into a ‘problem’, which required government intervention; that is to say, how the marginalized drug users were *problematized*. The article grew out of an impression that the marginalized drug users and their presence in public space were spoken about slightly differently in the two contexts.

The concept that actions and people can be discursively constructed as both ‘in place’ and ‘out of place’, was informed by Cresswell (1996) and his analysis of behaviors that are judged as inappropriate and as ‘out of place’ in particular settings. As Cresswell (1996) argues, the labelling of actions as inappropriate in any given place reveals the underlying ‘normative geography’ of that place. These events provide a rich source of evidence for studying what Bacchi (2009) refers to as the normally unstated “assumptions, values, presuppositions and accompanying signs” (p. 7) that constitute our thinking and *discourses* about specific public spaces and people in them.

In order to investigate this problematization, I investigated two specific events where the presence of marginalized drug users was explicitly problematized. In Aarhus the event was the debates in public media and the city council, which were started by a group of private business owners who had complained about the presence of marginalized drug users in front of their businesses. In Copenhagen the specific event was that a group of business owners had complained in an open letter to the mayor,

because of the nuisance they experienced following the placement of a new, large DCR in their neighbourhood.

I began to chart how the marginalized drug users were spoken about in the recorded city council debates and in the media in both cases. As detailed earlier in this chapter, six audio-recorded debates were identified which related to the introduction of security guards on Klostertorvet and one video-recorded debate related to the complaints of local business owners about establishment of the new DCR in Copenhagen. The search engine Infomedia was used in both cases in order to identify newspaper articles which related to the two events (see section on *Documents* in this chapter). I noted all the segments where different actors stated assumptions about *how* public spaces in the city should be and feel, *who* should be given priority in these spaces and *what* types of behaviors and activities should take place in these spaces. Furthermore, I noted specifically how the group of marginalized individuals in the two contexts were ‘made up’, i.e. what types of activities were ascribed to them, how these activities were presented as problematic and to what extent these people were spoken of as having a ‘right’ to be part of the urban landscape.

The extent to which these materials, newspaper articles and recorded city council meetings could answer these questions varied between the two cases. Whereas in Aarhus there was an extended debate in both the city council and the public media, the debate in Copenhagen was less pronounced. However, the open letter that the business owners had sent to the mayor provided a rich source for discourses about the marginalized drug users and assumptions about public space in their neighborhood. Furthermore, this letter provided an opportunity to contact the four individuals who had written the letter. Three of these were able and willing to be interviewed. Similarly, in the Aarhus case, the different stakeholders, which were part of a network that should follow the new policy of introducing security guards on the public square in the city, were also contacted and interviews were conducted with representatives from each of the different organizations in the network, except the head of the local business association, who did not wish to participate. These interviews provided an opportunity for gaining rich information about the discourses and problematizations of marginalized drug users in the two contexts. Like the newspaper articles and recorded city council debates, the transcripts of these interviews were read for assumptions about public spaces, how marginalized drug users were ‘made up’, and how they were problematized.

When comparing any two cases, there is of course a danger of overstating the differences between them. Given that the idea for this analysis was initiated by an impression that marginalized drug users

were spoken about differently in the two cases, the provisional analyses for this article were mostly engaged in charting out these contrasts between the cases and I argued that the drug users were discursively positioned as ‘out of place’ in Aarhus and ‘in place’ in Copenhagen. However, reading the substantive literature on how marginalized street people in the city are governed elsewhere in the world, put these findings into perspective and revealed that in a global context, there were, not surprisingly, far more similarities than differences between these two cases. Furthermore, the two previous analyses also pointed to significant similarities in the logics and techniques between the private security guards, in the one case, and the public police, in the other. This pointed to the fact that my provisional analysis, where I had emphasized the contrast between the cases, had been too crude, which led me to look for evidence in my material that contradicted these initial analyses.

In the Aarhus case, I found additional evidence of different actors who resisted the definition of the marginalized drug users as being ‘out of place’ on the public square and who contested whether their presence in fact constituted a significant problem. Furthermore, discourses about Aarhus in general being a ‘tolerant’ city, which was ‘for everyone’, including marginalized individuals, were also identified. Similarly, the fact that the media also picked up on the debate in Copenhagen and characterized the surroundings of the new DCR as very problematic were also included in order to highlight how the presence of marginalized drug users was indeed also constituted as a problem in this context.

In conclusion, rather than argue that the marginalized drug users were clearly positioned as ‘out of place’ in Aarhus, I ended up arguing that there was some contestation about whether the marginalized drug users were ‘in place’ or ‘out of place’ in the city center of Aarhus, because there were still a prevalent discourse about the marginalized drug users’ right to be in the city in general. However, the presence of the marginalized drug users on the specific public square in the city center ended up being accepted by most stakeholders as a significant *problem* and thus different measures were taken to guide some of these individuals away from that specific square and make those who stayed behave in a way that caused less nuisance to their surroundings.

For the case in Copenhagen, I argued that there was less contestation about whether the marginalized drug users were ‘in place’ or ‘out of place’, as they were continually argued to have a ‘right’ to be in this neighborhood of the city. However, at the same time there were some specific problems connected to their presence in the public space, which were articulated in particular by the business owners in the Meatpacking District in this case. Nevertheless, these business owners did not lobby

for the removal of the marginalized drug users, but rather they argued that the local government had to allocate more resources to cleaning the area as well as more resources towards managing housing issues, drug treatment and harm reduction initiatives.

The analysis of the two cases reveals how business owners can play a fundamental role in shaping the responses of local governments towards homeless and marginalized drug users. However, rather than arguing that marginalized drug users were unanimously constructed as ‘out of place’ in Aarhus and as ‘in place’ in Copenhagen, the analysis ended up pointing to both similarities and differences between the two cases.

REFLECTING ON THE RESEARCH PROCESS

In this section, I will reflect on the overall research process in both of the research settings in order to provide transparency about my motivations to embark on this project and my choices throughout the project. The practical and/or political commitments of the researcher have historically been regarded as distortions or biases which should be guarded against in order to preserve objectivity. However, once the idea that the “social character of research can be standardized out or avoided” (Hammersley & Atkinson, 2007, p. 17) is abandoned, the role of the researcher as an *active participant* in the research process becomes important.

Furthermore, the idea that qualitative researchers can become a ‘fly on the wall’ or a ‘full participant’ in fieldwork settings has been almost completely refuted in qualitative methodology. This is now sometimes referred to as ‘naturalism’, i.e. the idea that we can investigate “social phenomena as objects existing independently of the researcher” (Hammersley & Atkinson, 2007, p. 10). However, some level of realism has, for the most part, not been completely abandoned by ethnographers, but the idea that ethnographic accounts can “represent social reality in a relatively straightforward way (for example, through the ethnographer getting close to it) has been widely rejected” (Hammersley & Atkinson 2007, p. 13).

Likewise, as mentioned in the chapter on the analytical framework, Foucault regards the categories of true and false as constituted through exercises of power, in social science as well as elsewhere. This, of course, means that social researchers must reflect on how they are engaged in knowledge production and what the effects of this would be. The concept of reflexivity has been of major importance in that respect. Hammersley and Atkinson (2007) define reflexivity in this way:

The concept of reflexivity acknowledges that the orientations of researchers will be shaped by their socio-historical locations, including the values and interests that these locations confer upon them. What this represents is a rejection of the idea that social research is, or can be, carried out in some autonomous realm that is insulated from the wider society and from the biography of the researcher, in such a way that its findings can be unaffected by social processes and personal characteristics (p. 15)

The practice of reflexivity can serve different purposes. It can act as a method for describing how the influence of personal, practical or political commitments has been limited in order for the research to provide findings that are “true independently of any particular value stance.” (Hammersley & Atkinson, 2007, p. 13). However, other researchers use reflexivity more actively, as a form of introspection into one’s own reactions and emotions, in order to increase understanding of the social situation one is studying (Finlay, 2002).

In my case the goal of reflecting on the research process is simply to provide transparency about the research process. I have not tried to minimize the influence of my personal, practical or political commitments in the research process, as I see these as being completely integral to why I have chosen to spend more than three years researching this particular field. However, while I do not believe that the research process can be disentangled from the political and personal commitments that drive and motivate the researcher, I do, however, believe that humility and openness towards the different knowledge claims and experiences of those we study is necessary in order to provide interesting, useful and more accurate accounts of the social world.

In the following two sections, I will reflect on the research process and my relations to some of the research participants in both of the two research sites that I have investigated. I will not describe my relationship and experience with every single one of the research participants, but rather consider those interactions which might shed light on the research process and my path through the two research sites.

Reflections on the research process in Aarhus

As mentioned in the beginning of this chapter, I stumbled upon the case in Aarhus rather by chance. An article in a tabloid newspaper alerted me to the fact that private security guards had been introduced on a public square in the city center of Aarhus. My decision to investigate this matter stemmed from both practical and political concerns. The practical aspect of the decision related to the

fact that I had not been able to get approval to follow the public police on patrol in Copenhagen for more than six months and was thus anxious to get started with the data collection for the project. The case of private security guards on the public square in Aarhus presented itself as an opportunity to investigate the policing of a demographic similar to the one I was hoping to be able to study in Copenhagen, i.e. marginalized individuals engaging publicly in the consumption of alcohol and other drugs. The main difference was, of course, that here the policing was carried out by private security guards employed in a public/private partnership between the municipality and a group of business owners.

The political concern was that this was one of the first times in Denmark where private security guards were tasked with policing a place which was defined as ‘public’. While private security guards have proliferated in other quasi-public spaces, such as shopping malls and the night-time economy, it was still a novel phenomenon that these guards were now tasked with policing a public place. I was initially very skeptical with this project, as private security guards usually work with the aim of ensuring loss prevention for their clients and thus I was worried that the security guards would effectively exclude the marginalized drug users from using the public space. This seemed problematic, as public spaces are generally construed as places where everyone should have access and to restrict it to certain kinds of people seemed a precarious development.

This skeptical vantage point for my investigation of the project might have created some resistance and distrust from some of the research participants, specifically those representing the local government. While I did not openly express my grievances about the project, the types of questions I asked and the very fact that I was researching this issue, might have kept some of these research participants on their toes. One of the first interviews I conducted for the project was with a legal practitioner working for the municipality, who oversaw the project of installing private security guards on the public square. I had received the contact information for him after a failed freedom of information request to the municipality, where I had inquired about the documents which described the purpose of installing private security guards and the procedures involved in this. As mentioned earlier in this chapter, the message from the municipality was that while the municipality financially contributed to the project, the contract was between the business association and the private security firm and thus, they did not have any documents describing the project. As is evident from the following interaction, the legal practitioner seemed keen on stressing how the private security guards only had a very restrictive role on the public square:

TK: Do the security guards have any formal powers or authority?

R: Not at all

TK: They do not have any jurisdiction from the municipality?

R: No, no

[...]

TK: What is it that you want the security guards to react to then?

R: They should not react to anything! They do not have any other powers than anyone else ... So they should not ... but just their way to handle or be with these individuals, right, well can sometimes be enough ... getting to know each other and everyone should be able to be there ... and sometimes they should try to keep things down a bit ... just talk with them, in order for things not to get too much out of hand (Interview, legal practitioner, municipality)

As is evident from this interaction, the legal practitioner started by strongly rejecting that the security guards had any formal powers or authority and when asked what the guards were supposed to do, he struggled somewhat with giving a clear and coherent answer. Later in the interview, I asked him about the decision that the contract should be between the business association and the private security firm, rather than with the municipality. This resulted in a somewhat evasive answer and then he started questioning me about the project:

TK: So why did you decide that it should be the business association who should have the contract with the security firm, then I suppose they have more to say in how the guards should behave, formally at least?

R: No that is something that we deliberate on together in the network that has been put together in order to follow the policy

I: Yeah ...

R: But you are writing a PhD dissertation on this? When are you handing that in, Tobias?
(Interview, legal practitioner, municipality)

As is evident from this interaction, the legal practitioner did not directly answer the question of *why* the contract was held by the business association and not the municipality, but he argued that the municipality, together with the other stakeholders in the network following the policy, had a strong

influence on the implementation of the security guards. In addition to this, he started questioning me about my research project after this interaction. I can, of course, only guess about his intentions for doing this, but it might have been to change the subject and the query about the timeframe of the project, might have been a way to estimate when I might publish something critical about the arrangement. The fact that it would be years before I was required to hand in the dissertation might have calmed him somewhat. In conclusion, the legal practitioner from the municipality seemed cautious about what he said, which is by no means surprising, given the somewhat controversial nature of the project.

Contrary to this experience, my interaction with a representative from the national organization for homeless people was very relaxed, both in the first interview I did with him and especially in a subsequent interview with him and a homeless man who had felt harassed by the security guards at the public square. At the very outset of this interview, I was offered a beer by the interviewee as well a small bottle containing a shot of liquor during the course of the interview.

According to Sandberg and Copes (2013) the use of drugs by those researchers engaged in investigating issues around drug consumption is often downplayed, probably because researchers fear it would make them susceptible to criticism and questions regarding their 'objectivity'. Drug use also carries some significant risks for researchers, as Sandberg and Copes (2013) report on one researcher who was suspended after describing how he used heroin in his field diary. Nevertheless, consuming the same substances as the research participants is also an opportunity to form social bonds. However, in this case, where the substance offered was alcohol, a substance which is legal and which I myself consume regularly, the decision of whether to accept or not did arguably not carry the same risks and problematics as if I had been offered an illegal substance. Accordingly, I accepted and consumed the beer and the shot. I was, luckily, not offered any illegal substances during the fieldwork, perhaps due to the fact that I had a police officer or security guard by my side most of the time.

The fact that the interviewee offered me a beer at the start of the interview could indicate that he was testing my allegiances and my role. The categories of researcher and ethnographer do not necessarily carry that much meaning to most people. The offering then, could be seen as an attempt to position me as something more familiar. If I refused, I could perhaps more likely be categorized as a representative of 'the system', such as a social worker or similar role. I also feared that if I refused, I would be increasing social distance between myself and the interviewee, by positioning myself as a detached researcher.

The relaxed atmosphere and goodwill from the representative of the homeless organization and the homeless people I interviewed, could perhaps be ascribed to the fact that I positioned myself as a concerned ‘ally’ in their criticism and disapproval of the project of installing private security guards on the public square, because I was still very skeptical of the project at the time. However, my skeptical attitude was increasingly coupled with a more nuanced understanding of the operations of the project as my research progressed. I had started observing the private security guards from a distance, and, when I figuratively and literally moved closer to the guards, I also gained an increased understanding of the work in which they were engaged. Curiously, I did not experience the same kind of hesitancy and resistance from the security firm and the supervisor of the security guards as I did from the government official. Perhaps this was due to the fact that this was a private organization simply taking on yet another job, while the local government were more susceptible to criticism of engaging in undemocratic or oppressive practices. The supervisor openly told me that they had experienced some difficulties with some of the guards that were initially placed on the square being too aggressive in their policing practices and attempts to disperse the marginalized drug users. However, as she also explained, they had now found other employees who were a better fit for the task. One of these became my main informant for this case study and I got to follow him on patrol several times.

This security guard was in his mid-twenties, only a couple of years younger than me, as I was 27 at the time of the study. However, he was considerably more robustly built and taller than me. Perhaps because of this, a marginalized woman who was frequenting the square once jokingly asked whether he was my dad. Apart from this rather surprising assumption about my identity, I was most often positioned as a social worker during my observations with the security guard. As mentioned earlier, I experienced my relationship with the security guard as being very good and relaxed and he felt comfortable with me in sharing his grievances about how some of his colleagues were policing the square in an aggressive and detached manner. Gradually, I became more sympathetic, at least to the practices of the particular security guard I was following, as I could see how he was helping and protecting the marginalized individuals on the square, as well as attempting to control their movement and behavior while present in the area.

Simultaneously, experiencing the behavior of the group of marginalized individuals on the square first-hand also gave me a more embodied impression of what being a resident in the area could feel like. In particular, the first time I went there together with the representative of the homeless organization was a somewhat intense experience. Being in close proximity to individuals who are

very intoxicated, especially while you are sober yourself, can be an unpleasant experience, because those surrounding you can feel unpredictable and loud. This unpredictability of the marginalized individuals, as well as their loudness, was arguably what those other people using the public square found uncomfortable and intimidating in their everyday lives.

These different experiences throughout the research process, continually made me reflect on my political and ethical stance on the project of installing private security guards at the square, as well as the wider governing of homeless and marginalized people in the city. This continual reflection about my opinion of the project served as an ongoing inspiration in both the data collection and in writing up the study. The ethical nuances of the case were indeed a factor which kept it interesting for me to keep going back to. Nevertheless, while I applauded some of the work that the private security guard who I was following was engaged in, I still questioned whether these tasks should be outsourced and undertaken by private agents with only limited training in handling such complex matters, rather than the public authorities (see *Article 2*).

Reflections on the research process in Copenhagen

When I finally received permission to follow the police in Copenhagen, I embarked on this study with a fairly different mindset compared to my initially very critical thoughts on the project in Aarhus. From research by my supervisor and colleagues, I knew that the policing practices on the open drug scene of Vesterbro had gradually changed away from the zero-tolerance style practiced throughout the 1980s, 1990s and most of the 2000s, where the police would aggressively arrest drug users and confiscate their drugs in order to disperse them away from attractive urban spaces (Houborg, Bjerger & Frank, 2014). In its place, the police had gradually stopped arresting drug users and instead undertaken a more co-operative and supportive role with the DCRs and other health and social services in the area. I was very interested in this policy change and the changes in the practices of the police. My supervisor introduced me to the police officer, who shared the responsibility of doing proactive policing in the drug scene together with a colleague, who had been helpful in the study by sharing his views in several interviews. After our brief meeting and some e-mail correspondence, it was agreed upon that I should follow this officer on patrol in order to gain a more detailed understanding of how policing was organized on the open drug scene, after the possession of drug had been ‘de facto’ decriminalized.

Researchers performing ethnographic work on the police often report on how initially they were met with widespread reluctance and suspicion about their presence on ride-alongs (Herbert, 2001; Rowe, 2007). As mentioned earlier in this chapter, in my discussions on negotiating access, this was not a major issue for me, since I had only been allowed to follow this one particular officer on patrol, with whom I already had established a level of trust. From the start, I experienced my relationship with this police officer as open and productive. He gladly shared his views on policing with me and introduced me enthusiastically to the staff at the shelters and DCRs in the area, as well as some of the marginalized drug users. This openness and willingness to participate in the study might very well be ascribed to the fact that he was proud of the kind of policing he was engaged in and he sensed that I endorsed the strategies and methods as well.

While gaining the trust of the other police officers at the police station was not of great importance to me, as I would not be able to follow them on patrol, I nevertheless did not experience any hostility towards my presence there. When the officers entered the small police station, they would always make a round to shake the other officers' hands. During these rounds they would also always shake my hand. This might be due to the fact that I would usually sit at a desk right next to the police officer who I was following on patrol. In that way, I was very much positioned as his guest and thus it would probably be considered impolite and as an offense to the officer if the other officers did not treat me hospitably. I generally got the impression that the officer I was following on patrol was a colleague that was highly regarded due to the fact that he had been patrolling this particular neighborhood and the open drug scene for more than 30 years. I also experienced the police officer vouching for my presence at the police station the first day, after we had finished a patrol and returned to the police station, some of his colleagues inquired about my presence:

When we return to the police station several new police officers have arrived. I greet them and shake their hands. At some point some of them discuss my presence and the research project. The police officer who I am following on patrol remarks that I have signed documents stating that I am under an obligation to maintain confidentiality and that they should not be afraid to say and do the things they usually do. One of the officers jokingly remarks whether or not they should call 'the usual suspects' by the names they usually do. The officer which I am following says that he is 'an open book' and points out that I am reading his weekly reports right at this moment (Field note)

This incident shows how there might have been some discomfort with my presence on the part of some of the officer's colleagues and how the officer attempted to alleviate some of this suspicion and discomfort. On another day, after I had sporadically been conducting fieldwork at the police station for several months, one of the female officers remarked to me that "sometimes you just have to shut your ears". I had been sitting poring over the weekly reports and taking notes, so I had actually not noticed anything, but I gathered that she must have been referring to three of her male colleagues, who were standing up and joking with each other next to us. Furthermore, she remarked that I had "been at the station for some time now" and that you also have to be able to "have a laugh". This incident showed how the female officer felt a need to excuse some of the, possibly rowdy, remarks made by her male colleagues, while she simultaneously acknowledged that you should be able to have a laugh as well. While I was a little disappointed that I did not pay attention and hear what these remarks were, I simultaneously acknowledged that such observations about police banter were not the specific focus of my research, however interesting they might be. However, I did also experience curiosity from some of the officers, such as when one of them inquired about my thoughts on addiction and whether it was the substances or the social circumstances that were the main drivers behind it.

As mentioned earlier in this chapter in the section on sampling and access, I conducted interviews with the various stakeholders in the open drug scene, after I had been conducting fieldwork together with the patrolling police officer. Some ethnographers have commented on how being perceived as having allegiances towards one group they were researching, such as staff in a prison or a psychiatric institution, could inhibit them in gaining access with inmates and patients (e.g. Ringer, 2013; Laursen, 2016). However, while it could potentially have been a problem to be positioned as sympathetic to the police, in order to gain access and cooperation from some of the stakeholders, this was not found to be the case. While some of the harm reduction facilities used to have a strained relationship with the local police during the decades of zero-tolerance policing (Frantzen, 2003; 2005), this relationship seemed to have been markedly changed for the better. Staff at the different health and social services would often endorse the work of the local police officer and the local police force in general, when finding out that I had conducted observations with them. In that regard, my connection with the local police seemed to elicit a positive response with other research participants, rather than a negative one.

During this case study, I was initially very approving of the policing practices that I observed, which required another kind of reflexivity from me, compared to the first research site in Aarhus, where I was critical of the policing observed at the outset. During my fieldwork I was generally very

impressed by the alternative policing practices of the local police, but I had to assume some analytical distance when writing up the study. This was achieved by reading some of the critical literature on harm reduction, where facilities such as DCRs were interpreted as a technology for dislocating undesirable populations away from prime urban space and towards the margins, under the guise of promoting public health and the rights and well-being of marginalized people who use drugs (Fischer et al., 2004). Such work reminded me of some of the larger issues at play, when considering the wider processes surrounding the specific policing practices of this police officer. This also alerted me to the fact that the policing practiced by this officer could not be seen as a solution to all the harms experienced by marginalized people who use drugs. The fact that drugs were still illegal produced a range of substantial harms for the marginalized drug users, even though the local police had stopped enforcing this prohibition. These illicit drugs were still impure, of unknown concentration and very expensive. Thus I concluded that the celebration of less harmful policing practices should not entail an acceptance of the status quo of drug policy and wider policies regarding homelessness and street people (see *Article 1*).

ETHICAL CONSIDERATIONS

Research ethics might refer to both the formal procedures that are required by ethical review boards in order to commence a research project, as well as the more on-going reflections about behavior and actions in the research process, which are especially relevant for those researchers engaged in fieldwork and participant observation. In this section, both the formal and ‘situated’ ethics of the research process will be discussed.

Formal ethics

The medical sciences have operated with mandatory ethics approval from research ethics committees of all research involving human subjects for a long time. In the social sciences, research ethics have historically been secured and assumed based on the professional standing and training of researchers and discipline-specific codes of conduct, which were presumed to offer sufficient protection against unethical research practices (Haggerty, 2004).

However, according to Haggerty (2004), this is rapidly changing, especially in the English-speaking world, where such a system is being supplanted by “formal processes of bureaucratic oversight” (p. 393). In Denmark, such formal oversight and ethical pre-approval of research projects in the social sciences are not yet the norm and only medical research is required to go through such processes.

Consequently, this research project has not received any such ethical pre-approval. This does not mean, however, that ‘anything goes’. Research coming out of the universities is still required and expected to be conducted according to the highest ethical standards.

The data collection for this project was approved by the Danish Data Protection Agency and the data were stored according to existing rules and regulations. Written agreement to conduct the study was reached with the Copenhagen Police Department, stating conditions of confidentiality as well as their right to review and approve findings before their communication. These conditions have not, however, altered the contents of this dissertation.

I have anonymized the names of every research participant, but I did not promise participants full anonymity since this would be very difficult to secure due the intimate research setting that I was investigating and I could not promise that someone with knowledge about these specific settings would not be able to identify some of the research participants. Those that participated were comfortable with this level of anonymity. Prior to each interview, I explained the aims and purpose of my research and consent was obtained by all interview participants, based on their informed decision to participate in the research. However, while conducting observations in the field, such consent was not always easily obtainable by everyone present and, accordingly, I will now turn to this issue.

Situated ethics

A pre-approval by an ethics review board might give researchers the illusion that once the formal ethical requirements are fulfilled, the research is automatically ethically correct and sound. However, research ethics in qualitative social science, especially that which utilizes fieldwork and participant observation as a core method, is an on-going matter that requires continual critical reflection. Some have referred to this as ‘situated ethics’ in order to foreground how research ethics is not a matter that can be planned ahead of the research taking place, but that it must be a part of all research stages (Calvey, 2008; Simons & Usher, 2012).

It is usually desirable and appropriate that researchers ensure informed consent from all research participants in the sense that research participants know that they are being observed for a research project and that they consent to this. In this section, I will focus on difficulties with securing informed consent during my observations with the patrolling policing agents.

As mentioned earlier, I used my smartphone for writing down field notes while doing my observations. The decision to use a smartphone for making my jotted notes was principally out of habit and practicality. Before embarking on this study, I had not conducted ethnographic fieldwork before and thus I was not used to making notes by hand while observing social interaction and I simply found it much easier and more intuitive to type notes on my phone, rather than juggling with a pen and a notebook during observations. Future generations of ethnographers and field researchers might feel similarly, due to increasing ‘digital nativeness’, which highlights how our personal selves and how we make sense of everyday life become entangled with our research practices (Gorman, 2017). This increasing use of the phone, rather than pen and paper, has prompted some ethnographers to reflect on how the medium which field notes are taken might influence the field itself in various ways (Gorman, 2017; Jackson, 2016).

The act of writing field notes during fieldwork is usually a highly visible activity and thus field researchers sometimes avoid writing these in the presence of those that they study, since it is thought that the act of writing might remind participants of them being researched, which in turn might influence how they act (Emerson et al., 2010; Gorman, 2017). However, utilizing a phone rather than a notebook arguably makes it possible to write such notes more discretely. As Gorman (2017) has argued, taking out a notepad or a notebook is a visual reminder to participants that the current events are being recorded, while using the smartphone might not trigger such a reminder in the same way, and thus render the act of note-taking somewhat ‘invisible’. This might introduce some ethical problems about transparency and consent as people might not have immediately recognized me as someone recording the events that were going on.

However, the issue with informed consent would arguably have persisted even if I was taking notes by hand. While informed consent was easily obtainable with the policing agents I was following, it was virtually impossible to obtain consent from everyone present while doing observations. It would have been very impractical and unrealistic to obtain consent from everyone that engaged in interactions with the policing agents or those just passing by, for that matter. While I was, of course, completely honest about my role as a researcher and the goals of my research, whenever someone would ask me about it, it was nevertheless desirable that I did not draw too much attention to myself in order for the relevant authorities to do their job.

Constantly asking for informed consent from everyone they interacted with certainly would have been a major interference with their work. Such an interference could both jeopardize the fieldwork, as this

depended on the willingness of the policing agents to keep letting me follow them around, but it would also possibly be unethical to interfere in delicate situations where these agents were perhaps trying to calm someone down (Holmberg, 2011). In those cases, it was desirable from both an analytical and an ethical standpoint that I was able to produce field notes in a relatively discreet manner, by standing at a distance, while producing notes on my phone instead of possibly provoking the person who the police officer or security guard was trying to calm down, by resembling something that most likely would look like a journalist with a notebook for people not familiar with ethnography (which is, after all, most people).

However, while this consideration of not interfering with the policing agents' ability to carry out their job, in some instances would allow me to effectively write down field notes in a discrete manner on my phone, in other instances it would prohibit me from obtaining very detailed field notes. For instance, if the police officer was called to an incident with an aggressive individual and had to physically restrain someone, I would generally make sure to stay out of the way, even if this meant that I did not get the chance to observe or hear exactly what happened or what was being said. In that sense, being discreet would sometimes allow me to record incidents effectively, while other times it prevented me from observing altogether. In addition to this, one could argue that all my observations took place in public spaces and, because of this, people were arguably already aware that they were being observed, if not by an ethnographer then by everyone else present.

CHAPTER 4.

CONCLUSION

In this concluding chapter, I would like to elaborate on some of the key points that have been raised in the three publications that make up this dissertation. I will put the main arguments from the publications into perspective and discuss some of the main issues that cut across the different studies, both regarding the analytical and theoretical implications of the studies as well as the more political and policy-oriented implications. However, before doing this I will quickly return to the research questions of the research project and consider how the findings of the articles answer these. The research questions that this study set out to answer were:

- 1) How are marginalized drug users in the two public spaces problematized?
- 2) What are the ‘logics’ and the specific ‘techniques’ utilized in governing marginalized drug users in the two public spaces?

These research questions were formed within a Foucauldian analytical framework, specifically the line of Foucauldian thinking that has been termed ‘governmentality studies’. The aim of the project was to shed light on how marginalized drug users in public spaces are spoken about and problematized in the context of increased gentrification, beautification and privatization of our cities. Furthermore, it was an objective to investigate precisely how marginalized drug users and their presence in public space were governed, specifically by looking at two policing projects, which utilized foot patrol policing as a core component.

Both of these policing projects generally operated in a space between control and protection. In other words, the two projects simultaneously operated with a *logic of control* and a *logic of protection*. This meant that policing practices were aimed at controlling the movement and behavior of marginalized drug users, while also being concerned with their protection, both from self-inflicted harm, principally through drug consumption, as well as harm from others, in terms of violence and assault. Additionally, both policing projects operated with a minimal level of coercion, through practices of ‘soft power’, which could be said to be the favored policing *technique* of the two projects. However, while the two policing projects could be said to be based on similar logics and techniques on a general level, there were still important differences in their specific operations.

Article 1 and *Article 2* answers the second research question, by investigating how policing of marginalized drug users was organized in two different urban contexts and sheds light on the specific ‘logics’ and specific ‘techniques’ utilized in this policing. *Article 3* answers the first research question, regarding how marginalized drug users and their presence in public space were being problematized, and addresses this question by comparing the general discourse about marginalized drug users in public spaces in the two different urban contexts. In the following sections, the specific findings of each of the articles will briefly be presented.

In *Article 1*, entitled *Harm Reduction Policing: From Drug Law Enforcement to Protection*, I considered the policing practices of the local police in the open drug scene of Copenhagen, specifically by looking at the foot patrol policing carried out by an experienced police officer after drug possession had been partially decriminalized with the introduction of DCRs in the area. In the article, I used the concept of ‘harm reduction policing’ to describe the policing practices of this officer. In my specific usage of the term, ‘harm’ should be understood broadly. The police officer was seeking to reduce the nuisance or harm that marginalized drug users could cause to their surroundings, such as by injecting in public and possibly leaving injection equipment and other drug waste behind as well as the harm that drug users could cause to themselves in cases of overdosing. However, he was not utilizing traditional drug law enforcement techniques, such as confiscating drugs, making arrests or issuing fines, in his policing. Rather, the police officer engaged in the use of a ‘softer’ kind of power, by conversing with drug users and encouraging them to use the designated DCRs instead. By doing this, the police officer could be said to be engaging in a form of ‘responsibilization’ of the drug users. The drug users were prompted to conduct themselves as responsible drug users and minimize the risks associated with their behavior, both the health risks that they might pose to themselves, in case that they should overdose while injecting in a secluded public space, as well as the risks they posed to other people by leaving behind equipment that might be contaminated. Such ‘soft’ uses of power also extended to those that were supplying drugs to the drug scene. These were categorized according to whether they used violence in their operations or not. Those drug suppliers that were deemed peaceful were policed in the same way as the drug users. The police officer would engage in conversations with them and attempt to make them operate in ways that produced as little disturbance to their surroundings as possible, e.g. by refraining from drug dealing too publicly in places that would attract too much attention. On the other hand, drug suppliers that were using violence and intimidation in their operations were reported to the special drug squad in the Copenhagen Police Department and were dealt with through traditional drug law enforcement

techniques. However, in addition to the non-conventional ‘techniques of policing’ utilized in the open drug scene, the fundamental ‘logic’ in the policing of the marginalized drug users was also widely different from that of traditional drug law enforcement. When drug possession is criminalized, the relationship between drug users and the police will arguably be one of distrust and suspicion and drug users will generally avoid the police, leading to much of their victimization going unreported. However, the partial decriminalization of drug possession in the area enabled the police to take a proactive interest in the health and wellbeing of marginalized drug users in a way that would not have been possible if they were to arrest these and confiscate their drugs. This was a great concern of the local police officer that was patrolling the drug scene, who stressed the importance of extending the services of the police to this group and offering them protection and the opportunity to report any victimization. In this way, the decriminalization of drug possession in the area made it possible for the police to become allies rather than adversaries to marginalized drug users, as well as to harm reduction and wider public health initiatives.

In **Article 2**, entitled *Private Security Guards Policing Public Space: Using Soft Power in Place of Legal Authority*, I went on to consider the policing practices of private security guards in the second research site, the public square Klostersortorvet in Aarhus. These security guards were hired as a response to the presence of a group of marginalized drug users on the public square, who were considered a disturbance to other people and the surrounding businesses in the area. Since the private security guards were operating in public space, they were not able to use any exclusionary or coercive measures in their policing of the public square and the marginalized drug users. Instead, they were supposed to engage in socializing and conversations with the marginalized drug users in order to encourage them to behave less disorderly and aggressively. Furthermore, if the circumstances called for some kind of intervention, such as a fight or similar issue, they were supposed to call the police. In this way, the private security guards were engaged in policing practices somewhat akin to those of the local police in Copenhagen, as they also used different forms of ‘soft’ power in their attempt to encourage the marginalized drug users to behave ‘responsibly’ and orderly. Accordingly, the case study showed how these security guards were able to exercise considerable control over the public square, even though they did not have any formal authority there. Furthermore, this policing of the marginalized drug users by the private security guards was presented by city council members as being to the benefit of both the drug users themselves, as well as their surroundings. However, this was clearly not the main or principal logic of the policing project and it did not figure as prominently as an operational goal, compared to how the local public police were describing and carrying out their

policing of the marginalized drug users in Copenhagen. If the objective of this policing project was indeed to prevent the victimization of homeless and marginalized people and provide reassurance and safety to this group, the project would have had a much broader temporal and spatial scope. Temporally, the scale of the project was limited to the summertime, where the cafés would have outdoor seating on the square. Additionally, the security guards would only patrol in the daytime, when the shops and cafés were open, and not in the evening or during the nights, even though these times might have been the most dangerous and unpleasant for the marginalized drug users. Spatially, the project was also limited to the specific square, at least initially, even though the actual policing might have ‘spread out’ to the adjacent streets. The temporal and spatial scope of the project suggested that the project predominately related to containing and managing the behavior and movement of the marginalized drug users. Nevertheless, the project might still have entailed an increase in protection for these marginalized drug users, since the private security guards would intervene in cases of violence and would support and help the marginalized drug users when they needed medical assistance. In this regard, it should be emphasized that practices of control and protection were intertwined in both policing projects.

In *Article 3*, entitled *Being ‘In Place’, Being ‘Out of Place’: Problematising Marginalized Drug Users in Two Cities*, the aim was to take a step back and consider the wider political context in which the two policing projects were embedded. In doing so, the article addresses the first research question, concerning how marginalized drug users and their presence in public space were being problematized. In the article, I compare the problematization of marginalized drug users in the two cases. The cases were similar insofar as the presence of marginalised drug users was presented as a problem in both. Furthermore, in both of the cases overtly punitive measures and coercive exclusion against these people were not politically acceptable in either. Rather, in these two cases the placement and behaviour of homeless and socially marginalised individuals were sought to be managed through less coercive methods, including measures that supposedly should help these individuals while at the same time contribute to more orderly and peaceful public spaces. While there were numerous similarities between the two cases, there were also some differences. In the neighborhood of Vesterbro in Copenhagen, there was a strong discourse present about the marginalized drug users having a ‘right’ to be in the neighborhood. Such a discourse about the ‘right’ of the marginalized drug users to be in the specific neighborhood in Aarhus was not as strong. In the Aarhus case, whether the marginalized drug users were ‘in place’ or ‘out of place’ in the city center was contested to a greater extent. There was still a strong discourse about their right to be in the city, although not necessarily on Klostertorvet,

which resulted in policies that aimed at dispersing the drug users away from the public square, by attracting them to so-called ‘safe zones’, where they would pose less of a nuisance to business owners and other citizens, as well as policies that aimed at changing the behavior of those individuals who still decided to stay at the public square, by introducing private security guards to patrol this space. In Vesterbro, Copenhagen there were some residents who argued in the local media that they would prefer that the drug users were relocated further away from their apartment. However, the business owners in the Meatpacking District, a part of the neighborhood where a very large drug consumption facility had recently been placed, did not lobby for the relocation of the DCR, which had been placed in their neighborhood. This might have to do with a general discourse, where the marginalized drug users were portrayed as an integral part of the neighborhood and the story that the residents told each other about the neighborhood. Consequently, to lobby for moving the drug users and the DCRs out of the area was not seen as viable option. Rather, the business owners argued that the local government had to allocate more resources to cleaning the area as well as more resources towards managing housing issues, drug treatment and harm reduction initiatives. In this way, the business owners reasoned that ample resources for developing social policies for the drug users would simultaneously make the drug scene less violent and aggressive and, in turn, make the general public space more pleasant and suitable for operating their businesses.

ANALYTICAL IMPLICATIONS

In this section, the wider analytical implications of the findings of this dissertation will be considered. First, we will consider how the findings fit with more general accounts of governance and crime control today. Then it will be considered how the governmentality analytic can be utilized in analyzing new forms of ‘soft policing’ and finally some remarks about the continuing punitive regulation of homeless people will be made.

Garland (2001) has argued that a neoliberal era of punishment and a concern with control and especially crime control took over in the US and the UK at the turn of the century. Similarly, Balvig (2005) has described how these changes also were experienced in Denmark with longer prison sentences and an increased focus on ‘law and order’ in Danish criminal justice and penal politics. This was also reflected in the drug policy in Denmark in the previous decade, as mentioned in the introduction. Legislation introduced in 2004 put an end to de-penalization of the possession of smaller amounts of drug, which had been in place since 1969, and, later, in 2007 minimum fines for possession of drugs were quadrupled (Houborg, 2010; Houborg, Søgaaard & Mogensen, 2020).

However, in other areas the developments have not necessarily been unilaterally punitive. In the field of drug policy, there has simultaneously been widespread experimentation with different harm reduction measures during the same period, such as substitution treatment, medically prescribed heroin and, most recently, DCRs (Houborg, 2012; Houborg, Frank & Bjerger, 2014). This might reflect that casual drug users are treated as legal subjects and dealt with through the juridical system, with a focus on culpability and responsibility, while dependent drug users are treated as medical subjects and treated as patients in need of treatment (Aubert, 1958). Likewise, it has been argued that such differing logics are present in Danish penal policy as well, where rehabilitation is still a strong concern and prisoners are governed according to multiple goals of both punishment, treatment, care and protection, which draws a more complex picture than just one of punitiveness (Prieur & Henriksen, 2019; Henriksen, 2017).

While there might have been a general turn towards punitiveness, such as the one identified by Garland (2001) and Balvig (2005), there are simultaneously different contradictions and complexities inherent in the current governmental responses to crime and deviance, which modifies this account. This is also acknowledged by Garland (2001) who argues that while the most visible and prominent aspects of contemporary crime control might be those oriented towards punitive measures, there is a simultaneous commitment what he calls “preventative partnerships” (p. 17), which are efforts to establish internal controls in neighborhoods on the local level, e.g. by encouraging communities to police themselves.

Somewhat contrary to the accounts of increasing punitiveness and ‘law and order’, those studying governmentality have emphasized that we live in an era where control and power is becoming increasingly subtle, cooperative and even consensual (Bröckling et al., 2011). Such subtle forms of power were more evident from the cases that I have investigated than punitive and overtly coercive responses. The findings in this dissertation illustrate, how the governmentality analytic can alert us to practices of soft power in policing that might otherwise have gone unnoticed. Foucauldian scholarship and analysis are much more widespread in the fields that he himself described, such as the penal field and the medical field; however, there is good reason for policing researchers to look to governmentality studies for analytical resources. With the rise of community policing and other forms of ‘soft policing’ (Innes, 2005), this analytic might provide researchers of policing with the tools to discern and describe new forms of power in policing that are more subtle than those involved in traditional law enforcement.

Community policing projects and similar innovations in policing might operate in a less repressive manner than traditional law enforcement and they might be perceived as ‘procedurally fair’ and legitimate (Tyler, 2006). Nevertheless, they still often attempt to mobilize control over specific populations or geographic spaces and they might still reproduce inequalities, even though this might not be recognized fully by those on the receiving end. The governmentality analytic alerts us to the fact that the methods involved in procedurally just policing might be understood as a specific *technology of power* (Rose, 1999). Persuasion might be better than coercion, but if the outcome is the same, i.e. producing increased inequalities and widening of social control, both strategies might be morally questionable. In that regard, it is important to recognize procedurally just and ‘soft’ policing strategies can be underpinned by more or less hidden relations of power, which is normally not a theme for those engaged in analyses of procedural justice. This does not mean that they are necessarily malign in their intent or function, but rather the subtle power that such policing technologies operate through should be brought to light in order for us to consider these forms of ‘soft policing’ and their consequences. The findings of this dissertation illustrate how the governmentality analytic could be fruitfully utilized in investigating such forms of subtle power dynamics in policing. Furthermore, the governmentality analytic provides tools for linking everyday policing practices on the street level with wider political rationalities and discourses. This enables us to attend to questions about how such discourses and rationalities shape policing in various ways, while still acknowledging the open-endedness of this process, which allows specific policing practices to be more or less aligned with the goals and logics of the governing projects they are embedded in.

However, some of the properties of the policing that I have identified might not meaningfully be characterized as acts of power. Some aspects of the policing seemed to have very little to do with controlling the marginalized drug users and were directly concerned with alleviating this population from some of their victimization and offering them help and protection. This might have been most readily apparent in the case of the public police in Copenhagen, who were explicitly concerned with offering the services of the police to the marginalized drug users. However, it was also possible to discern supportive practices in some of the operations of the private security guards in Aarhus, who would help some of the individuals at the square with getting medical attention or likewise, if they were in need of that. Utilizing a Foucauldian theoretical lens might alert us specifically to the acts of power in the social relations we study, but it might simultaneously blind us from seeing genuine acts of generosity and support. In the cases, I have investigated in this dissertation, it might only capture part of the reality to see the different acts of policing as instances of power and control, however

subtle and cooperative these might be. Even though, as Foucault (1978) argued “power is everywhere” (p. 93), this power might not be the *only* thing there is. Analytical attention to the ever-present processes of power in all social relations alerts us to important and sometimes hidden forms of control, but we simultaneously need to be able to notice other forms of relations than those of power.

The concept of ‘police property’ has been utilized in the literature to account for those who are wholly or partly criminalized because of their lifestyle: drug users, sex workers, delinquent juveniles, the homeless (Lee, 1981). Because of this criminalization they are much more likely to be subjected to police powers than others and the police are relatively free to use and abuse their powers against them. However, contrary to how the police are usually depicted in their handling of this particular group, some of the policing practiced in these case analyses, was based on protecting precisely these people who would usually been seen as ‘police property’. In that regard, this dissertation points to some complexities in how contemporary policing towards marginalized groups operate. Further research could investigate whether contemporary policing strategies towards other marginalized and vulnerable groups which could be termed ‘police property’, such as sex workers and delinquent juveniles, also operate within a similar logic of both control and protection.

However, the presence of protective measures for some homeless and marginalized drug users, as well as subtle forms of control does not mean that punitive measures do not exist or characterize contemporary policies. In fact, simultaneously with my investigations into the uses of soft power in the policing of homeless and marginalized drug users, there were also clear tendencies towards punitiveness in national policies aimed at this population. For instance, the penalties for soliciting money and sleeping in public were significantly increased and the policing of these behaviors was intensified. However, as mentioned in the introduction, these measures were explicitly directed at *foreign* homeless and ‘street’ people, such as traveling Romani people and Eastern European citizens. It was stressed by politicians and the minister of justice at the time that increased penalties were not meant to be directed at ‘Danish’ homeless people. This might reflect the distinction Garland (2001) has made between a ‘criminology of the self’ and a ‘criminology of the other’, where foreign homeless people are considered ‘other’ and dealt with through the criminal law, while homeless people that are considered Danish are dealt with through the welfare system, at least to a greater extent than those homeless people that are considered ‘foreign’. In other words, homeless people considered ‘foreign’ are more readily defined as being *a* risk rather than being *at* risk, compared to

homeless people considered ‘Danish’ (Stanford, 2012). Such differences in the governing of homeless people based on ethnicity and citizenship could fruitfully be explored in future research.

POLICY IMPLICATIONS

In this section, I will consider the policy implications and recommendations that can be made based on the findings in this dissertation. Research on policing is arguably not in the business of uncovering fundamental truths about human behavior, and, as such, it should be thought of as an ‘applied science’ rather than a ‘basic science’ (Caulkins, 2017). Consequently, if research on policing does not lead to better policing and policies, then it is largely for naught. Based on this, it is reasonable to ask how this piece of research might inform future decisions and debates about the policing of marginalized drug users in public space, which is the question I will now turn to.

One way the investigations in this dissertation can have an impact on practice and policy is by bringing to light the naturalized and unexamined moral assumptions that underlies the governing of public space. Specifically in answering the research question concerning the problematizations of the presence of marginalized drug users in public, the analysis can help in examining what specific assumptions about the use of public space that underlie our current policies. By investigating the presumed natural state or the ‘normative geographies’ (Cresswell, 1996) that make up these assumptions, we can question the fairness of the current organization and governance of marginalized drug users and their presence in public space.

Specifically, concerning this dissertation, the differences in how marginalized drug users were perceived and spoken about in the two urban contexts, alert us to the fact that attitudes towards homeless and marginalized people are not fixed and indeed discourses and practices of coexistence are a possibility, such as in the case of Vesterbro, Copenhagen. This might provide inspiration to those that work in other contexts where NIMBY (Not-In-My-Back-Yard) attitudes towards harm reduction facilities and drug consumption rooms might be more salient. However, the ‘normative geographies’ and expectations to specific urban spaces might prove resistant to change and arguably the strong narrative about the drug users ‘right’ to be in the neighborhood in the Vesterbro case was a significant factor in this more accepting attitude to the presence of this population in public space. Future research could investigate how such discourses and narratives about the right of marginalized people to be in public urban spaces emerge and establish themselves. Such research could possibly help in identifying the factors that contribute to establishing such discourses of ‘co-existence’.

Another way this investigation into the governing of marginalized drug users in public space, can provide policy recommendations regarding this issue, is by considering the specific policing projects utilized in the two urban contexts that were investigated. I would argue that, in my descriptions of the two policing projects, it is possible to find both aspects that can be perceived as problematic as well as aspects that can be perceived as promising, of course depending on what it is we want to achieve with policies directed at marginalized drug users in the public space.

However, given that local politicians in both contexts were committed to the safety and wellbeing of these marginalized drug users and wanted to achieve some kind of co-existence in public space between this group and the rest of the public, it might be a problem that the responsibility for this important goal was partly contracted out to private interests in one of the cases, i.e. Klostersortet in Aarhus. The investigation of this case revealed several problematic aspects of that specific configuration. Utilizing private security guards that normally operated in a context of private property with a goal of economic loss prevention for their clients produced significant problems with these security guards overstepping their legal authority in their policing of the public square. Currently, at least in Denmark, security guards are specifically trained to operate in private contexts and use the legal tools that are available to them in those contexts and are not trained to operate in public spaces. Consequently, in order to utilize security guards in public spaces, especially when tasked with policing vulnerable populations, these guards should receive far more training in how to deal with such situations.

On a more fundamental level, the contracting out of the ‘public good of security’ (Loader & Walker, 2007) also seems highly problematic in this case and the relegation of the responsibility of policing public areas to private business owners comes with a great loss of accountability and transparency that we should be aware of. This case study should stand as a fair warning, or at least a cautionary tale, of some of the possible problems that might erupt if BIDs were to be established in Denmark, with their own private security officers policing in public and quasi-public spaces, which is something that currently is being pushed for by different networks and alliances (Richner & Olesen, 2019).

At the same time, some of the security guards policing the public square in Aarhus were indeed engaged in practices that could be characterized as protective and supportive towards the marginalized drug users there, such as intervening if fights were erupting or helping people to get medical attention if they needed it. This might have provided much-needed relief and reassurance to a population that experiences high levels of victimization and violence. However, such protective

practices in the policing of marginalized drug users were arguably a more salient and striking feature of the policing practices utilized by the public police in the Vesterbro neighborhood of Copenhagen.

The ‘harm reduction policing’ practiced by the local police in this urban context shed light on the potential for the police to alleviate rather than exacerbate various drug-related harms as well as offering their services to a population that has traditionally been ‘over-policed and under-protected’. Furthermore, the case illustrates how decriminalization of drug possession, in addition to alleviating marginalized drug users from the possibility of having their drugs confiscated and being arrested, also facilitates the possibility of much more productive relationships between the police and drug users. When drug possession is criminalized, the relationship between these two groups will generally be one of distrust and suspicion, which results in much of the victimization marginalized drug users experience going unreported. However, with decriminalization, such distrust might be decreased, which makes it possible for the police to extend their services and protection to this group. This provides an additional argument for the decriminalization of drug possession, at least for this specific group of homeless and marginalized drug users. The policing practices of the local police in Copenhagen illustrate how the police can become allies rather than adversaries to marginalized drug users, harm reduction and wider public health policies, in a context of decriminalization.

Furthermore, the description of the specific policing practices of the local police might show a path forward for a new form of policing, which is aligned and allied with social and harm reduction initiatives directed at marginalized drug users instead of working against these. Explicating such promising policing practices might potentially be a promising way to optimize, improve or change policing and may form an alternative to the also important task of criticizing existing problematic policing practices. Nevertheless, there might be considerable reluctance to adopt such ‘harm reduction policing’ strategies in other contexts, with highly different occupational cultures, and, consequently, the policing practiced in this specific case cannot just be transported and adopted elsewhere. Nevertheless, describing existing alternatives to the predominant drug law enforcement, which characterizes most of drug policing today, might provide encouragement to those engaged in the attempt to reform and change current drug policies:

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LIST OF APPENDICES

Article 1

Harm Reduction Policing: From Drug Law Enforcement to Protection.

Article 2

Private Security Guards Policing Public Space: Using Soft Power in Place of Legal Authority.

Article 3

Being ‘In Place’, Being ‘Out of Place’: Problematizing Marginalized Drug Users in Public Space in Two Cities.

Appendix A

Overview of empirical material.

Appendix B

Interview guide 1 for police officer, Copenhagen

Appendix C

Interview guide 2 for police officer, Copenhagen

Appendix D

Interview guide for supervisor of security guards, Aarhus

Appendix E

Interview guide for business owners, Copenhagen

Appendix F

Interview guide for NGOs, Aarhus

Harm Reduction Policing: From Drug Law Enforcement to Protection

Several drug policy researchers have noted that the concept of harm reduction could be applied to the field of drug policing in order to assess the negative consequences and potential benefits of policing in this area. However, the application of harm reduction principles to drug policing has only been realized to a limited extent in the current responses to drug use and markets. Accordingly, studies that empirically investigate already existing policing practices, which might be described as operating within such a harm reduction framework, are relatively scarce. In order to address this gap, this article provides an investigation of how policing of an open drug scene has been organized in Denmark since drug possession has been partly decriminalized, following the introduction of drug consumption rooms in Copenhagen. The policing of this open drug scene was investigated through document analysis, interviews and observations with a patrolling police officer. The article argues that decriminalization has resulted in a shift in the “logics” of policing by enabling the production of an alternative “governable identity” for the drug-using subject, where people who use drugs could more readily be perceived as citizens with rights, rather than just as offenders. Accordingly, in this new logic the violence and victimization experienced by marginalized people who use drugs could more readily be identified as proper objects for police action. The case demonstrates that major shifts away from policing practices that harm marginalized people who use drugs are possible and, by describing these practices, the aim of the study is to contribute to our knowledge of how the police can become potential allies rather than adversaries in harm reduction initiatives and broader public health concerns.

Keywords: policing; harm reduction; decriminalization; open drug scenes

Introduction

Contemporary drug policy is still largely based on prohibition in most parts of the world, and the majority of drug policy expenditure worldwide goes towards law enforcement, even though several studies have indicated that these investments do not achieve the intended goal of deterring people from using or trading in drugs (Babor et al., 2010; Hughes, Moxham-Hall et al., 2017; Friedman, Cooper et al., 2006). Moreover, drug law enforcement has been shown to make drug-related problems worse, with numerous studies documenting how drug law enforcement can result in negative influences on the health and wellbeing of marginalized people who use drugs and how it can

undermine harm reduction programs (Maher & Dixon, 1999; Small, Kerr et al., 2006; Wood and Kerr, 2005).

However, in recent years the legislative approaches to the regulation of drugs is increasingly being debated globally, and the “war on drugs”, waged by former US president Richard Nixon at the beginning of the 1970s, is increasingly being discredited (Collins, 2016). The Global Commission on Drug Policy has repeatedly called for decriminalization since their first report in 2011 (Global Commission on Drug Policy, 2011), as have several United Nations agencies, such as the UNAIDS, the World Health Organization, the United Nations Development Programme and the Office of the United Nations High Commissioner for Human Rights (Eastwood, Fox & Rosmarin, 2016). Consequently, interest and experimentation in legalization and decriminalization have been growing and several countries are changing their drug policies in this direction. Uruguay and Canada have fully legalized the consumption and sale of recreational cannabis nationwide and the recreational use of cannabis has been legalized in several states in the USA, even though cannabis is still considered illegal under federal law. Additionally, the possession of illicit drugs has been officially decriminalized in Portugal since 2001.

In addition to this, several states operate with various forms of “de facto” decriminalization, where drug possession is still prohibited but without this prohibition being fully enforced. As of 2016, more than 25 countries globally have introduced some form of “de facto” decriminalization or removal of criminal penalties, encompassing what has been called a “quiet revolution” in the field of drug policy (Eastwood, Fox & Rosmarin, 2016). An example of such limited, site-specific “de facto” decriminalization is the introduction of official drug consumption rooms (DCRs), also called safe injection sites (SISs), as these licensed DCRs usually operate with some kind of exemption from general drug law enforcement. Such facilities have been established in several Canadian, Australian and European cities and are currently being debated in the UK and the US as well.

In 2012, legislation that allowed drug consumption facilities was passed in the Danish parliament. The target group for these facilities was people over 18 years of age who had a “strong addiction as a consequence of a long and persistent abuse of drugs” (Law on euphoriant substances §3b). In connection to the establishment of drug consumption facilities, it was stressed that the police should not “normally” charge for possession of illicit drugs for personal use in the “immediate vicinity” of the DCRs if the person in question belonged to the target group of the facilities (Ministry of Health, 2012). The local police together with the municipality were to decide how “immediate vicinity”

should be properly interpreted for operational purposes in their specific context. In Copenhagen a fairly broad definition was decided upon and most of the neighborhood of Inner Vesterbro was included in a so called “non-enforcement zone”, where the possession of illicit drugs was effectively “de facto” decriminalized for the target group of the DCRs. These changes in the legislation thus codified and legitimized some of the less punitive policing strategies towards marginalized people who use drugs in the open drug scene, which the local police had gradually employed since the establishment of the first unofficial DCR in 2008 (Houborg, Frank & Bjerger, 2014).

Against this background, this article provides an empirical investigation of how policing of this open drug scene has been organized since drug possession has been partly decriminalized, following the introduction of several DCRs in the area since 2012. In doing this, the article draws on the concept of “harm reduction policing”.

Harm reduction and policing

The concept of “harm reduction” has generally been used to describe policies and programs aimed at reducing the harms associated with drug use, *without* necessarily eliminating or reducing drug use itself (Andersen & Järvinen, 2007; Des Jarlais, Friedman, and Ward, 1993; Riley et al., 1999). The concept has traditionally been most closely associated with measures aimed at reducing health risks for people who use drugs, such as DCRs, low threshold drug treatment, methadone substitution therapy, needle and syringe provision and disposal programs, and education on safer drug use practices and techniques. However, several drug policy researchers have argued that the principles of harm reduction also could fruitfully be applied to the field of drug policing in order to assess the negative consequences and potential benefits of policing in this area (Dorn & South, 1990; Maher & Dixon, 1999; Greenfield & Paoli, 2012; Spooner, McPherson, & Hall, 2004; Stevens, 2013). According to Caulkins and Reuter (2009) the principles of harm reduction provide “a framework for explicitly taking into account both the benefits and the potential adverse consequences of policing” (p. 21). This entails acknowledging that drug law enforcement can cause or increase various drug-related harms, such as the health harms associated directly with drug use as well as increase the violence associated with drug distribution (Shiner, 2016). However, the application of such harm-reduction principles to drug policing has only been realized to a very limited extent in the current responses to drug use and markets (Caulkins, 2017). Accordingly, studies that empirically investigate already existing policing practices, which might be described as operating within such a harm reduction framework, have also been very limited.

Most existing studies of the consequences of policing for drug-related harm have focused on identifying harmful policing activities that should be avoided in order for the police to avoid creating additional drug-related harm for people who use drugs, such as rushed injection because of fear of confiscation or arrest, as well as the use of others' or discarded syringes, if carrying of such equipment is considered suspicious and a cause for arrest (Aitken et al., 2002; Beletsky et al., 2014; Burris et al., 2004; Davis et al., 2005; Cooper et al., 2005; Kerr et al., 2005; Maher and Dixon, 1999; Kerr et al., 2005; Small, Kerr et al., 2006; Wood & Kerr, 2005; Wagner, Simon Freeman & Bluthenthal, 2013; Werb et al. 2008). Furthermore, it has been argued that in addition to changing how the police deal with drug *users*, the police could also change how they deal with drug *distributors* (Dorn & South, 1990; Curtis & Wendel, 2007; Caulkins & Reuter, 2009; Stevens, 2013). Dorn and South (1990) have argued that, given that we cannot totally prevent illegal drug markets and given that drug distribution may be organized in ways that are more or less harmful, such as with or without shootings and violence, the police should aim to organize practices in a way that pushes drug markets in the least undesired direction. In this regard, a review of studies that investigate the effect of drug law enforcement on drug market violence has documented that intensified drug law enforcement and crackdowns on drug markets are unlikely to reduce drug market violence and that disrupting drug markets can actually increase violence rather than reduce it (Werb et al., 2011). Accordingly, given that drug markets cannot be eradicated through crackdowns and drug law enforcement practices, a harm reduction approach to drug markets would seek to push the markets towards less noxious and violent forms in order to reduce overall drug-related harms.

In conclusion, most of the existing literature on policing and drug-related harms has identified ways in which the police produce or increase various types of harm for people who use drugs and the general public, and has warned against intensified drug law enforcement and crackdowns on drug markets. Studies that investigate how the police actively engage in harm reduction and are actively committed to reduce drug-related harm, rather than drug use, are relatively scarce. This perhaps reflects an empirical reality where the police do not engage very systematically in such endeavors. Caulkins and Reuter (2009) have listed some existing ways in which the police are already engaged in harm reduction practices, such as by warning users about tainted batches of drugs on the market, assisting in the case of overdoses and targeting particularly violent drug dealers. Nonetheless, detailed empirical studies of such policing practices and their organization as well as their potential for reducing drug related harms are limited in number. Some recent studies have documented increased cooperation between police and supervised injection facilities in several countries, as well as a

reorientation away from traditionally prohibitionist approaches to drug law enforcement in some police forces where DCRs have been established in their areas of operation (Watson et al., 2018; Landsberg et al., 2016). However, the changes in police practices documented in these studies typically consist of the police refraining from actions that might produce or increase drug-related harm, rather than policing practices that actively seek to reduce it.

Against this background, this article aims to expand, develop and advance the concept of “harm reduction policing” by providing an empirical investigation of how policing of a local open drug scene has been organized since drug possession has been partly decriminalized in a neighborhood of Copenhagen.

Harm reduction and governmentality

In order to be able to critically reflect on the harm reduction policing practices that were employed by the local police in the open drug scene of Copenhagen, this section will provide an overview of the recent debates, reassessments and criticisms of the concept of harm reduction. Much of this literature draws on Foucauldian and post-Foucauldian studies of governmentality; that is to say, studies of how the modern subject is governed in advanced neo-liberal states (Rose, 1999; Rose & Miller, 1992; Rose, O'Malley & Valverde, 2006; Dean, 2010).

A central feature of this literature is the argument that in neo-liberal states, there has evolved a logic whereby citizens are increasingly “responsibilized”, meaning that they are prompted to regulate and be responsible for their own choices and the associated risk of these choices. This neo-liberal rationality has increasingly taken over from the former welfarist logic, which emphasized the responsibility of the State to take care of the citizens. While in the welfarist logic, a person who injected drugs would commonly be perceived as a “slave” and “victim” to addiction, in this newer form of logic, and especially under harm reduction policy, people who inject drugs are more readily seen as responsible for their own health and are accordingly prompted to self-regulate in order to minimize health risks (Moore, 2004). This reflects the wider developments of advanced neo-liberal states, where subjects are increasingly governed through their own freedom and are encouraged to take responsibility for their own governance.

Based on these observations, it has been argued that, while harm reduction proponents will often proclaim their approach as essentially neutral and amoral, the harm reduction approach is in fact based on a prescriptive morality of citizens to be healthy, risk-averse and responsible (Miller, 2001).

Furthermore, it has been argued that the discourse of harm reduction inscribes an essentially neo-liberal subject in people who use drugs, an autonomous, rational, independent and calculating subject, which might result in not adequately acknowledging the material constraints on human agency and wider structural issues of inequality (O'Malley, 2002; Keane, 2003; Moore, 2004; Moore & Fraser, 2006; Roe, 2005).

It has also been argued that even though harm reduction initiatives such as DCRs have typically been presented as public health initiatives, aimed at reducing morbidity and mortality connected to injecting drug use, they will often have a simultaneous promise of restoring public order in city centers. Although these concerns about public order have typically been presented as secondary to the health benefits to people who use drugs, according to Fischer et al. (2004), it was their promise of restoring order in city centers that was probably the most important factor in the creation of the broad political alliances that lobbied for the implementation of DCRs. According to Fischer et al. (2004) the phenomenon of DCRs should be understood as a case of post-welfarist "governmentality" and should be seen in the context of broader urban renewal trends, where the urban cores of inner cities have increasingly been purified, and deviant and undesirable populations have gradually been dislocated to the margins and hidden away. People who inject drugs, according to Fischer et al. (2004), presented a major disturbance for local governments in their aspiration to become attractive for investment and urban renewal, and thus the DCR presented itself as a viable strategy for displacing this population away from attractive urban spaces. Additionally, Fischer et al. (2004) argue that people who inject drugs are "disciplined" heavily while inside harm reduction facilities according to specific rules for their behavior and when they exit these facilities, whether by choice or exclusion, they are still subjected to repressive drug law enforcement.

Echoing the Foucauldian critique of the individualized risk rationality present in many harm reduction programs, Rhodes (2002; 2009) has also offered an assessment of the current harm reduction thinking and practice as being too preoccupied with the autonomous, rational and risk-averse individual. Instead, he argues for a shift in scale in harm reduction practices away from the individual level and towards wider social and structural issues. Rather than focusing on the risk behavior of the individual drug user, Rhodes (2002; 2009) argues that harm reduction practices and scholarship should consider the wider "risk environment" in which people who use drugs are embedded. Thinking and acting on the individual level is seen as inadequate in explaining or encouraging harm reduction and prevention. Additionally, focusing on social environments and structural issues as implicated in drug-related harms constitutes a resistance to the neoliberal visions of risk rationality and the emphasis on

individual responsibility and action inherent in some harm reduction programs and scholarship. Moreover, by investigating the broader social and structural features, this approach also points to “non-drug” and “non-health” interventions that might have large implications for the generation and alleviation of drug-related harms, such as housing issues, poverty, drug legislation and enforcement, laws and bylaws targeted at homeless people and access to healthcare. Rhodes (2002; 2009) argues that the aim of drug policy should be to create “enabling environments” for reducing drug-related harm, through the identification and removal of those barriers that might exist to effective harm minimization, such as harmful and ineffective policing practices, as well as the development of wider policies regarding housing, labor market reform and drug laws.

Post-Foucauldian governmentality studies provide a fruitful analytical framework for analyzing the harm reduction policing practiced in this case, as this analytical perspective offers tools for effectively breaking down governance projects into their different dimensions in order to assess them. In this regard, an analytically relevant method is to distinguish between the “*logics*” (sometimes referred to as “rationalities”) and the “*techniques*” (sometimes referred to as “technologies”) of governance (Rose & Miller, 1992; Valverde, 2011; 2014). The logics of governance refer to the aims and assumptions about what or who is to be governed and to what ends, while the techniques of governance refer to those specific measures taken to implement the objectives of the governing project. In this regard, it will be investigated what specific policing practices or “techniques” were utilized in carrying out harm reduction policing in Copenhagen, such as “techniques of responsabilization”, and how these were achieved in practice. In addition, it will be investigated how the decriminalization of drug possession enabled a wider shift in the “logics” of policing, by enabling the production of an alternative “governable identity” for the drug-using subject, where the drug user could more readily be perceived as a citizen with rights. Accordingly, in this new logic the violence and victimization that marginalized people who use drugs experience could more readily be identified as the proper object for police intervention.

Drawing on the findings of the case study reported in this article, as well as on the wider critiques of harm reduction programs and practices reviewed above, the harm reduction policing practiced in this case will be discussed. It will be argued that, by targeting the wider “risk environment” in which people who use drugs were embedded, the policing practiced in this case actively sought to reduce drug-related harm, which other health-based and individualized harm reduction programs do not actively target, such as the violence and victimization that marginalized people who use drugs experience. The article concludes by arguing that the case study demonstrates how major shifts away

from policing practices that harm marginalized people who use drugs are made possible and, by describing these practices, the study contributes to our knowledge of how the police can become potential allies rather than adversaries in harm reduction initiatives and broader public health concerns.

Study background and context

During the conduct of this study there were five operating DCRs in Denmark, with two of these operating in Copenhagen. The latest DCR in Copenhagen, H17, was established in 2016. This DCR was the largest in the Nordic countries with a size of approximately 1000 m² (1,195 square yards). The DCRs in Copenhagen are far busier than their counterparts in the rest of Denmark. In 2014, 87% of those people who use drugs that had a registration with a drug consumption facility, had one with a facility in Copenhagen and 94% of the registered usages of the facilities were in Copenhagen (Ministry of Health, 2015). This reflects the fact that Copenhagen is home to the largest open drug scene in Scandinavia. An open drug scene is a public or semi-public place where drug use and dealing is prevalent and highly visible. These scenes can be found in most large cities around the world, but they vary considerably in size and in the drugs that are being consumed there (Bless, Korft & Freeman, 1995).

The main open drug scene in Copenhagen is located in the neighborhood of Vesterbro just south of the Copenhagen Central Station. This drug scene emerged during the 1980s when homeless people and marginalized people who use drugs relocated to the area as a consequence of increasing gentrification and urban renewal in other parts of the city (Frantzsen, 2003, 2005; Jepsen & Laursen, 1998; Houborg, Frank & Bjerger, 2014). Historically the Vesterbro neighborhood has been distinctively working class and housing options were limited to small, run-down apartments. However, in the early 1990s urban renewal and gentrification also reshaped Vesterbro. Small rental apartments were joined together, renovated and transformed into expensive privately owned apartments. As a consequence of this, the apartments on Vesterbro today are some of the most expensive in the city. These changes have changed the demographic of the housed public in the neighborhood, which increasingly consists of people with an income that exceeds the average income of a Danish citizen (Henriksen, 2002). Marginalized people who use drugs and homeless people nevertheless still congregate in the neighborhood and a number of charities and organizations working for these groups are still present in the area. The drug scene is thus not located in a secluded area or

in a skid row district, but rather people who inject drugs, families with small children, bar owners and young entrepreneurs all share the same space.

The relocation of drug scenes from other parts of Copenhagen to Vesterbro in the 1980s resulted in widespread complaints from residents and local businesses in the neighborhood, which led the Copenhagen police department to develop a response to the public drug use and nuisance associated with people who inject drugs in the area. This strategy was called Drug Strategy 90 [*DA: Narko Strategi 90*] (Frantzsen, 2003; Jepsen & Laursen, 1998). The strategy relied on intense drug law enforcement and patrolling of the neighborhood in order to charge anyone in possession of illicit drugs as well as an intensified investigation and prosecution of drug dealing performed by a special drug squad. The overall strategy towards people who use drugs was to “stress” them in order to disperse and prevent them from congregating in central parts of the neighborhood (Houborg, Frank & Bjerger, 2014). Overall the policing of the open drug scene could be characterized as punitive and repressive throughout the 1980s, 1990s and most of the 2000s.

However, in 2008 a drop-in center and health clinic for people who use drugs were established in Vesterbro by an NGO (DUGNAD) and commissioned by the municipality. In this center an unofficial and illegal DCR was established by NGO activists. This unofficial DCR was tolerated by the authorities and initiated a gradual change in the police practices towards people who use drugs on Vesterbro (Houborg, Frank & Bjerger, 2014). While the local police increasingly refrained from punitive and repressive policing practices, other sections of the police were still engaged in drug law enforcement. In particular, the police section dealing with organized drug related crime continued to enforce drug legislation in order to investigate issues of drug supply and dealing, and this section was still operating in the drug scene at the time of this study. In 2011 another unofficial and illegal drug consumption facility was established by an NGO (Foreningen Fixerum), who had remodeled an old ambulance into a mobile facility that could provide people with sterile equipment and supervision while injecting drugs (Houborg & Frank, 2014). At this time a legislative process had simultaneously started to officially allow municipalities to operate DCRs in Denmark.

At the time of this study, the local police station of Vesterbro and the Inner City area of Copenhagen was located at the Copenhagen Central Station. This station had a small unit of 10-15 officers that worked in shifts in the daytime. The whole area of Vesterbro and the Inner City was divided into different “sectors”. Two police officers were assigned to each of these areas and had the main responsibility for the ongoing policing and community engagement in these areas, somewhat akin to

what has become known as Neighborhood Policing in the UK (Innes, 2005). This organization was named the “Your Officer” initiative and it was employed throughout Copenhagen. The goal of the concept was to “bring the citizens and the police closer” by making the police engage in “dialogue” and “cooperation” with citizens and local actors in the community (Copenhagen Police website, n.d.). The neighborhood of Vesterbro was divided into two sections by the police: the inner and outer parts of the neighborhood. The outer part was the most gentrified part of the neighborhood, while the inner part, bordering the Copenhagen Central Station, was less gentrified and was also the location of the open drug scene. Two officers in the local police were assigned to handle community relations and proactive policing in the inner part of Vesterbro. During a period of 8 months in 2018 one of these police officers was observed by the author while on foot patrol in the area on 10 occasions (59 hours), and two in-depth, audio recorded interviews were also conducted with this officer.

Furthermore, an interview with the head of the local police department was also conducted at the end of the observation period. This was in part in order to obtain information about whether the policing practices observed were reflective of the overall ambitions of the department, which they were found to be. Additionally, in order to investigate how the police were perceived and the cooperation between the different NGOs and the local police, interviews were conducted with representatives from these organizations. The interviewees, who worked at the various facilities that offered services to the marginalized drug users, were identified through my observations together with the police officer and through my generally increasing knowledge of the field and the open drug scene. Consequently, interviews were conducted with the head of operations of all the key facilities that were visited during my observations with the police officer, including the homeless shelter, the DCR and the combined soup kitchen and health clinic. Furthermore, a social outreach worker working for the homeless shelter was interviewed. Additionally, two representatives from a legal aid organization specializing in the legal needs of marginalized drug users were interviewed in order to obtain information about the persisting drug law enforcement practices that other police sections were engaged in at the open drug scene. In addition to this, weekly reports that documented the workings of the local police on the drug scene from week to week have been collected and analyzed.¹

While it would have been desirable to observe both police officers patrolling the specific area, as well as those officers that did not have this area as their specific responsibility but nevertheless carried out

¹ In keeping with Danish regulations concerning ethical conduct in research, written agreement to conduct the study was reached with the Copenhagen Police and with the individual police officer. Project data were stored according to the rules of the Danish Data Protection Agency.

patrolling of it regularly, this was not possible because the researcher had been granted permission by the police to follow only one specific officer. Interviews and conversations with this police officer, as well as with senior police, suggested that this particular officer, who was highly regarded by the department, may have been *more* committed to "harm reduction policing" than his colleagues. Consequently, his practices should be seen as the most pronounced version of harm reduction policing among the local police.

The policing of the open drug scene

The open drug scene was policed by a range of different bodies and actors. These included the general emergency dispatch motorized vehicle patrol cars, the special section investigating organized (drug) crimes and the motorized patrol carried out by the local, community police in a police van. Not all of these different police units were operating in accordance with principles of harm reduction and consequently drug law enforcement did still occur inside the decriminalization zone. In particular, the section of the police who investigated organized drug crime were still engaged in drug law enforcement and would regularly arrest users and confiscate their drugs in order to investigate organized drug distribution.

However, aside from the investigation of organized drug crime and the occasional confiscation of drugs by ordinary patrolling police officers, the general proactive drug policing had changed markedly. Throughout the 1980s, 1990s and most of the 2000s, the police would seek out anyone in possession of drugs and apprehend them in order to disperse people who use drugs away from the attractive urban spaces (Houborg, Frank & Bjerger, 2014). But with the introduction of DCRs, first unofficially in 2008 and since officially in 2012, and the simultaneous de facto decriminalization of drug possession, the possession of drugs was no longer necessarily seen as a police concern in itself. In addition, the local, community police were actively engaged in reducing drug-related harms in the neighborhood, without engaging in drug law enforcement and without a goal of reducing the amounts of drugs being used.

As mentioned, the local community police section located at the Copenhagen Central Station employed between 10 and 15 police officers. These officers were grouped in pairs, of which each had their own section of the Inner City area and the Vesterbro neighborhood where they were responsible for handling community relations. In addition to this, the local police also had a blue police van, colloquially referred to as the "Blue Bus", which the police officers at the local police section took shifts in manning every day in pairs. In this patrol van, the local police officers carried out motorized

patrols of all the sections in the two neighborhoods, but often with a special focus on the open drug scene in Vesterbro (Interview with leader of the local police). A blue police van was also used by the local police during the 1980s, 1990s and the 2000s, but during that time it was mainly employed as a tool for dispersing drug users, as the sight of it would make the drug users move away in order not to be arrested or have their drugs confiscated (Houborg, Frank & Bjerger, 2014). However, this changed in 2012 with the decriminalization zone, which meant that drug possession was no longer a part of the focus for the local police. As the leader of the local police force explained:

Drug possession is not a part of what the local police do. We have focus on securing a feeling of safety in the neighborhood. This also includes the drug users' feelings of safety, as well as the social workers and the business owners and visitors in Vesterbro in general (Interview with leader of the local police)

As the leader of the local police here reveals, the policing of drug possession was no longer a part of the tasks in which the local police were engaged. Rather, the focus was on visible patrolling and on ensuring a feeling of safety for those in the neighborhood, including the drug users in the drug scene. Consequently, the operations of the local police had shifted away from drug law enforcement, towards other ways of policing the drug scene. This change in approach was echoed all the way to the city council, where the mayor of the city argued in a debate, regarding increased social and sanitary services in and around a newly established drug consumption room, that:

Drug consumption rooms attract people who are selling drugs. They will always be present when there are people who want to buy drugs. We know that and the police know that. But the police have been tolerant about this, because people have to be able to buy drugs in order to use them in the drug consumption room. If this results in crime other than buying and selling of drugs, then this should be managed by the police as well (Mayor, city council debate, October 12, 2017)

Consequently, neither drug possession nor drug trading were presented as a relevant aim of policing the open drug scene in itself in the local government. However, as will later be argued, there were still some persisting drug law enforcement issues in the drug scene, which complicate this picture. Nevertheless, the local police did generally not engage in drug law enforcement anymore. The focus was instead on establishing community relations and on visible patrolling in the “Blue Bus”. The purpose of this policing was to bolster feelings of safety and security for both marginalized drug users, residents and business owners in the area. An important way the local police achieved this was by assisting the DCRs and other harm reduction facilities, in cases where they experienced issues

with violent and aggressive users of the facilities. In those cases, the staff could call the “Blue Bus”, rather than the regular emergency hotline, in order to receive assistance from police officers who had extensive knowledge about the open drug scene and the drug users.

While this represented a notable shift in the operations of the local police and the “Blue Bus” in the neighborhood, it was, in particular, the foot patrol policing engaged in alternately by two seasoned police officers that perhaps represented the most radical shift in the logic of policing people who use drugs in the open drug scene away from repression and drug law enforcement and towards harm reduction. Consequently, the policing practices of one of these police officers will now be described in detail.

The techniques of harm reduction policing

As a long-serving police officer, this officer had experienced the changing approaches to the homeless and marginalized people who use drugs in the neighborhood. When he started in the police force, he had dutifully carried out the previous zero-tolerance strategy, which resulted in hundreds of fines and the confiscation of drugs. However, through the years he had become increasingly disillusioned with the “war on drugs” and questioned the effectiveness of deterrence. He had gradually stopped enforcing the drug legislation and changed his approach to people who use drugs. With the introduction of official DCRs in 2012 and the accompanying decriminalization of drug possession for the target group of these facilities, his non-enforcement of the drug legislation was effectively codified. Here, some of the central strategies that this police officer utilized in his policing will be outlined in relation to people who *use* drugs, and in relation to people who *supply* drugs.

Policing people who use drugs

With the introduction of DCRs in 2012 and the associated de facto decriminalization of drug possession, the possession of drugs was no longer necessarily seen as a police concern in itself. To some extent, the importance of drugs themselves had been de-emphasized in this way. However, the presence of drugs could still be defined as a cause for police intervention depending on the context. In other words, if drug use took place in specific places or with specific tools, it could still become problematized.

Public injecting drug use was, for instance, still an action that was seen to call for police intervention. This was mainly because of the potential nuisance for residents in the neighborhood that this could entail. The police were trying to shield the residents from encountering public injecting drug use and,

perhaps more importantly, traces of such public drug use, especially used syringes, as these were perceived as potentially dangerous because of their ability to transmit HIV and other infectious diseases. Consequently, it was important for the police to reduce the prevalence of injection in public as well as the amount of drug waste and used syringes on the streets. Because of this, the police officer would engage with those he found injecting when he was patrolling the neighborhood. However, he would act differently depending on the specific context that the drug use took place in:

It is afternoon and we're walking down the street. A young couple with two children are strolling slowly behind us with a baby carriage. When we turn around the corner, I see two men squatting down at a doorstep, preparing to inject. The police officer approaches the two men and says that it is not a very good place that they have chosen to sit. I have met one of the men several times when patrolling with the police officer. They have a good relationship and I remember that the police officer helped the man with getting some papers he needed not too long ago. The other man says "yes, we know, we just thought that this was a secluded area". The family with the baby carriage passes us and one of the children, a young girl, is looking curiously at us, while her mom takes her hand and drags her along. The police officer says to the men that they should find another place to "do their thing". He stands and waits for them to pack up their equipment and leave. (Field note)

In this case the police officer reacted specifically to the fact that the two men were preparing to inject in a publicly visible place. In addition to this, they were injecting there at a time when people were returning from work, in the afternoon, which made them visible to an even greater extent. The family with the baby carriage made this especially evident and undermined the argument by the two men about being in a "secluded area". It was seen as problematic that the men were injecting in such a visible place and this was seen as a public nuisance that called for police intervention. However, the fact that the two men brought up whether the place was secluded or not suggests that this might have made a difference as to how the police officer would have acted. In another case, the drug user we came upon was in a less populated and visible space.

We are walking in the Meatpacking District close to the drug consumption room H17. I see a man squatting on the platform in front of the storage rooms. We slowly approach the man. The police officer says "hello" to the man and asks whether he is about to inject here. The man does not speak Danish and probably belongs to the group of failed asylum seekers that are becoming more and more visible at the scene. He says, in English, that the drug consumption room H17 is closed.

The police officer says, in English, that he should try one of the other drug consumption rooms then. The man says that they are all closed, but the police officer does not seem to believe that and argues that “if you get sick, someone is there” and says “you can’t be injecting here, because this is someone’s business”. The man says “sorry, sorry” and begins to pack up his equipment.
(Field note)

In this instance the drug user was in an isolated place, but this introduced some other potential harms to the situation. For example, if the drug user were to leave behind used syringes and/or other drug waste, this might lead the authorities to close the business, because of the danger of contamination (e.g. if the owners were storing food items in the containers). In addition, the police officer also considered the risk of potential harm that the drug user could impose on himself. As the police officer argued that being in an isolated area posed a greater risk to him if he accidentally overdosed, as no one would necessarily find him before it was too late.

In other instances, the police officer would let the person finish injecting their drugs. This would happen if they were sufficiently hidden from the public as to not upset anyone and cause a nuisance, but at the same time were in a place where someone would find them if they should accidentally overdose. In some instances, if the drug user had been excluded from all of the DCRs because of behavior that was not accepted at these facilities, or did not want to enter these facilities because they found them too stressful, the police officer would suggest that they should go to the health room for people who use drugs and inject in that general area, since there it would not bother the housed public and there would be health professionals present in case of overdose. Both the potential nuisance for others and the health risks for people who use drugs themselves factored as relevant harms in the discretionary decision making of the police officer.

The police officer was also in a process of “responsibilizing” the marginalized people who use drugs and making them behave according to his own dual logic of minimizing their own risk of overdosing with no one present, as well as minimizing the public nuisance that their drug use could cause. In other words, the police officer engaged in a process of “subjectivation”, by attempting to make the people who use drugs perceive themselves as self-governing individuals that would conduct themselves in an appropriate manner and cause as little nuisance to their surroundings as possible as well as reducing their own risk of harm (Rose, 1999). In this way, they were enlisted in “the process of their own government” (O’Malley, 2002, p. 9). They were no longer dealt with as legal subjects to be governed toward the end of punishing them for their law breaking, a practice that was temporally

oriented towards criminal offenses committed in the past. Rather, the logic of policing was oriented towards the future and their practices of injection were dealt with as a risk, both to themselves and their surroundings, which was to be policed in a way that minimized the risks and potential harms.

Policing people who supply drugs

As part of policing an open drug scene where drug possession had been partly decriminalized but still remained illegal, the police officer also had to navigate how he should respond to the suppliers of these illicit drugs. Apart from the exchange and trading that took part between regular users, what one might term “social supply”, there were also more organized drug suppliers present in the drug scene (Coomber, 2006). The police officer categorized drug dealers into two distinct groups: “good” and “bad”. Operating with a category of “good” drug dealers can seem quite controversial for an officer of the law. However, this was characteristic for his harm minimization approach to the issue. Given the fact that people in the drug scene need drugs and that they would have to obtain their drugs illegally in the current political context, there would be some suppliers of these who behaved in a more agreeable and peaceful manner than others. As he argued in an interview, referencing directly to the concept of “harm reduction”:

It's about harm reduction. If I remove the good drug dealer, then the user has to go and buy from a bad one. That might result in violence, extortion and a lot of bad stuff. (Interview 1, police officer)

In his view it was not possible for the police to shut down the supply of drugs to the scene and, accordingly, it would be better that those who supplied the drugs were non-violent and peaceful. These peaceful drug dealers were referred to as “good”, while those drug dealers who were more prone to use violent methods in their collection of debt and in their general operations, were referred to as “bad”.

These two categories of drug dealers, the “good” ones and the “bad” ones, were policed through different “techniques”. The police officer would gather intelligence on those he deemed to be violent and aggressive and report them to the drug squad section of the Copenhagen Police in order to try to remove them from the neighborhood. This intelligence would often come from people who use drugs themselves, who would tell the police officer if any of the drug suppliers were violent and caused distress and unrest in the drug scene. The “bad” drug dealers were thus dealt with through ordinary

drug law enforcement techniques. In this sense, the removal of violent drug suppliers from the drug scene could also be understood as a way to protect the marginalized drug users from harm.

On the other hand, those that were deemed to be peaceful and non-aggressive were governed through “techniques of responsabilization”. This field note reports on a conversation between the police officer and a drug dealer and illustrates how this occurred:

We are walking past the construction site of the new underground metro next to the Copenhagen Central Station. The fence has been moved since the last time I was here. Now the passage through the construction site has moved from being by the wall to the Central Station to being on the opposite wall by a block of apartments. The police officer explains to me how this has caused some trouble, because this passage is being used by one of the local drug dealers. This is a problem now that the passage goes by the apartments rather than by the Central Station, as the residents have noticed this and the drug dealing makes them feel uncomfortable. The police officer tells me that he hopes that the drug dealer will be there later today so that he can have a word with him. While we are talking the police officer notices that the man is standing at the end of the passage at this very moment. The man looks like he is of African descent and he is short and stoutly built. He is wearing glasses, a beanie hat and large headphones. The police officer approaches him and says to him that he is well aware of what he is doing here and that this is a really bad place to be doing that. The police officer asks him if he would be nice and find another place to do his business. The man seems surprised and agrees to go to another spot, while the police officer is explaining why the passageway is such a bad place for him to be dealing. The man agrees and walks off. Later that day we see him on his bicycle riding down the street. Ironically the police officer remarks to me that “there is the big drug dealer” and he nods and smiles at the man passing us on his bicycle. (Field note)

The fact that the police officer engaged in conversation with the drug supplier and explained the different reasons for this being a particularly bad place for engaging in drug dealing, suggests that he was in a process of responsabilizing the drug dealer, the same way as he was doing when engaging people that were injecting in public. He explains how the narrow passageway around the construction site is a particularly inappropriate place for drug dealing activities, because it bothers the residents in the apartments facing towards the passage. However, he does not take any legal action and he does not tell the drug supplier to stop his drug dealing activities altogether. Rather, the message is that the drug dealing in this particular space should be stopped, but it can proceed in a more appropriate,

hidden space. The drug dealing by this specific person is thus not seen as problematic in itself, but only insofar as it moves too close in proximity to the residents and thus causes a possible public nuisance for them. In this way, the police officer dealt with the non-violent drug dealers similarly to how he dealt with people injecting drugs in public. If their activities were confined to spaces where they were not seen or noticed by the housed public they were generally accepted. However, if the activities took place too openly, the police officer would confront the drug dealer or the injection drug user and ask them to move to another space.

By working to remove the violent and aggressive drug dealers through the involvement of the drug squad and by responsabilizing those drug dealers that were peaceful and steering them towards dealing in a manner that produced as little nuisance to their surroundings as possible, the police officer effectively attempted to manage the drug market through harm minimization techniques. Illegal drug markets usually reward those that are most reckless and ready to use violence to protect their “territory” and retrieve their debts from their customers. By discriminating between the violent and non-violent drug dealers and by policing these two categories through different “techniques”, the police officer made an effort to turn this dynamic around and incentivize non-violent and peaceful drug dealing.

Furthermore, the police officer might have improved relationships between the police and the marginalized drug users by taking their input into account, which could result in increased trust and confidence in the police from this group, who usually regard the police with suspicion. However, relying on input from community members can also compromise equal treatment in policing and could theoretically amount to partisanship. According to Thacher (2001), there are potential problems when the police become responsive to individual community groups, because this might compromise the ideal of equity, where police services are sought to be directed equally to all segments of the public. If the police force becomes more responsive to some groups rather than others, this can foster resentment and a sense of unfairness. However, when practiced with vigilance towards these potential caveats, taking the input of marginalized individuals into account in policing can also be said to constitute an important possibility for being responsive to a demographic whose inputs are usually not given much consideration.

Changing the logic of policing: Protecting marginalized people who use drugs

Decriminalization of drug possession also enabled a change in the logic of policing in a more fundamental way. While the previous policy of drug law enforcement criminalized people who use

drugs by the extent of their drug use and made the police perceive them as first and foremost lawbreakers, this new policy of de facto decriminalization opened up an alternative construction of people who use drugs. In other words, the decriminalization of drug possession rendered possible the production of a new “governable identity” for the drug using subject (Moore, 2007). First, this meant that the drug user would not necessarily be identified as an offender by the police, as the police officer explained:

The new legislation [i.e. decriminalization] means that the police had to change their approach. Today, no one can tell me that I am not doing my job. I could get that accusation before, when I was letting people keep their drugs. Now they can legally keep their drugs, when they are in the zone surrounding the DCRs. This means that the police had to change their mindset and use other tools in their management of the drug scene (Interview 1, police officer)

As the excerpt reveals, decriminalization opened up a new space for policing and regulating the open drug scene, where the police have had to use different tools and a different approach. Second, decriminalization also enabled that the drug user could more readily and easily be constructed as a citizen who could claim the services and protection of the police, rather than just as an offender. This alternative logic of policing was evident in the practices of the local police officer, as he saw it as one of his most crucial tasks to offer police service to the homeless and marginalized people who use drugs in the open drug scene:

I am there for everyone, but I am more proactively offering my services to the “street people”. Because the residents can figure out themselves to call or to write to the police. They can also figure out how to complain... they know how things work. And they will probably succeed in reaching us if that is what they want. I am more actively engaged in building relations with those on the streets, because they have a really hard time with contacting and using the police if something is up... This is all about making these people into citizens with rights. (Interview 2, police officer)

As evident from this quotation, making himself available for the homeless and marginalized people who use drugs was a great concern to the police officer and by proactively offering the service or assistance of the police he reconfigured the relationship between the people who use drugs and the police as one where the people who use drugs were more readily acknowledged as citizens and potential victims rather than as offenders. In his own words, this process was one of making the marginalized and homeless people who use drugs into “citizens with rights”.

One of the main techniques in doing this was to patrol the open drug scene alone by foot, something that is rare among the Danish police force today. Most police patrolling is carried out in motorized vehicles and in the cases where foot patrolling is utilized, such as in the nighttime economy, this patrolling would almost always be carried out in groups of at least two police officers. However, it was important for the police officer to patrol alone as he believed that this made him more approachable. By being present in the drug scene, alone, he believed that he was making himself available to those, who would normally refrain from contacting the police if they had any need for police services.

The concrete services he offered, aside from the reassurance that his presence on the scene might entail, consisted of a range of different things. It could simply be a matter of helping some of the individuals to get into contact with some of the relevant social services that could possibly assist them. It could also be if someone would like to report something, such as a theft or violence. The service he provided could also involve something as modest as listening patiently to a group of people who might seldom feel that their hardships are taken seriously. The value of this kind of police work was also echoed by the manager of the homeless shelter in the neighborhood:

The local police display a great amount of care if our users have experienced assault, rape or other similar things. They can help them ensure their legal rights ... They have a great deal of concern about their wellbeing and security, even though they live risky lives and maybe have committed crimes themselves ... [The local police] see them and listen to their experiences ... That makes me happy. That is amazing, really. Socially marginalized people should not have any less legal rights than non-socially marginalized people ... The risk of assault, rape and robbery is extreme in this environment, so they need the criminal justice system to take them seriously ... I think the [local] police are mindful about taking them seriously and attempting to do something about it (Manager of homeless shelter)

According to the manager, the local police took the victimization that the drug users experienced seriously and investigated it as thoroughly as possible. However, sometimes the victim in a case would prefer not to involve the legal authorities. Then the police officer would attempt to solve the situation by other means, as he explained:

When you live in this environment you are often victimized – violence, extortion, sexual violations – it might help you to tell about these experiences to a police officer. But we can also make an agreement that I do not do anything about it, unless we agree on that. Then they do not have to

be reluctant to tell me about these things and that is important. Because maybe criminal proceedings is not the right solution. Maybe the right solution is that they tell me, in order for me to be extra-observant about the behavior of the perpetrator ... Also, when conflicts erupt between the drug users – maybe someone has stolen from someone else when they are dozing off in the DCR ... Then we might just say [to the thief] “hey, we need to talk about this” and “maybe you have something in your pocket that you need to give back” (Interview 1, police officer)

In this interview excerpt, the police officer explains how he is navigating and managing to police this drug scene, where it might not be the norm to involve the criminal justice system in order to solve conflicts. This, of course, did not mean that he would not arrest a violent perpetrator, if someone was willing to give evidence against their assailant, but rather that by not insisting on doing it “by the book”, the police officer here acknowledges that invoking a criminal process might often not be the most appropriate solution, given that this might actually have negative consequences for the victim or because it might be an ineffective solution to resolve a conflict. The overarching objective was to protect the weaker drug users from harm and exploitation and increase their sense of security, rather than to solve the cases and make arrests.

However, in his policing of the neighborhood, the police officer did not have any illusions about being able to “save” anyone. Rather, the logic of his policing was more modest. It was to make their life somewhat more manageable; a little less hectic, violent and stressful. He saw it as the job of social workers to help someone out of dependency or to gain housing, but he did not push anyone towards the social services. Instead, his policing was oriented around ensuring that the drug scene was not too violent or too stressful for those who happened to be entrenched in it at any time.

Assisting DCRs and Other Facilities in the Drug Scene

One way that the local police attempted to make the drug scene less stressful and violent for drug users was in their co-operation with the various facilities in the neighborhood that offered services to drug users and the homeless, such as the DCRs and the homeless shelter. The relationship between the police and the facilities offering these services had been very strained in the previous decades as a consequence of the zero-tolerance policy against drug possession and stress policing tactics (Frantzen, 2003; 2005). However, this relationship had gradually changed to becoming more positive since the DCRs had been established and drug possession had been partly ‘de facto’ decriminalized in the area (Houborg, Frank & Bjerge, 2014; Houborg, Søgaaard & Kammersgaard, 2019). During data collection for this study, the view of the police, especially the local police, was generally

favorable. In this interview excerpt, a social outreach worker employed by the homeless shelter explained how the cooperation with the police had changed:

We have really good – exceptionally good – cooperation with the local police ... There has been a shift from the stress-policing in the 90s. Back then it was the police against the drug users. The drug users were chased around by the police. It is totally the opposite now ... That is how I see it and I think if you ask the drug users it is the same. Worst case is that they will not have anything to say about the police, but most of them actually think that the police are OK. And that would be totally different if you had asked 15 years ago. That much I can guarantee (Interview with social outreach worker)

In a similar vein, the manager of a soup kitchen and health facility for drug users in the neighborhood explained how some visitors from the US were in disbelief when they learned how the police and the services for homeless people and people who use drugs cooperate in the drug scene in Vesterbro:

Currently we have an exchange program with an NGO from Skid Row in Los Angeles. They have visited us here and they are baffled that we can cooperate with the police the way we do. Over there the police are the enemy and they really cannot comprehend that it is possible to cooperate with them ... I have never seen better cooperation between different sectors than I have seen in the drug scene here (Interview with manager of soup kitchen and health facility)

While the relationship between the facilities offering services to drug users in the neighborhood and the police used to be very strained in Vesterbro as well, the changes in policing and the decriminalization seemed to have enabled a productive cooperation between these organizations and the police. The manager of the largest DCR in the neighborhood explained concretely how the police were an important collaborator in maintaining a safe and orderly facility for the drug users:

I: If one of our guests pushes into the consumption room or throws stuff around or assaults or steals from other guests or the facility, then we typically ask them to leave until they have calmed down ...

TK: Do they comply with that and what do you do if they do not? Do you contact the police?

I: Yes. Then we'll contact the police and we do that a lot. Then we will call the Blue Bus. It is not very often we call 112 [emergency call]. But we have a really good relationship with the local police and we use them a lot ... 112 is only for emergency stuff. If someone is threatening a person with a knife, then we will call 112. But if it is not a situation where anyone is in imminent danger,

then we will call the Blue Bus. The police officers manning the Blue Bus are familiar with the drug scene and have a relationship with a lot of our guests. Because of that it is more desirable to have them come here than having some random police squad bursting through the doors
(Interview with manager of drug consumption room)

In this interview excerpt, the manager of the DCR expresses how the local police officers were assisting them in managing drug users who were aggressive or violent to other users or the staff at the facility. Furthermore, the manager describes how they prefer calling the local police directly, i.e. the Blue Bus, rather than the regular emergency call number if no one was in immediate danger, since the local police could usually handle the conflicts without escalating the situation, because of their relationship with and knowledge of many of the drug users. The local police officer also explained how he usually responded when he got a call from one of the DCRs:

The personnel in the DCRs or in one of the other facilities, might call us and say: “Can you maybe drop by? We have someone who is upset and we are worried that it might escalate”. Then we drop by and often it is enough to just show up and say [to the one who is upset] “how’s it going?” and “tell me what’s wrong”. Often that is enough to calm them down (Interview 1, police officer)

By assisting the personnel in the DCRs and other facilities when they call, the local police officers were also engaged in reducing drug-related harm indirectly by supporting and collaborating with the facilities involved in harm reduction. In other words, the local police ensured that these facilities could stay open and operate as smoothly as possible, which in turn meant that more drug users could make use of the facilities. Because of their relationship to the drug users and their deescalating approach, the local police were generally favored by the manager of the DCR, however if the situation called for an immediate response the manager would make a regular police emergency call in order to receive assistance as quickly as possible.

Dealing with violent and aggressive individuals in the drug scene

Dealing with individuals who caused distress and fear among other users of the DCRs, the homeless shelter and other places where homeless and marginalized people who use drugs would assemble, was a specific focus of the local police. These individuals were known as “focus persons” internally in the local police force. Every Friday the police officer or his colleague, with whom he shared responsibility for policing the drug scene, would write up a so-called “weekly report”. These reports played a role in documenting the work that the police officers did in the drug scene and informing

other colleagues, as well as management, about the current state of affairs. The reports also played a role in legitimizing this kind of police work, which was not easily evaluated based on numbers of arrests, amounts of drugs confiscated or other traditional measures of police efficacy.

The weekly reports would often mention specific persons and their whereabouts in the drug scene. These were labelled “focus persons”. These focus persons would often be people who had acted violently or aggressively to either staff or other users in the scene and, because of this, warranted police attention. For instance, in week number 13 of 2018 the weekly report documents that:

Focus person and resident at [homeless shelter] has caused a lot of disturbance and commotion in and around the [homeless shelter] this week. His increasing use of crack cocaine and alcohol is a potentially dangerous combination together with his unstable psychological state. The staff at the [homeless shelter] fear that he will again become violent and aggressive. He has earlier been too violent for the staff to handle and because of this he could not be housed at the shelter anymore. Together with the [homeless shelter] we will follow the development in his behavior closely. (Weekly report, week 13/2018)

Because of their violent capacities, the police kept an eye on focus persons in order to protect other users and staff in the drug scene. But according to the police officer, those who were characterized as focus persons were not necessarily dealt with through arrest and prosecution, as these persons were often unstable psychologically and in need of psychiatric help or other assistance. Consequently then, according to the police officer, dealing with these individuals might also consist of extra attention and support measures. However, sometimes it was necessary to detain those who were deemed too dangerous for themselves or their surroundings. In this way, focus persons were dealt with in terms of both the risk to themselves and to others in the drug scene.

In recording “focus persons” in the weekly reports, the police officer also alerted his colleagues to specific individuals and he could not always guarantee or know how this information was being interpreted by his colleagues. Reflecting on this matter, following an interview where the issue had come up, the officer told me that he initially had started using the concept in order to organize and keep track of the different persons he met during his patrols of the drug scene. Since then it had been transferred to the management level and disseminated throughout the local police as a concept used in the documentation that all the officers in the local police were supposed to make. However, he explained that he worried that it might be a problem if these “focus persons” were being thought of

as someone to be chased around the streets and “stressed” by his colleagues, because that was not his intention in using the label.

In this way, the specific *technique* of recording particular individuals as “focus persons” might have ended up “acquiring a life of its” own (Valverde, 2014), which could possibly undermine the harm reduction *logic* of the policing being advocated by the police officer. According to him, the focus persons still had a right to use the services of the police and had a right to police protection. However, if his colleagues were understanding the concept differently, and interpreting these individuals as requiring a “short leash”, the particular technique of labelling them as “focus persons” might have become counterproductive. However, dealing with these “focus persons” in various ways was a central part of harm reduction policing in the drug scene, as the violence and aggression of these individuals were rarely directed at the housed public, but almost always at the other people who use drugs and the staff in the scene. This contributed to a stressful and tense environment that undermined the safety and security of other homeless and marginalized people who use drugs.

Persisting drug law enforcement in the drug scene

While the policing by the local police officers in the open drug scene might have operated increasingly through a logic of harm reduction, other sections of the police still operated within a traditional drug law enforcement logic. For instance, the special drug squad would sometimes conduct a search in order to arrest drug dealers, but this would also entail that some of the users would be searched and maybe have their drugs confiscated. This might have damaged the police-citizen relationship that the local police tried to foster and undermine the policing practices they were engaged in. The manager of a local soup kitchen and health room for drug users recounted how the different sections of the police operated very differently in his facilities.

I actually think that even our guests are pleased with the presence of the local police. Because they are really nice. They are committed and they sincerely care [about the drug users]. They are “social cops”. It works really well. And then we of course have another experience with the special drug squad. They are different. They come here to find the drug dealers and they come in hard. And that is really annoying for us because it produces a really stressful environment. They stomp into our facilities ... And it is a shame because we have a really good relationship with the local police (Interview with leader of soup kitchen and health facility for drug users)

As is evident from this description, the drug law enforcement practices of the special drug squad were seen as problematic by the manager of the facility, as they stressed the users of the facilities. On the

other hand, the manager describes the relationship with the local police as “really good” and refers to them as “social cops”. In this way, the manager contrasts the approaches of the local police and the special drug squad and highlights how their presence in the facility was experienced very differently. The local street lawyer, specializing in legal aid for marginalized drug users, described another incidence about the special drug squad and their behavior on the drug scene. While looking for one of her clients in the neighborhood that she was supposed to have a meeting with, she found him while he was being searched right outside a DCR by undercover police officers from the special drug squad.

I move closer and I am also trying to record the incident on my phone ... they [the officers] are getting really pissed with me ... then my client asks “what is this about?” and they say that “we are just checking whether you have any drugs on you, surely you know where you are” and he says “what do you mean? Next to the drug consumption room?” and the officer responds “exactly, then you probably have some drugs on you, right?!” (Interview with street lawyer)

As the street lawyer explains, this incident with the drug squad did not even seem to be about her client trading in drugs or because they were gathering evidence to arrest a drug dealer, but rather it looked like a the police had come down to the DCR just to do a regular bust – something that arguably was against the general policy of having a non-enforcement zone. The street lawyer also recounted several other instances where drugs had been confiscated in and around DCRs by the special drug section, even though the police had been instructed to generally refrain from confiscating drugs from those that belonged to the target group of the facilities in most of the inner part of Vesterbro.

Consequently, the drug users in the drug scene were still subjected to arrests and traditional drug law enforcement from sectors of the police other than the local police force. Even though most of the neighborhood had been included in a decriminalization zone, this decriminalization did not afford much protection to the individual drug users that had their drugs confiscated, as the legal text read that the police should not ‘normally’ prosecute individuals for possession of drugs in the immediate vicinity of a DCR. While the spatial boundaries of the decriminalization had been stated clearly by the Copenhagen Police to cover most of the Inner Vesterbro neighborhood, the vague definition that drug possession should not ‘normally’ be prosecuted, still afforded a considerable amount of discretion on part of the individual police officers. In other words, the phrase that drug possession should not ‘normally’ be prosecuted still allowed for the confiscation of drugs in all situations deemed ‘extraordinary’ by the police.

The continuing general prohibition against drugs and the decision to go after drug dealers meant that the section of the police that investigated organized drug dealing were still very active in the drug scene. While the local police might have had the day-to-day responsibility of community relations and proactive policing in the area, it was still this specialized drug squad that officially dealt with any type of drug dealing. This section of the police was still very much engaged in traditional drug law enforcement practices and the jurisdictional line that determined that any trading in drugs was the proper object for this section to deal with, also meant that traditional law enforcement practices still persisted in the open drug scene (Valverde, 2009). In some ways, this jurisdictional divide operated smoothly, such as when the local community police officer would disseminate knowledge to this section about particularly violent drug dealers in order to have them arrested. However, in other instances this drug section might undermine the police-citizen relationship established by the local police. Further research could investigate the simultaneous cooperation and tensions between these two sections in the police, by interviewing and/or observing officers from the section of the police that investigated organized drug dealing.

Prioritizing and documenting harm reduction policing

There is a significant volume of research literature that documents how police officers favor a view of themselves as ‘crime fighters’ operating within an overarching goal of catching criminals, while ‘softer’ policing functions are treated with some disdain (Innes, 2005; Loftus, 2010). Such sentiments in the police force might prove an obstacle to disseminating the harm reduction policing practices described in this study. Another obstacle to the implementation of harm reduction policing is that it might become deprioritized in busy times. In police organizations that increasingly operate within the context of New Public Management, where arrest rates and other performance indicators become ever more important, it might prove difficult to legitimize and document soft policing practices as those associated with harm reduction policing. As the police officer explained:

I: When my boss gives me other tasks, then I have less time to do community police work and be present on the street. Community police officers are used for a range of purposes other than community policing, which means that they do not have time to sit down on a bench and listen to the people in their neighborhood.

TK: Do you think this type of police work gets deprioritized compared to other police work?

I: Yes, you can say that. That is because there is no performance indicators for this kind of police work (Interview 1, police officer)

As the officer reveals, harm reduction and other ‘soft’ police work might get deprioritized, either because other tasks are deemed more urgent or because there are no performance indicators to measure the results of this type of work. During fieldwork, the officer would sometimes remark by the end of a shift, that many people in the police probably would regard the day as a “zero day”, since he had not arrested anyone, handed out a single fine or solved any cases. However, he maintained that this type of unrecorded police work was important and essential, even though it did not generate any arrests or similar quantifiable results. The weekly reports could in this regard be seen as an attempt to document this soft policing, which does not ordinarily generate a paper trail or many written records.

During the last months of my fieldwork with the officer, this deprioritization of community police work in the police organization became increasingly evident. The local police had to lend out a significant number of their officers to other police activities around the city that were considered more urgent. This included an increased police presence in and around Christiania, a part of the city which is well-known for its open-air cannabis market. This meant less time and less personnel to perform harm reduction policing in and around the drug scene on Vesterbro. The decision to increase the police presence on Christiania in order to apprehend cannabis drug dealers in the open-air drug market there, were made by the Minister of Justice at the time. This illustrates how decisions about the allocation of police resources are ultimately a political matter. In the context of politicians who want to be perceived as “tough on crime”, police resources might be allocated to objectives that send a strong, symbolic message that the politicians are combatting crime, rather than to soft policing objectives such as the harm reduction policing described in this study (Balvig, 2005).

Discussion

This article has reported on the policing practices at an open drug scene after drug possession had been partly decriminalized. The practices of the local police have been described as a form of “harm reduction policing”. As noted above, Fischer et al. (2004) have argued that the establishment of DCRs can be interpreted as a shift away from punitive, drug law enforcement responses to drug use and towards governing drug use as a form of “regulated risk consumption” and “socio-spatial ordering” under the guise of promoting public health and the rights and well-being of marginalized people who use drugs. In other words, Fischer et al. (2004) argue that DCRs and associated harm reduction projects largely should be seen as a technology for dislocating undesirable populations away from

prime urban space and towards the margins, rather than as projects genuinely engaged in promoting the health and wellbeing of these populations.

Some of the harm reduction policing practices documented on the open drug scene of Copenhagen can be interpreted in this way. The change in policy can be seen as a response to the ineffectiveness of the zero-tolerance policing practiced for several decades, which was not very successful in displacing people who inject drugs and reducing drug waste from the neighborhood. In that sense, some of the harm reduction policing practices can be seen as a more effective response towards the goal of reducing public nuisance, by relocating injecting drug use and drug waste to designated DCRs via a process of responsabilizing drug using individuals to take up governance of themselves (Rose, 1999; Rose & Miller, 1992; Rose, O'Malley & Valverde, 2006; Dean, 2010). However, other aspects of the practices of the police officer and of the local police cannot readily be interpreted as merely an alternative way of relocating people who use drugs and drug waste to the margins, where they pose less nuisance to the housed public.

Caulkins and Reuter (2009) have presented a model with four different 'pathways' that the police can engage in harm reduction through: 1) reducing drug use itself, in order to reduce the associated harms that can occur with this behavior, 2) reducing the harm that drug users can cause to themselves, without necessarily reducing drug use itself, 3) reducing the harm that drug users can impose on others and their surroundings, by injecting drugs in public, leaving drug-related waste behind and acting intoxicated in public spaces, and 4) reducing the harm associated with drug markets by pushing markets towards less harmful distribution practices.

Aside from the first pathway, of reducing drug use itself, the local police officers described in this study could be said to engage in harm reduction via all these pathways. The local police were engaged in reducing the harm that drug users may cause to themselves and the harms that they might cause to their surroundings, by managing when and where drug consumption took place. Furthermore, the police were engaged in reducing drug-related harms by steering the drug market in directions that were less harmful to both drug users and the general surroundings.

However, while pointing to many important routes the police can take in reducing drug-related harm, the model that Caulkins and Reuter (2009) have proposed misses an important pathway that was significant in the type of policing observed in this study. The model proposed by Caulkins and Reuter (2009) does not include the types of harm that are caused to drug users by *others*. However, the local police in this case were very concerned with reducing the harms that others might cause to drug users,

such as violence and assault. This is important, since heavily dependent and marginalized drug users that frequent open drug scenes are much more prone to be victims of violence, threats and harassment than the general population (Stevens et al., 2007). Consequently, this constitutes an important avenue where the police could and should engage in reducing drug-related harm.

This also constituted a fundamental reconfiguring in the logic of policing, from people who use drugs solely being constructed as offenders, to them increasingly being constructed as citizens with rights, with minimizing their victimization taken up as a proactive goal of the local police. The partial decriminalization of drug possession in the neighborhood was an important prerequisite for this kind of harm reduction policing, as the fact that the local police were no longer arresting people who use drugs for drug possession obviously contributed positively to the police relationship with this citizen group. This case study illustrates how decriminalization can render the police able to take a proactive interest in the safety of marginalized people who use drugs and address the violence and victimization that they experience. When drug possession *is* criminalized, the relationship between marginalized people who use drugs and the police *will* invariably be one of suspicion, fear and hostility, and marginalized people who use drugs will generally avoid the police. As a result, much of the victimization they experience goes unreported. A similar argument has been made regarding the somewhat parallel case of the decriminalization of prostitution, which also has been shown to enable the police to take a proactive interest in sex-worker safety (Armstrong, 2016).

The decriminalization zones that were established with the DCRs in 2012 enabled the police to abstain from traditional drug law enforcement techniques that focus on use reduction through punishment and the confiscation of illegal substances. Instead, the police were able to direct their attention to the wider harms experienced by people who use drugs. In that sense, the police worked with the wider "risk environment", by focusing on the harms that others might impose on people who use drugs, rather than only the harm that the people who use drugs might impose on themselves (Rhodes, 2002; 2009). The police were able to reconfigure the homeless and marginalized people who use drugs from being *a* risk and nuisance to other people, to being *at* risk themselves and thus deserving of police protection (Stanford, 2012).

Still, the policing practiced in this case study should not be seen as a panacea and solution to all the harms experienced by marginalized people who use drugs. A range of substantial harms are still produced by the fact that the drug economy operates in a wholly illegal fashion. This includes the unknown contents of the drugs being sold, both in terms of purity, with the accompanying risk of

overdosing, and in terms of additives, with fentanyl being a global concern at the moment. It also includes the high prices associated with having an illegal market, which leads many of those who are dependent on these substances to engage in various forms of crime to generate sufficient income to purchase them. The celebration of less harmful policing practices towards marginalized people who use drugs should thus not entail an acceptance of the status quo and a “fatalism towards the prospect of larger change” (Roe, 2005, p. 248).

Nonetheless, within the current political context of prohibition, the practices by the local police in the open drug scene of Vesterbro in Copenhagen provide a significant reorientation away from traditional drug law enforcement. If one is committed to progressive drug policies, the harm reduction policing reported here undeniably constitutes an improvement on existing approaches. Actively engaging in the protection of marginalized people who use drugs from harm, and actively steering the local drug market towards less violent and harmful distribution practices, constitute the most substantial aspects.

Consequently, the dissemination of the concept of “harm reduction policing” might be a politically viable way of orienting current drug law enforcement practices towards less harmful ones and maybe even towards policing that can alleviate some of the harms that homeless and marginalized people who use drugs experience. However, transferring these policing practices to other contexts with other policing cultures and other local community cultures might prove difficult. Widespread issues of police bias around race, gender and sexuality might result in the fact that those who are marginalized along those lines generally see the police as a threat to their wellbeing, which might make the harm reduction policing described in this article difficult to extend to those people. Nonetheless, this case illustrates that harm reduction policing for marginalized people who use drugs can indeed be practiced successfully, which might provide inspiration and encouragement for those who are engaged in the attempt to challenge and change current drug policies.

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Private Security Guards Policing Public Space: Using Soft Power in Place of Legal Authority

Only a few studies have examined how private security guards operate in public spaces. In order to address this gap, this paper examines a public/private partnership of installing security guards on a public square in Aarhus, Denmark. This was a response to the presence of a group of homeless and marginalized alcohol and drug users. The policing of the public square was investigated through document analysis, interviews with different stakeholders and observations with a patrolling security guard. The case study illustrates that private security guards are able to exercise considerable control in public spaces, without having any legal authority over these spaces. By drawing on the analytical framework of governmentality studies, the case illustrates how the security guards were engaged in practices of ‘soft power’ in their policing of the public square. Furthermore, the study illustrates how the presence of the private security guards resulted in both an increase in social control *and* increased protection against violence for the group of marginalized drug and alcohol users on the public square. The study constitutes a contribution to the growing body of literature that has started to survey the policing of private security in different contexts.

Keywords: private policing; private security; public space; soft power

Introduction

In recent years, the division between private and public spaces has become increasingly blurred. Increasingly, the post-industrial city is made up of ever more ‘retail spaces’, such as shopping malls and other commercial entertainment venues, which have reconfigured the public domain at large (Kärholm, 2016). These spaces have been referred to as ‘quasi-public’ spaces, that is, spaces that feel and look like a public place that are open to all, but in fact are privately owned or managed. The operations of such quasi-public spaces has been criticized for commercially relying on the free access of the public, but still functioning legally as private property and employing exclusionary practices towards those that are deemed unable to partake in consumption. It has been argued that the powers that are linked with property ownership initially were made for spaces that were not generally accessible to the public, such as a home or a working place, but today these private property powers are being applied to large spaces that are intended for public use (Kempa, Stenning & Wood, 2004). This increased privatization of public space has profound consequences for who can move where and especially limits the movement of homeless and other marginalized people who are not considered as attractive customers in these spaces (Kohn, 2004).

The policing of these spaces are largely undertaken by non-state agencies and this development in configuration of urban space is thus connected to the expansion of the private security industry and the larger transformation of the provision of security, sometimes referred to as the ‘pluralization’ of policing, which is the process where an increasingly complex array of public and private bodies are engaged in the regulation of security (Johnston, 1992; Bayley & Shearing, 2001; Jones & Newburn, 2006; Shearing & Johnston, 2013). During the last few decades we have witnessed an increase in privatized forms of policing and today the private security industry employs more people than the public police force in many countries (Loader & White, 2018). This development has naturally led criminologists and socio-legal scholars to no longer necessarily equate policing with the state institution of the public police (Kempa, Stenning & Wood, 2004).

Another, more recent development, which contributes to the blurring of public and private divides, is the proliferation of so called Business Improvement Districts (BIDs). This is a scheme that makes it possible for business owners in a designated area to collect additional taxes from those owning property or operating in a delimited area, typically a centrally located business district, in order to finance additional services including cleaning, marketing and security measures, such as the contracting of private security officers to conduct patrols of the area. Just as a shopping mall can be understood as quasi-*public* space, we might understand BIDs as quasi-*private* spaces, that is, spaces that are formally and legally defined as public, but are subject to control and regulation according to private interests (Crawford, 2011). This transferring of management and responsibility for public spaces to private actors has proven an attractive solution for cash-strapped local authorities to achieve landscaping and design of perceived ‘high quality’ in their cities (Pratt, 2017).

While the concept of BIDs was initially developed and implemented in a North American context, it has since spread throughout the world (Richner & Olesen, 2019). During the 1990s the concept of BIDs travelled from a North American context to the UK and in the late 1990s it had also reached continental Europe (Eick, 2012). Like the proliferation of quasi-public spaces, such as the shopping mall, these quasi-private spaces has also received substantial criticism for contributing to a ‘de facto’ privatization of the public sphere. BIDs have been called ‘malls without walls’ (Graham & Marvin, 2002), as they have been argued to possess some of the same exclusionary properties as the modern shopping mall (Eick, 2012). In other words, the ‘dynamics of exclusion’ that were previously confined to the shopping mall and other private properties has been argued to gradually extend into spaces that formally and legally are defined as public (Crawford, 2011). In New York City alone, hundreds of private security guards work for different BIDs (Vingevogel, 2005).

The growth in the private security industry has stimulated a simultaneous growth in the literature on private policing and many research questions have been raised about how these companies operate and especially about the effects and consequences of their operations (Rigakos, 2002; Jones & Newburn, 2006). However, according to Manzo (2011), studies that explore what private security officers actually do are still relatively sparse, at least in comparison to the many accounts of the operations of the public police, which have been documented in now classic ethnographic studies since the 1960s (Banton, 1964; Bittner, 1967; Skolnick, 1966). Some research has investigated the practices of private security officers of various stripes working in different contexts, such as the night-time economy (Hobbs et al. 2003; Rigakos, 2014; Søgaaard, 2014), shopping malls and other large commercial facilities (Manzo, 2006; Wakefield, 2008; Wakefield, 2012), and in the context of various other private spaces, such as the patrolling of industrial sites at night (Button, 2016; Hansen Löffstrand et al., 2016). However, the operations of *private* security officers have, unsurprisingly, mostly been studied in *private* settings. Consequently, as Vingevoel (2005) argues, “we know very little regarding private security operations in public space” (but see Cook, 2010; Stokes, 2002; Eick, 2012; Berg, 2010; Bonnet, de Maillard & Roché, 2015; De Maillard & Zagrodzki, 2017; Noaks, 2000; Sharp & Wilson, 2000; McManus, 1995).

Responding to the lack of research into how private security officers operate in the public space, this article provides a detailed empirical account of a public/private policing project in Denmark, where the municipality and an association of private businesses co-financed a private security firm to patrol a public square in the centre of the city. This was as a response to the perceived problematic behavior of a disparate group of marginalized individuals, with substance dependence issues, housing issues, mental health issues or a combination of these, who would congregate on the public square and engage in public drinking, drug use and other forms of socializing, essentially making the space into what has been called an ‘open drug scene’, which is a public or semi-public place where drug use and drug dealing is prevalent and visible to anyone passing by (Bless, Korft & Freeman, 1995).

Through document analysis, interviews with different stakeholders involved in the political implementation of the project, as well as observations of the private security guards tasked with the job of patrolling the public square, this case study demonstrates that rather than relying on coercive measures, derived from private property rights, the security guards were able to police the space by using ‘soft power’. In discussing this ‘soft power’, the study draws on Foucauldian governmentality studies as well as the work on procedural justice. The study simultaneously illustrates the fuzzy boundary between ‘protecting’ and ‘controlling’ marginalized individuals in public spaces, when

subtle powers aimed at influencing their conduct in various ways are being utilized. It is argued that the project meant both an increase in social control *and* increased protection against violence for the group. In doing this, the study confirms recent arguments by Wood (2019), who has discussed how private policing might play a significant role in public health by improving *or* exacerbating vulnerabilities and health risks for marginalized populations.

The powers of private security guards

Researchers that have investigated the range of powers that private security guards can make use of, have argued that usually the most important tool of private security guards has been the rights of the owners whose property they have been tasked with policing (Stenning, 2000). Most of these rights can normally be delegated to agents of the owner, such as private security personnel. This is the main tool of the bouncer, who can eject unwanted customers from a night-time space or simply reject them at the door (Søgaard, 2013). It is also the main tool of the security officer patrolling a shopping mall and expelling any ‘unwanted customers’ (Wakefield, 2008), as well as the security guards patrolling the premises of large industrial sites (Hansen Løfstrand et al., 2016). Private security guards operating in private spaces can often restrict who is given access to the space, set conditions for those who enter and remove any trespassers. When properly trained, security personnel operating in private spaces can secure significant control based on such private property rights.

Previous studies of the operations of private security in *public* space, have suggested that while sometimes security guards who police these public spaces have been granted special powers and authority over the space they police, they usually operate without any special authority (Vindevogel, 2005; Eick, 2012). However, it has simultaneously been suggested, that having private security guards present in public space nevertheless can make a great difference in how people behave in these spaces. On the one end, Vindevogel (2005) has argued that in a US context, specifically in New York City and Philadelphia, the presence of private security guards in public spaces, were believed to have substantive effects without those guards engaging in the use of any physical force. The security guards could act as the ‘eyes and ears’ of the police, directing police attention to any activity that their employer might have an interest in stopping, such as panhandling, street peddling, public intoxication, and excessively noisy or aggressive behavior. Furthermore, the presence of uniformed security guards in public space were perceived to have a preventive effect on crime by increasing the perceived risk of apprehension for those considering engaging in criminal activity. Likewise, the presence of

uniformed guards were perceived to increase the perception of the particular space that they were patrolling as safe for consumers in the area.

On the other end, private security guards might also take on a more active and confrontational role even when policing public spaces, where they do not have any legal authority. Berg (2010) has investigated the private policing of public space in Cape Town, South Africa and has found that even though the private security guards did not hold any legal power in their policing of the public spaces, their symbolic or 'de facto' power were beginning to equal the power that they previously only had over private spaces (Berg, 2010, p. 288). Increasingly, Berg (2010) argues, private security officers in the public spaces of Cape Town, were engaging in direct commands and physical coercion and while they might not have had any legal authority to engage in such enforcement practices, they were largely unchallenged in their operations. Berg (2010) concludes that private security guards can and do assert control over public spaces "despite the lack of formal (legal) authorization to do so" (p. 299). In other words, when considering the control that private security can exert over a public space, it is not sufficient only to consider the formal and legal powers they have been granted.

Analyzing the policing of private security guards

Exercise of legal rights, such as the right of private property owners to dispel someone with the use of force, can be understood as a usage of 'hard power'. 'Soft power', on the other hand, can be understood as a kind of power that operates without such direct command or coercion and instead works along the lines of persuasion, negotiation and/or attraction. This distinction between hard and soft power has most famously been made in the field of international relations in order to account for the varying diplomatic relations between different nation states (Nye, 1990; 2008). However, it has also been utilized by Innes (2005) to describe the different modalities of power that underlie both hard and soft policing functions in various recent reform programmes of the British public police, such as Reassurance Policing and Neighborhood Policing. Additionally, Crewe (2011) has used the distinction between hard and soft power to describe the operations of prison guards in a context where their formal, hard powers had been greatly diminished, but where prison guards nevertheless engaged in a range of activities that aimed to shape the conduct of prisoners in significant ways, which he describes as exercises of soft power. Considering the specific issue of private security, Stenning (2000) has argued that the soft power used by private security guards might be less overtly coercive, but often "no less effective in getting the job of policing done" (p. 333). Furthermore, Mopas and Stenning (2001) have argued, that the appearance, apparel and "authoritative presence" (p.69) of

security guards might enable them to achieve consent with their demands, even though such security guards might only possess very limited legal powers.

Those engaged in ‘governmentality studies’ have dedicated special attention to studying such indirect forms of power and have argued that governmental practices increasingly operate without any direct command and control (Bröckling, Krasmann & Lemke, 2011; Rose, 1999; Rose & Miller, 1992; Rose, O’Malley & Valverde, 2006; Dean, 2010). These scholars argue that power is not necessarily about imposing constraints upon someone, but can rather be about making someone capable of bearing a kind of regulated freedom by acting on their will, their circumstances and their environment (Rose & Miller, 1992). Furthermore, these authors argue that regulation of our conduct is increasingly becoming ‘invisible’ and consensual. Power, in this understanding, can consist of guiding individuals through their own freedom and prompt them to govern themselves, rather than imposing constraints on them. According to governmentality scholars, post-disciplinary forms of power are generally on the rise in a society where overt and coercive control are increasingly being seen as inappropriate. Instead of operating overtly coercively the exercise of power becomes increasingly subtle, cooperative and in some cases even consensual. In some cases, this type of power might even operate through aligning the aims and interests of those that are being governed with the aims and interests of the authorities (Valverde, 2017). In this sense, this kind of power can be seen as productive and positive rather than reductive and negative, as it does not seek to prohibit certain behaviors directly, but rather seeks to produce specific ways of behaving, acting and thinking in its subjects. Elements of such uses of subtle power are clearly present in this case study of private policing. The security guards operated largely without using direct commands and coercion, but rather by engaging with the marginalized individuals present at the square and persuading them to behave in a manner that did not cause as much nuisance to the general public.

Simultaneously, the work on procedural justice might help in explaining why the security guards came to be seen as legitimate by several of the stakeholders, including the NGOs representing them, as long as they behaved in a respectful and not in an overtly coercive manner. Those engaged in work on ‘procedural justice’ have found that people care less about the actual outcome of their interactions with authorities and more about the process and procedures used to reach these outcomes; that is to say, if they feel they are being treated respectfully (Lind & Tyler, 1988; Tyler, 2006). In other words, soft policing practices that rely on communication and consent are perceived as more legitimate by those at the receiving end of policing. If people feel that they are treated fairly and respectfully, they are more likely to cooperate and comply with requests made by authorities. The procedural justice

agenda is currently receiving widespread attention in academic and public debate about policing and it has a real potential for reducing the need to resort to coercion, by showing that authorities can usually ensure compliance more easily by treating people fairly, rather than threatening them with force (Thacher, 2019).

Ensuring compliance based on the establishment of trust and legitimacy is of course a desirable alternative to the use of coercive force and it is obviously better if the police and other authorities are seen to be treating those they encounter with respect and dignity rather than treating them poorly. However, recent commentators have argued that there are important “limits” (Thacher, 2019), “complexities” (Harkin, 2015) and “dark sides” (MacCoun, 2005) to procedural justice, which are not adequately acknowledged in most discussions on the subject. According to MacCoun (2005), procedural justice is “clearly a double-edged sword” (p. 193). Ensuring cooperation and trust in the authorities might often be desirable, but in a society where significant inequalities are “correlated with race, ethnicity, gender, and class” in ways that strike many as unfair, the securing of compliance with authorities might seem as being a manipulative and problematic agenda (MacCoun, 2005, p. 188). In other words, the concern that MacCoun (2005) raises, is that authorities can use the appearance of legitimate and fair procedures as a way to distract people from outcomes which might be essentially unfair. A similar argument has been made by Harkin (2015), who argues that beliefs are often “manipulated, conditioned, distorted, misguided, suppressed, agitated and managed” (p. 598). Consequently, Harkin (2015) argues that procedural justice theorists do not pay sufficient attention to how the behavior of compliant citizens might be shaped by those in power. Furthermore, Thacher (2019) has criticized the fact that procedural justice might reduce the need for coercion, but the “consent” that the tactics brings cannot necessarily justify the content of the policing. Policing, according to Thacher (2019), is always potentially coercive and procedurally just tactics alone do not alter that reality, although such tactics might conceal it.

In conclusion then, the procedural justice perspective might be blind to how procedurally just and fair policing practices can simultaneously be understood as a form of manipulation and ‘soft’ power. In that regard, this study utilizes the work on governmentality, together with the work on procedural justice, in order to analyze the policing practices engaged in by the private security guards studied in this project. The analytical framework of procedural justice helps in explaining why this policing project came to be perceived as legitimate by different stakeholders, while the governmentality alerts us to subtle and consensual forms of power involved in the policing undertaken by the private security guards.

Study background and methods

At the time of this study, the public square Klostertorvet was one of the central hubs and meeting places for marginalized people in Aarhus. This was a public square located in a central area of Aarhus that connected with the main shopping street in a mixed residential and shopping area. In the summertime, three of the cafés on the square paid a fee to the municipality in order to be allowed to place their furniture on the public square to serve customers with food and drink outdoors. However, by moving their business out onto the public square, the local café owners faced some challenges, because, by moving outside, the café owners and their guests would simultaneously move closer to those socially marginalized people who would also assemble on the square. According to the local café owners, this produced a range of problems for them as the aggressive and noisy behavior of the individuals congregating on the square would allegedly scare customers away. Throughout the summer of 2016, there were several reports in the local media, where the local business owners criticized the situation.

As a consequence of this, just before the summer of 2017, the municipality and the local business owners' association co-financed a contract with a private security firm, specifying that the firm would carry out patrolling of Klostertorvet, in order to deal with the 'problem' of the individuals assembling there. This was part of a larger action plan that was put together by the technical department and the social department of the municipality with several different measures aimed at dealing with the issue of homelessness and marginalized individuals in the city. Another part of the strategy was to establish three to four designated 'safe zones' for this group in other places of the city, in order to avoid that they assembled on the public squares and in order to provide them with alternative spaces to meet and socialize. However, in this article the focus will be on investigating the specific role of the private security guards.

Private security companies have been operating in Denmark since the beginning of the 1900s, but it was not until 1986 that these companies became regulated by a specific law with the *Law on security firms of 1986* (Volquartzen, 2018). The law covers all private actors that undertake surveillance and patrol of private spaces as well as spaces that are freely accessible to the public. Such actors have to be authorized by the local police to undertake surveillance and patrol activities. Furthermore, security personnel that engage in such patrol and surveillance activities have to participate in a mandatory 20-day course in order to become certified.

The first contract with the private security firm on the public square was planned to last from May to September 2017. At first, two security guards patrolled the public square from 11 am to 7 pm Monday to Saturday every week. Later, this was changed to only one security guard patrolling during the hours of 12 am to 7 pm and the contract was prolonged to October 2017. The contract was formally between the private business owners' association and the security firm, but the municipality also made a financial contribution to the arrangement. The size of this contribution was not made public, but freedom of information requests revealed that the municipality paid most of the expenses to the arrangement even though they were not formally a party in the contract. The municipality contributed 13,000 euros, while the business association contributed 4000 euros. Consequently, the municipality closely followed the implementation of the private security guards.

As part of the research project, the introduction of this new policy was followed as it unfolded in the media and in the publicly available transcripts and audio recordings of city council debates. Specifically, all publicly available audio files of city council debates relating to Klostertorvet were collected. The first relevant debate was on December 18, 2013 and the latest on May 10, 2017. In total six audio-recorded debates were identified which related to Klostertorvet. These were listened to and relevant passages were transcribed. Through the city council debates and policy documents, key stakeholders and main actors were identified. Interviews were conducted with the following: two social outreach workers and one lawyer employed by the municipality; two representatives from Christian charities for the homeless; one chairperson for the local organisation of homeless people; one director of a homeless shelter and drug consumption room; two senior police officers; two homeless people; one local business owner; and one supervisor from the private security firm that was tasked with the job of patrolling the square. These research participants were interviewed about their specific views on the decision to introduce security guards to the public square and their experience with this policy, as well as their general views on the presence of marginalized individuals in public in the city and the governance of these.

In addition to this, observation of the city together with the chairperson of the national organisation for homeless people was conducted on two occasions, resulting in some informal chats with participants in the scene as well as two in-depth interviews with two individuals that were homeless at the time (5 hours). In addition to this, the public square and the policing of it by the private security guards was observed. Initially, this was from a distance, while sitting at one of the benches at the square or at a local café (14 hours). Later, permission to conduct observations together with one of the security guards while on patrol was given by contacting their supervisor. Observation with this

security guard took place on seven occasions (56 hours). To gain some background information on the training that private security guards receive in Denmark, classroom observation of the 20-day required course for security guards was conducted on two occasions (15 hours). The data collection lasted 6 months and took place from May to October 2017.

Policing practices of the private security guards

When presenting the overall strategy and action plan for tackling homelessness as well as the specific project of installing private security guards, it was repeatedly stressed by the local politicians that this would be to the benefit of both the homeless, the business owners and the housed public in Aarhus (for a more thorough analysis of this initial debate, see Kammergaard, 2020). As expressed by one of the two representatives that had put the proposal forward:

The security guards should be providing a feeling of safety and security in order for everyone to be able to enjoy the public square: business owners, ordinary citizens and the 'socially vulnerable' (City council member, Venstre – The Liberal Party)

Supposedly some of the beneficial effects of the project of installing private security guards for the homeless and marginalized individuals at the public square were an increased protection from assault from other socially marginal people in the scene and the creation of a more 'orderly' and pleasant environment for them to stay in. Moreover, the other representative that had put the motion forward argued that the security guards were not supposed to be punitive, but rather they should engage in conversation and socialize with the marginalized people at the square:

That is why we suggest security guards who can engage in a dialogue and a social care with these people in order for them to avoid these problematic situations (City council member, The Conservative Peoples' Party).

The security guards were to engage in informal chats with the individuals at the square and attempt to manage things non-coercively by engaging in a 'dialogue' and 'social care' with them. In that regard, the politicians that put the proposal forward, stressed that the security guards were not supposed to exclude or expel any individuals from the square, partly because of a fear of displacing 'the problem' to other areas of the city:

It is important to stress that the security guards are not supposed to 'push' anyone away [from the square] or into someone's backyard and then not deal with the problem (City council member, Venstre – The Liberal Party)

However, if the aim of the project indeed was that the security guards should operate in a non-coercively manner and engage socially with the individuals at the square, this was apparently not initially achieved very successfully. In the next two sections we will consider first how some security guards were perceived as practicing their powers illegitimately by using ‘hard’ powers, which they did not legally or formally possess, and second, we will look at the practices of a security guard who used ‘soft’ power and whose exercise of power were more in line with the ‘social care’ and ‘dialogue’ based policing that the local politicians had advised.

‘Hard’ policing on the public square

Interviews with the head of the local branch of the national organisation for homeless people revealed that the security guards were not initially seen as very legitimate by the marginalized individuals at the square and that they were perceived as overstepping their formal authority on several occasions. By the time the security guards had operated on the square for six weeks, he had already received an estimated 20 complaints from different individuals who had been coercively excluded from the square and who experienced this as very illegitimate and unfair. The head of the organisation facilitated contact with two of the complainants for me, which confirmed the picture of exclusionary and coercive practices of the security guards. One of these expressed his experience with the security guards in this way:

It’s uncomfortable to have someone staring at you constantly and then when they come over and correct your behavior as if you were a small child, like you can’t behave correct enough to be part of this society, like you’re not good enough to sit on a fucking bench or a doorstep. You’re not welcome in this city. You’re filth. You’re ugly ... They’re here to clean and you’re the garbage. That’s the feeling (Homeless man 2)

The experience of this homeless man mirrors the findings from other investigations into the connection between aesthetics and urban order, where the creation of sanitized spaces is a central goal. Walby and Lippert (2012) found that Canadian NCC conservation officers approached homeless people as ‘garbage’ and that they did not distinguish between homeless people and their belongings in their ‘cleaning’ of the national parks. This dehumanizing treatment of homeless people *as* objects and not as humans to interact with resonates with the experiences of this particular homeless man. These policing practices then, seem rather far removed from the ‘dialogue’-based policing and the ‘social care’ that the local politicians mentioned and which were neither experienced as fair,

legitimate or procedurally just by this homeless man (Tyler, 2006). Another homeless man recounted a specific incident where the security guards had tried to remove him and his friend from the square:

Then they came and said like 'you can't sit here!', and I went 'why not?', and they went 'ou just can't. The municipality won't have it' and me and [my friend] were not that motivated to move ourselves at that time ... 'well then we will call the police' they say, and I went 'well then do that'. The police never came. It ended with them leaving us and finding some others that they could chase off (Homeless man 1)

This incident illustrates how the security guards attempted to make the two homeless men move away, by acting as if they had authority over the square and legally could expel the two men from being there. Furthermore, the incident illustrates how people are not very likely to cooperate with authorities if they do not think they are being treated fairly and respectfully, which is a core argument of procedural justice theorists (Tyler, 2006). However, the incident also shows that even though the security guards did not succeed in sending these two particular individuals away from the square, the security guards actually succeeded in chasing other people away by using the same tactics. The incident exemplifies how the security guards were able to exclude people from the territory they were tasked to police, even though they did not hold any formal, legal power over the space. An important element in this regard might have been their uniforms. This point was brought up by the head of a local homeless shelter and safe injection facility:

Something happens when you put on a uniform. It increases the formal authority ... In reality you do not have it. But not a lot of citizens and homeless people are fully aware of that the moment you meet a uniform like that (Head of shelter and safe injection facility)

The head of the shelter here mentions the presumed importance of the uniforms that the security guards were wearing. These uniforms might have meant that those who met the guards *assumed* some kind of formal authority on their part. Usually, when we meet uniformed security guards, they do indeed have authority over the space that they are policing as private security usually operate in *private* spaces. Likewise, as the socially marginalized individuals at the square might have been conditioned to follow the orders of uniformed security guards, the security guards at the square might also have been conditioned to act in a certain way when they wore these uniforms. As the supervisor of the security guards reflected on the matter:

The security guards had a hard time patrolling a place where they could not ‘do anything’ ... In their daily job in a private store, they are used to having some authority and some powers that they do not have out on the street (Supervisor, private security firm)

As the supervisor explains, private security guards usually have legal authority over the space they police and they largely work within a framework of securing loss prevention for their clients, by excluding unwanted individuals from the premises of the private property they are tasked to police, e.g. a shopping mall, night club or other commercial spaces. This might explain why the supposedly non-exclusionary and non-coercive methods that the security guards were intended to engage in were initially not promoted very smoothly.

The practice of the security guards coercively ordering the individuals to remove themselves from the square did not go unnoticed or uncontested. As mentioned, the national NGO for homeless people had two representatives in the network that were to follow the implementation of the new strategy for homeless people in the city. One of these representatives told me how he took the complaints about the security guards and presented them to the other members of the network in order to convince them that the security guards were not “behaving appropriately” (Head of homeless organisation). As he argued in an interview:

The idea was that the security guards should have a social function and establish a relation to the marginalized individuals present on the square. In order for them to feel safe with the guards being there and in order that Mr. and Mrs. Denmark [middle class citizens] can feel safe about the guards and they can see that the socially marginal individuals actually can behave appropriately. Because it is not like they cause trouble all the time, right? Yeah, so I just hope it gets better with those security guards and that they either are severely reprimanded by their boss or that some of them are fired and new ones are employed (Head of homeless organisation)

Following the meeting in the network where the head of the homeless organisation argued against the practices of the current security guards, steps were taken by the security firm to alleviate the problematic practices of some of the security guards. Several security guards were fired or relocated and new ones were employed. The supervisor of the private security guards explained how the job had changed on the square to being more about the safety and wellbeing of the street dwellers there as well. She explained like this in an interview:

The task has changed to us being there to ensure the safety and wellbeing of the socially vulnerable ... That was a challenge in the start, the fact that we had to make them see us as a helping hand and not as someone there to make life miserable for them ... But now they don't see the uniform, now they see the face of the security guard ... And now they think 'oh it's that guy' and 'I can go to him if I have any problems'. And they do. They go to the security guards if they have any problems (Supervisor, private security firm)

In the interview, the supervisor of the security guards also acknowledged that it was challenging in the beginning to find 'the right people' to do this kind of job in the organisation and that they also had to employ new people that were fit to do this kind of job. This course of events illustrates how the security firm had to change its strategies in order to be able to govern the public square. Usually, power is understood as something *possessed* by a powerful agent, which makes them able to impose their will over a less powerful agent. However, in governmentality terms, power is not understood as something that can be possessed, but rather as a *relation*, not only between the oppressed and the oppressor, but a system of relations encompassing multiple agents. In this sense, the relation between the security guards and the marginalized individuals present on the public square was mediated by other power relations surrounding the immediate interaction between these two agents. In this case, the national homeless organization was able to put pressure on the municipality and the other stakeholders present in the network overseeing this new policy, in order for them to have the security firm change the practices of their employees. Specifically, the security guards would have to behave respectfully, fairly and in a procedurally just manner towards the marginalized individuals in order for them to be perceived as legitimate by the stakeholders representing the marginalized individuals.

The supervisor from the security firm introduced me to one of the new security guards, a young man in his mid-20s, with a pedagogical background, and I was allowed to follow him on patrol. He was the only security guard who patrolled the square regularly at that moment, although when he had a day off, the square would be patrolled by some of his colleagues. In the following section, I will present the practices of this particular security guard and the soft power he utilized in policing the square.

'Soft' policing at the public square

In many ways, this security guard operated with the same aims and objectives as his colleagues, but he achieved them with slightly different techniques. This security guard would also ask the socially marginalized individuals to leave, if they were violating any of the regulations for the space, such as

the ban on alcohol consumption outside of licensed bars. However, instead of just ordering them to leave the square, the security guard would often mention other alternative locations nearby where they could go. He would often suggest that they moved to the bus shelters or in front of the Salvation Army, two other very close and popular spots for day-drinking for this group. In providing an alternative for those he dispelled from the square, he potentially made his demands to leave the square more manageable and were perhaps perceived as behaving more legitimately as well. In other words, the *outcomes* of these interactions were similar, the individuals would leave the square and go elsewhere, but the procedures for achieving this outcome were different than if the security guard had threatened them with calling the police as his first move.

Aside from managing where people consumed alcohol, he also managed people that were very intoxicated. If anyone was passed out drunk on the street, he would usually try to wake them and ask whether they needed any help and then help them to the bus shelter or any other place where they were not obstructing passage and attracting attention from other pedestrians. Other times, if the person was lying down in a secluded area, he would let them stay after checking on them and making sure that they were not in need of any medical attention. In addition to this, he would intervene in violent confrontations or other situations that called for immediate action, such as someone in need of emergency healthcare. In this sense, the security guard could be understood as being in a process of positioning himself as a helpful and supportive authority on the public square, rather than a despotic and tyrannical one. This could be seen as a strategy for achieving an authority over the public square, which was perceived as legitimate and based on the willing compliance of the marginalized individuals. One such instance where the security guard helped one of the marginalized individuals unfolded like this:

Crossing the square we meet one of the regulars who the security guard accompanied to the shelter to get some medical attention earlier this day. He has a big swollen eye that he got from being in a fight a couple of days earlier and he is not looking too good. The man is standing together with a middle-aged woman. The security guard suggests that he should go to the hospital ... suddenly, the man is about to fall backwards. The security guard only barely manages to get a hold of his collar. The security guard says that he will call an ambulance and takes the man under his arm and leads him over to the doorstep in front of the Salvation Army. He walks very shakily. The security guard manages to get him to sit on the doorstep. However, soon after the man begins throwing up. At first it's just the beer and foam, but later it looks like

he is also throwing up blood. Soon after the ambulance arrives and the medical personnel takes the man with them to the hospital (Field note)

Even though dealing with medical emergency problems was not at the core of what the security guard was tasked to do on the square, situations such as this still became a part of his daily work. Bittner (1970) has famously defined policing as dealing with those situations where 'something-that-ought-not-to-be-happening-and-about-which-someone-had-better-do-something-now!' (p. 30). In the same way as the police are sometimes being portrayed as dealing with all the social and public health problems that the rest of the welfare state neglects, the security guard also ended up dealing with these emergencies that called for someone to take responsibility for intervening in some way or another. In this intervention the security guard could be said to be engaged in helping and protecting a marginalized individual, while at the same time engaged in the order-maintenance of the public square, as a very drunk and sick man on the square could potentially damage the image that the business owners and the local government would prefer to project about the area. In another instance, a man lying flat in the middle of the sidewalk attracted a great deal of attention from people passing by:

We notice a man lying on the sidewalk on his back with his arms spread out wide. Some young boys behind us exclaim "Look! A dead man on the street!". The security guard approaches him and tries to establish contact, but he has passed out. He knows the name of the guy and says it several times and tries to get him to regain consciousness. A young woman is riding by on a bicycle. She stops and asks whether she should call an ambulance. The security guard says that it is not necessary and that the man is just very drunk. The security guard is not able to get the man back to consciousness and decides to call the police in order for them to remove the man from the sidewalk ... While we are waiting for the police to arrive a man and a woman with their child walk past us. The woman jokingly remarks that it is a bit early to be that drunk. Later, a young man walks past and remarks to the woman that he is with: "Damn I'm glad that I don't live around here" (Field note)

As this instance illustrates, a person lying on his or her back on the sidewalk will attract a considerable amount of attention from those passing by and is also something that could potentially make people refrain from visiting the public square and using it for leisurely activities, as the remark by the young man illustrates. However, waking up drunk people that were sleeping or were passed out on the square could be practiced in a way that simultaneously showed concern for their wellbeing, while at the same

time functioned as a way to ensure that the public square would look as neat and tidy as possible. The following incident also illustrates this:

The security guard walks towards a man who is lying flat on the sidewalk adjacent to the public square. He tries to get in contact with the man who clearly has passed out drunk. He asks the man several times: “can I help you?” and “can I help you get to the bus shelter with the others?”. There are three to four other people who sit in the bus shelter and drink. At one point, a woman approaches who knows the man and helps the security guard to get the man onto his feet. The man is awake now but not very steady on his feet. However, the woman succeeds in assisting him in getting to the bench at the bus shelter on the other side of the street (Field note)

As this incident shows, the security guard would often frame his requests to the marginalized individuals frequenting the square as him *helping* them. In this way, he could establish and protect friendly relations with the individuals, while at the same time engage in practices that attempted to ensure that the square would be perceived as an orderly, safe and pleasant space for those passing by. This is not to suggest that the security was in fact *not* helpful towards the marginalized individuals, but rather that sometimes the goal of ensuring an orderly space at the public square could be aligned with helping the marginalized individuals as well.

Between dealing with emergencies, waking up drunk people at the square and ordering people to go elsewhere to consume their alcohol, there were still large extents of a shift where nothing called for the intervention of the security guard. In those moments he would engage and socialize with those he policed and establish relations with them. He actively distanced himself from those practices that were initially used by some of the other security guards. He called their approach ‘cop-like’, and explained with disdain how they would stand under the tree in the middle of the square with their arms behind their backs and stare down at the marginalized individuals at the public square, only addressing them if they did something that was not allowed. He further explained how these practices were still used by some of his colleagues who were only tasked with policing the square infrequently and who did not have an understanding of the socially marginal people there or a willingness to engage with them.

When patrolling the public square, the security guard would regularly move away from the square and down the adjacent streets. In this way, he would interact with, meet and familiarize himself with the individuals in the neighborhood. This undeniably created a different way of ‘seeing’ the space and the people that he was policing, compared to standing under the tree and monitoring the area

from a distance. Moreover, it also made those he policed perceive of him differently. During my observations multiple people at the square would express satisfaction with having the security guard present there:

Several times during the day people expressed that they liked the security guard and that they trusted him. At one moment we are talking to a man that still visits the square, but who has stopped drinking. It is clear that the security guard knows him well. The man says that he is worried what will happen when the security guards stop patrolling the square [the contract was supposed to end in one week at that time]. At one point another man comes by and says 'oh, it's my favorite security guard' and shakes hands with the security guard and leaves (Field note)

Another incident showed something similar:

We're talking with a man that does not seem as intoxicated as some of the others and he explains that he just stops by from time to time to have a beer with friends. At one point the security guard receives a phone call and walks away to pick it up. When he is away the man praises the security guard for having established good relationships with both the marginalized individuals and the business owners. He says that he is really good, because he can talk with them without raising his voice. When the security guard returns, the man repeats his praise to him. The security guard says again, that he does not want to be 'cop-like' (Field note)

At another time, a woman expressed how she was happy with the presence of the guards on the public square:

We are chatting with a woman who often hangs out at the public square. She says that she is glad that the security guards have been introduced at the public square, because there is less disorder now. However, she also remarks that the security guards should be there at night too, because that is the most dangerous time (Field note)

These observations indicate that some of the individuals on the square perceived the presence of the security guard as being positive and beneficial to them. Furthermore, these observations also indicate that the security guard had established relations with several of the individuals on the square. There were of course also some who were more oppositional towards the security guard and expressed dissatisfaction with his presence, as the incident described below amply illustrates:

During the day the security guard asked several people to refrain from drinking alcohol at the public square. Usually they would just comply with this request without opposition. However, at one point he asks an older man to not drink while on the square, who became offended by the request and says that he did not know about that rule. The security guard argues that he has said it to him several times. The man says that the patrons at the tables outside the cafés are drinking. The security guard says that it is permitted to drink at the cafés. The man remarks that he finds it ridiculous that if you just pay enough for your beer, then you are allowed to drink at the public square (Field note)

While this man clearly did not find the fact that he could not consume his beer on the square, while those paying a premium price for a beer could, most of the time the individuals on the square did not question it when the security guard asked them to not consume alcohol on the square and would comply with his demands without resistance. However, another incident illustrates how some of the individuals at the square might have held very negative views of the security guards:

We are walking past a guy and the security says “hello”. He replies: “do not say hello to me, I do not say hello to you”. The security guard says: “why?” and he replies: “because you are ugly”. The security guard says: “well, that is not my fault” and the man says “no, you have to speak with your mother about that”. While we are proceeding down the street, the security guard says that the guy probably had been caught stealing by a guard in a mall or something (Field note)

This incident illustrates that some of the individuals on the public square did not take an interest in interacting with the security guard and refused to talk to him. This was, however, a very rare response when the security guard attempted to converse with people there. Most individuals on the square seemed happy to engage in conversation with the security guard. However, there were also incidents of more severe confrontations between the security guard and the individuals on the square, although I never witnessed these myself. Nevertheless, the first time I met the security guard was when the supervisor took me down to the public square to introduce me to him, where he had just been in a confrontation with one of the individuals on the public square:

Together with the supervisor we arrive at the public square. We spot the security guard and approach him. However, he is talking on the phone and we wait until he is done. When he hangs up, the supervisor introduces us and we greet each other. The supervisor asks if anything had happened and the security guard tells that he has been in a confrontation with someone who threw

a vodka bottle at him, but missed. The supervisor asks whether he has reported it as an act of violence to the police. The security guard says that he has not done that. But he tells that he had approached the man and told him what stupid a thing it was to throw a bottle at him. However, he had said that if the man would go and pick up the bottle and behave appropriately, he would not call the police. The man had refused and the security guard had called the police. While we are conversing two uniformed police officers arrive and ask where the man is and they go around the building to arrest him (Field note)

This incident illustrates how the individuals on the square sometimes would react with violence and aggression towards the security guards. As mentioned, I never witnessed this myself and the security guard only told me about a few times where it had taken place. Furthermore, I did not witness what it was that might have provoked the man to throw a bottle at the security guard in this instance. However, the incident illustrates how the security guard initially attempted to manage the situation, by requesting the man to express regret by picking up the bottle, as a kind of symbolic gesture, conveying that he could comport himself. However, when the man refused, the security guard had called the police in order for them to arrest him. He had, however, not filed charges against the man for throwing the bottle at him.

The incident illustrates how the security guard had first attempted to moderate the behavior of the man, by appealing to him to express regret about the incident. This illustrates how he was engaged in attempts to shape the behavior of the individuals on the square through ‘soft’ policing. In governmentality terminology, he was attempting to *subjectivize* them; that is to say, to make them self-govern by attempting to make them take up a subject position as being respectful and responsible. However, when this failed, he used the only ‘hard’ and coercive method he had at his disposal, which was to call the police in order for them to arrest the man and take him into custody.

The first time I met the security guard, he said that the most important thing for him to be able to police the square effectively was ‘mutual respect’ between him and those he was tasked with policing. When security guards are patrolling in a private space, where their authority is legally backed, and where they have extensive power to choose who should be allowed to stay or enter that space, they do not need to rely on such ‘mutual respect’, since they can coercively enforce their demands. However, when tasked with policing a space where the security guard did not have any formal or legal power, he had to earn the respect of those he policed in order for them to comply with his various demands. He achieved this by establishing social relations with those he policed, helping them in

times of need and generally behaving in a respectful and ‘procedurally fair’ manner towards them (Tyler, 2006). The following incident illustrates how the relationships that the security guard attempted to establish with the individuals could also be utilized in producing an orderly space at the square:

A woman has been sitting on a bench at the public square for a long time. She is drinking orange juice out of a carton. The security guard has small-talked with her several times throughout the day. At one point, the security guard jokingly asks her whether she had put something [alcohol] in her orange juice. She denies this but laughs. He asks whether he can smell the juice and she reluctantly lets him. However, he lets her keep the juice even though she is in the zone where alcohol consumption is not allowed. Later, the same woman is discussing something very loudly with a friend. The security guard approaches and says “nice and easy, nice and easy”, in order to indicate that they are being loud. The woman repeats “nice and easy, yeah” and they keep it down a bit. Later the same day, the woman is alone again. When we pass by, she grins at the security guard and lifts up her shirt. The security guard tells her to put her shirt back down. The woman exclaims “I’m not a child”. The security guard laughs and says “you obviously are”
(Field note)

This series of incidents with the woman in the public square illustrates how the security guard had established a relationship with one of the individuals who was spending time there. In the first incident, the security guard let her consume alcohol on the public square, even though it was not allowed, so long as she did this in a discreet way. Such displays of leniency might have aided him in ensuring compliance with other requests at a later time. At any rate, the woman seemed to take his request to keep it down later that day into account. In that regard, establishing relationships with the marginalized individuals on the square could again be described, in governmentality terms, as a way of *subjectivizing* them. In his relation-building with several of the individuals present on the square, he could gradually attempt to make them take up a more ‘responsible’ subject position, where they would acknowledge how their behavior could cause a nuisance to other people. The remark the woman makes about her not being a child gets to the point of this. Almost like a pedagogue, the security guard was engaged in instructing and guiding the marginalized individuals on the square on how to behave ‘appropriately’, in an attempt to make them self-govern and moderate their behavior.

Responses to ‘soft’ policing methods and negotiations of policing practices

The different NGOs who supported and represented the homeless and marginalized drug users came to accept and see the policing of the security guards as legitimate after they changed their approach from hard to soft policing, meaning that they were refraining from feigning that they had authority over the public square and instead engaged in socializing with the individuals there. In an e-mail I received, the head of the local branch of the national homeless organisation stated that the situation had improved at the square following the employment of new security guards and the change in practice:

New security guards have been hired and they have a more pedagogical approach. Those I have talked with say that they are being treated better and the security guards speak appropriately to them and ask how they are doing and so on. We are very pleased with that because it has reduced some of the commotion at Klostertorvet (E-mail correspondence, head of homeless organisation)

This experience was also echoed by the head of a Christian charity and soup kitchen near the public square, who explained his view on the security guards:

They found out that they were not supposed to expel all of the marginalized individuals from the public square. The first three weeks it did not work out ... But after they have been in here and met us and other of the NGOs, and after they have gotten to know people, it helped (Head of soup kitchen)

Representatives of other NGOs supporting the marginalized drug users were even more positive about the presence of the security guards. As the head of another Christian charity, also located close to the public square, expressed in an interview about the project of installing security guards on the square:

I think it is good. Those security guards I have met were nice and treat people appropriately. It is not like they treat people badly and want to dictate everything. There is a good dialogue. All in all I think it is a good initiative (Head of Christian charity)

The head of the homeless shelter and drug consumption room expressed similar views, arguing that the security guards at first had misunderstood the task by acting too coercively, but had later changed their approach and now operated in a more appropriate fashion:

R: The first security guards that were tasked with policing the square thought that they could use the same approach as when they were working in a private store. But this is a very different job.

You have to build relations and enter into a dialogue with those you police ... And it took a couple of months before we got that right and we held a lot of meetings about that in the network group and a lot of different interests are represented there. And because of that, we have been very attentive about who it is that gets to instruct the security guards. Because the business owners have one interest and we have another interest ...

TK: I have heard from the legal counselor from the municipality that it is the business association who formally has the contract with the security firm. Does that matter for how the guards are instructed?

R: They formally have the contract, but I think that they eventually have become responsive to us and now can see that the dialogue and relation-building are more appropriate ... Because if they take the other approach and try to push out the marginalized individuals, then the guards will just make the conflict even more intense. Dialogue is more gentle and really also that much more effective (Head of homeless shelter and drug consumption room)

In this interview excerpt the head of the homeless shelter and drug consumption room confirms the view that the security guards at first operated in a coercive and, according to him, problematic way. However, he further explains how the security guards had gradually changed their approach, because of the continuing debates that the different stakeholders in the network group had engaged in. He reveals how even though the business owners at first were reluctant about the ‘soft’ policing approach, they had eventually acknowledged that it was the best way. Furthermore, he argues that the ‘soft’ policing approach was more appropriate as well as more *effective*, which is a core argument by procedural justice theorists, who maintain that if people feel that they are treated fairly and respectfully, they are more likely to comply with authorities, which ultimately makes such strategies more effective than coercive ones (Tyler, 2006).

Furthermore, the two social outreach workers who worked specifically with the group of socially marginalized individuals, who were present and visible in the public spaces of the city, also argued that the new approach by the security guards was applauded, at least by some of the marginalized individuals on the square:

R1: They started by just chasing people away from the square, but now the approach has changed to the way it was supposed to be from the start – more pedagogical and more dialogical ...

R2: Now the marginalized individuals at the square actually tell us how the security guards help with achieving some peace between them as well in order for no one to feel unsafe ...

R1: They tell us that they actually like the presence of the guards now, because it reduces the amount of violence down there. And that is also the point of the security guards: they should also take care and help the marginalized individuals ... They should take care of the surroundings, but they should also take care of the marginalized individuals, if violence between them takes place
(Two social outreach workers)

In this interview excerpt, the two social outreach workers emphasized how the security guards had also come to play a supportive role for the marginalized individuals on the square, by intervening if violence were to erupt between them and contributing to an overall safer environment at the public square. They based these claims on what the marginalized individuals themselves had told them, when they had been out doing social work. However, the social outreach workers simultaneously stressed that, according to them, not all of the marginalized individuals were pleased by the presence of the security guards:

R1: It is very different how they perceive the security guards ...

R2: Some of the marginalized individuals on the square have had some bad experiences with security guards from when they have been caught shoplifting in the stores or just been refused access by the security guards ... But considering that, I think the relationship between the guards and the marginalized individuals is surprisingly good ... But some have a deeply ingrained attitude of security guards being their enemy ...

R1: If it had gone well from day one, then we could maybe have avoided those misunderstandings and they [the security guards] could have slowly built a good relation [with the marginalized individuals]. But that was not how it went, but considering that I think the attitude towards them [the security guards] changed towards the better (Two social outreach workers)

The two social outreach workers here explain how the mistrust of the private security guards was deeply ingrained for some of the marginalized individuals, which meant that not all of them accepted and applauded the presence of security guards on the public square. Furthermore, they mention how the ‘hard’ policing approach of the security guards in the beginning might have damaged the relation between the two groups and now made it more difficult to engage in dialogue and relation building. Findings have indicated that having a bad experience with the police impacts citizens’ views on the

performance and legitimacy of the police by four to fourteen times as much as that of having a positive experience (Skogan, 2006). If these findings are to any extent transferable to private policing, then the bad experiences that some of the marginalized individuals had with the security guards in the beginning, when the policy had just introduced and when they engaged in coercive policing practices, may have significantly damaged the view of the private security guards and hindered the relationship-building that they were later trying to achieve. This is also confirmed by the fact that the two homeless men I interviewed were highly skeptical about the security guards in general, as they have had bad experiences with them. One of these men explained that he had some good experiences with one particular security guard, but his view of the security guards was then spoiled by what he perceived as a change of tactics on their part:

They really fucked it up. Anyway, it doesn't matter. I don't know what happened. I don't know why they changed their tactics. I don't know what the fuck happened to them, man! ... The pedagogical approach is a lot better than the 'cop-like' approach. The aggressive approach. Because people respected this particular security guard. It matters who they choose to patrol the square (Homeless man 2)

Contrary to the overall story told by the different stakeholders then, this homeless man experienced that the security guards *used* to behave in a respectful manner towards him, at the beginning of the project, but later he felt that they treated him unfairly. This might be a result of the fact that a roster of different security guards was patrolling the square at any one time and that these guards might have policed it in different ways. As the security guard I was following expressed to me, he had difficulties with establishing good relations with the individuals on the square if he had been gone for some time and one of his colleagues had patrolled there. As he explained, his colleague might behave in what he called a 'cop-like' manner, which damaged the relations between the security guards and the individuals on the square. Similarly, it might reflect how the supervisor of the security firm might not have succeeded in finding enough suitable employees to patrol the square at all times.

However, speaking to the business owner, who was also represented in the network group, about the changes in the practices of the private security guards, he argued that the security guards had been more coercive at the beginning and that this was necessary. In this interview excerpt, he uses the metaphors of the 'stun gun' and the 'coloring book' to denote soft and hard policing methods respectively:

If you ask me, I would prefer that they used the 'stun gun' rather than the 'coloring book', and if you ask the NGOs, they want them to use the 'coloring book' ... I don't care if they use a stun gun or a coloring book as long as they make them behave. But I know what is the quickest solution ... I am not in doubt that it was the right way that the security guards handled the situation at the beginning. We have adjusted this later with the security firm and the network group ... We adjusted it to more 'coloring book', while it was more 'stun gun' in the beginning. The hard way, right? And I support that, because it is the quickest solution ... But I can also see that the new approach actually works ... For some reason the security guards have succeeded in talking with these people and produced order on the public square (Business owner)

In this interview excerpt, the business owner argues that the hard approach of the security guards was 'the right way'. However, at the same time he acknowledges that the softer approach, which he claims was adopted later, was also effective in achieving order on the public square. Consequently, he approved of these new softer methods, as long as they were achieving the same end result of an orderly space for him to run his business. Nevertheless, during my second shift together with the security guard, he told me how this business owner had reprimanded him while he was patrolling:

The security guard tells me that he does not care much for this business owner. He recounts an episode where he was patrolling down one of the adjacent streets to the public square. Suddenly he felt someone tapping him aggressively on the shoulder from the back. He had turned around and the business owner had angrily said "do you know who I am?! I am the reason that you have this job". Then he had complained that the security guard was not patrolling on the public square, but was instead walking down the adjacent streets. Furthermore, the security guard said that the business owner had told him that he should not be standing around and talking with a 'perker' [Danish racial slur for someone with Middle-Eastern or Arabic background] (Field note)

While I did not observe this particular incident myself, and thus I cannot attest to whether these were the precise words exchanged in the encounter, the incident might still serve to illustrate how the 'softer' policing practices of the private security guard had evidently been seriously contested by this business owner at one point. The incident illustrates how the business owner might have believed that the security guard was not doing his job properly when he was leaving the square in order to walk around the general area and talk to the people there. In other words, the business owner seemed to contest both the fact that he had left the public square and that he was casually conversing with people while on duty. This incident furthermore illustrates the many stakeholders

involved in shaping this policing project and how this might translate into conflicting messages to those carrying out the project, i.e. the security guards. However, as the interview quote above illustrates, the business owner might have gradually accepted this ‘soft’ approach, as long as it was effective in keeping order on the public square.

The disappearance of the public police?

Another important stakeholder in this policy process was the local public police in the city. As mentioned, the introduction of private security guards in a public space is still a relatively novel phenomenon in Denmark. In addition to this, the police had stopped a similar project in the city more than 10 years earlier, when the business owners had hired security guards to remove beggars, panhandlers and unauthorized street vendors from the main shopping street in the city. Back then, it was also acknowledged that the security guards did not have any formal and legal right to remove anyone from the public street, but similarly they were instructed in informing the individuals about the illegality of their behavior and ask them if they would voluntarily remove themselves and if not, call the police (Århus Stiftstidende, 2005, December 13).

However, after approximately a year the police intervened and declared that the business owners were not allowed to employ private security guards to patrol in the public street. According to the police, the security guards were allowed to walk up and down the shopping street, but they were not allowed to interact with beggars, panhandlers or street vendors and ask them if they would leave voluntarily. As one police officer at the management level stated to the local newspaper: “It is the job of the police to maintain order in the public shopping street” (Århus Stiftstidende, 2006, December 9). However, based on interviews with the local police force during this study, the attitude towards the presence of private security guards on the public streets in the city, had evidently changed during the previous decade:

TK: What do you think about having private security guards in a public place? Is that not a job for the public police?

R1: Essentially it is a job for the police, but all police jobs get prioritized. Of course we have to prioritize that people can move safely and security in public places. But we also have to do that a lot of other places [other than the public square] ...

R2: If we come across a group of five drinking beer in the bus shelters [at the public square], we ask them to leave and if they don't, we can arrest them. The security guards can only ask them to leave, that is the difference.

TK: And then they can call you?

R1: Yes and then they can call us and they do that as well.

TK: So you cooperate in that way?

R1: Yes, we have a good cooperation with them (Interview with two police officers at the management level)

While the police at the time of this study acknowledged that it was formally the job of the police to maintain order in public places, they did not have any reservations about the presence of the security guards on the public square, as is evident from this interview excerpt. Furthermore, the police officers highlight that they needed to prioritize their time and that there were many other places than this specific public square that called for the attention of the police. In addition to this, the police officers explain how they cooperated with the security guards and how the security guards would call them if they needed the police to arrest or remove someone engaging in criminal behavior on the square.

While some of the other stakeholders also expressed that the increased presence of the public police on the public square would be preferable, many simultaneously acknowledged the narrative about the police having to prioritize their time and resources. As the head of the homeless shelter and drug consumption room nearby the public square explained:

In an ideal world, you would of course want the old, local police officer who could do foot patrols of the place and engage in informal chats with everyone. Maybe it is that kind of work the security guards actually do, just without the formal authority. And that is very rare today. The police have to prioritize their resources a lot ... It is difficult for the police to do much else than come around a couple of times a day and tell people to move or to behave and then leave again, right? It is difficult for the police to actually engage in that type of policing, but in an ideal world they should of course do that. But then it is good that we can find another solution (Head of homeless shelter and drug consumption room)

As evident from this interview excerpt, the head of the homeless shelter and drug consumption room would have preferred the presence of the public police in an 'ideal world', however, he recognized

the narrative about the public police not having the time and resources to engage in such foot patrol policing of public spaces anymore. At the same time, he argued that it was good that the municipality, business owners and the NGOs could find ‘another solution’, now that frequent patrolling by the public police was no longer an option and, by that, signaling his approval of the policy of installing private security guards.

Discussion

After the policing practices of the security guards changed towards softer methods, based around the use of ‘dialogue’ and ‘relation-building’, their presence was accepted and seen as legitimate by most of the stakeholders, including the NGOs who were representing and/or supporting homeless and marginalized individuals in the city. Additionally, findings from the ethnographic observations with one patrolling security guard, as well as interviews with social outreach workers, suggested that at least some of the marginalized individuals on the square saw the presence of security guards at the public square as beneficial to them, insofar as the security guards could intervene in cases of violent conflict and produce a safer environment for them as well.

This illustrates that, by changing their approach towards a more respectful and fair treatment of the marginalized individuals, it was possible for the security guards to establish relations with this group and organize their policing in a way that was seen as legitimate by most stakeholders. These findings support the proposition by procedural justice theorists, that people care a great deal about *how* they are being treated by authorities and not just about the actual outcomes of their interactions with such authorities (Tyler, 2006). By being respectful of the marginalized individuals, by explaining them the reasons for why they could not stay or sit in specific places (i.e. private property) or why they could not drink in specific places while simultaneously suggesting other places for drinking, the private security guards were attempting to achieve compliance with their demands and maintain a status as legitimate.

Nevertheless, the policing still limited how the individuals at the square could move and conduct themselves in significant ways. One business owner remarked, that he did not care whether the security guards used a ‘stun gun’ or a ‘coloring book’ as long as they were able to make the individuals at the square ‘behave’. In the same way, you could argue that whether the security guards were using hard power or the soft power of persuasion and relation-building, they were still limiting how the socially marginalized individuals could conduct themselves and were operating towards the

same end of producing a pleasant and safe space for consumption. In other words, the outcome was the same.

The soft power that the security guards ultimately came to exercise over the square, and those individuals who were drinking and using other drugs there, could be described as a significantly more subtle form of power than the hard, coercive powers that were being used at the beginning of the project. In Foucauldian terms this exercise of power could be described as ‘subjectivation’, as this type of power did not operate with overt coercion, but rather by attempting to make the unruly individuals frequenting the square regulate their behavior by acting on their will, their circumstances and their environment (Rose, 1999; Dean, 2010). The ambition of the project was that the presence of security guards and their socializing with the intoxicated individuals at the square could make these people gradually regulate themselves in a manner that was seen as more appropriate to their surroundings, without the security guards necessarily imposing constraints on their behavior coercively, but instead by attempting to make them take up a more ‘responsible’ subject position, where they would acknowledge how their behavior could cause a nuisance to other people. In this way, the control that the security guards exercised became more invisible and more consensual, however it still clearly constituted a desire to change the conduct of the intoxicated individuals at the square. In that sense, the power of the security guard operated without any outright coercive measures, but instead in a more “embedded, preventative, subtle, cooperative and apparently non-coercive and consensual” manner (Shearing & Stenning, 2003, p. 431).

Even though the presence of the private security guards was ultimately seen as legitimate by most of the stakeholders and at least by some of the marginalized individuals and even though the local government as well as other stakeholders tried to frame the project as being to the benefit of the individuals congregating at the square as well as the housed public, the mere organisation of the project revealed that the primary logic was to make the square a pleasant place for commerce and leisure for the housed public and the private business owners by controlling the movement and behavior of the marginalized individuals. Temporally, the scale of the project was limited to the summertime, where the cafés would have outdoor seating on the square, and additionally, in this summer period the guards would only patrol in the daytime, when the shops and cafés were open and not in the evening or the nights, even though these times might have been the most dangerous and unpleasant for the socially marginalized individuals. Spatially, the project was also limited to the specific square, at least initially, even though the actual policing might have ‘spread out’ to the adjacent streets. If the objective of the project was indeed to prevent the victimization of homeless

and marginalized people and provide reassurance and safety to this group, it would have had a much broader temporal and spatial scope (Valverde, 2011; 2014). Furthermore, if the project had the stated goal of protecting the marginalized drug users and increase their sense of safety, it would arguably not have been co-financed with private parties and ‘contracted out’ to these with the concomitant loss of accountability and transparency this entails. In that regard, the project can also be perceived as a cutback on the ‘public good of security’, by relegating this job to be undertaken by low-skilled, low paid security personnel instead of the public authorities (Loader & Walker, 2007).

Concluding remarks

The findings of this case study supports the existing research, which argues that private security guards are able to exercise power in public places without having any legal or formal authority over these spaces (Berg, 2010). By drawing on different resources, including their uniform, clever usage of language and rhetorically invoking the threat of calling the police, private security guards are able to exercise considerable power in public spaces even when they do not have any legal authority. The case study supports the argument that private security guards cannot be thought of as just ordinary citizens or employees in a uniform, because they do not act as such and because other people do not react to them as such (Button, 2016; South, 1988). The growing tendency of having private security guards present in public spaces might change the dynamics of these spaces, regardless of the actual legal and formal authority of such security personnel. The case also points to the fact that, if private security suddenly begins operating in public space, the risk of the personnel overstepping their legal mandate is considerable, as private security personnel are trained to operate in private contexts with the backing of private property rights of the owner of these spaces. To suddenly make use of personnel that are trained to operate in a very different legal context makes the risk for misconduct substantial. This case study should stand as a fair warning, or at least a cautionary tale, of some of the possible problems that might erupt if BIDs were to be established in Denmark, which is something that currently is being pushed for by different networks and alliances (Richner & Olesen, 2019).

Additionally, by utilizing the analytic of governmentality studies, it is argued that even when abstaining from ‘feigning’ having authority over the space they are tasked to police, security guards are able to exercise control over spaces and individuals in apparently consensual and non-coercive ways by socializing with those present and encouraging specific forms of behavior. The governmentality analytic alerts us to the fact that the methods involved in procedurally just policing, might be understood as a specific *technology of power* (Rose, 1999). Soft policing practices that are

perceived as ‘procedurally fair’ and legitimate might still reproduce inequalities and constitute increased social control, even though this might not be recognized fully by those at the receiving end. Persuasion might be better than coercion, but if the outcome is the same, i.e. producing increased inequalities and widening of social control, both strategies might be morally questionable. In this regard, it is important to recognize that procedurally just and ‘soft’ policing strategies can be underpinned by more or less hidden relations of power, which normally is not a theme for those engaged in analyses of procedural justice. Since consensual and non-coercive modes of soft policing might be on the rise in societies where ‘policing by consent’ increasingly is replacing the older notion of ‘policing by force’ (Reiner, 2010), it is important to recognize the subtle forms of power embedded in these new policing projects.

However, it could be argued that the presence of security guards entailed *both* increased control and increased protection for the marginalized drug users. While the security guards were able to exercise power over those present at the square and make people move away or to other places, being uniformed simultaneously also seemed to put a social obligation on these guards to act in cases of emergency. If a fight erupted or if someone was severely injured and in need of medical attention, the obligation to ‘do something’ naturally fell upon the uniformed person present in the situation. This supports recent research by Loader and White (2018), who argue that it is insufficient to simply regard private security as an activity that promotes profit-maximization for the employer, since private security officers often are confronted with situations where they are compelled to act on their “moral obligations” as well (p. 1402).

While using the governmentality analytic might specifically alert us to the acts of power in the social relations we study, it might also make other types of social relations appear less relevant. In other words, analytical attention to power, which is a part of most if not all social relations, alerts us to important and sometimes hidden forms of control, but we simultaneously need to be able to notice other forms of relations than those of power. In this case, the security guards also regularly acted in protective and supportive ways towards the marginalized individuals at the square. In doing this, the policing project might actually have afforded some protection to a particularly vulnerable group, since marginalized drug users and homeless people are notoriously under-protected by the authorities, when compared to their very high exposure to acts of aggression, violence and theft (Stevens, 2007; Ahlmark et al., 2018).

Because of this, some of those frequenting the public square might very well have had a desire for more policing if this policing entailed protection for them. Judging from the remarks during my observations, at least some of the socially marginalized individuals at the square felt protected and reassured by the fact that a security guard were patrolling the space. As mentioned, Wood (2019) has argued that while the importance of the public police for public health has increasingly been recognized in the literature, the importance of private policing remains underexplored. Policing, broadly conceived, she argues, might both support public health endeavors and undermine them. The findings in this study contribute by showing how private security might simultaneously increase social control *and* afford additional protection and assistance to marginalized populations.

The protective and supportive policing practices that were, after all, a part of some of the practices of some of the security guards in this case study, sheds light on the potential for reorienting the policing of marginalized street populations away from repression and towards protection. Homeless people, marginalized drug users and others who spend a considerable amount of their time on the streets are victimized to a much greater extent than the general public. It should be a salient issue for the government and the police to protect this group from victimization and assault to a much greater extent than it currently is in most parts of the world today. Future research could seek to identify existing protective and supportive practices in the policing of this group and explore ways to disseminate and codify these in order to develop policing and regulation towards more socially just ends.

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Being ‘In Place’, Being ‘Out of Place’: Problematizing Marginalized Drug Users in Two Cities

Background: Socially marginalized drug users when congregating in the public space on so-called ‘open drug scenes’ are often problematized, especially in post-industrial cities which increasingly are engaged in attempts to attract those that are considered to be promoters of economic activity through processes of ‘beautification’ and ‘gentrification’. The different punitive practices that target homeless and marginalized drug users in the public space have been rendered visible in a range of influential accounts since the 1990s. However, these accounts have mostly been based on the US context and it has been argued that, in a European context, responses from local governments have been more variegated and ambivalent.

Methods: Two case studies of the response to homeless and marginalized drug users in public space were investigated in the two major cities of Denmark, Aarhus and Copenhagen. In order to account for the differences in responses to marginalized drug users between the two cases, the different problematizations of their presence were investigated through document analysis and interviews with key stakeholders.

Results: The cases were similar insofar as the presence of marginalized drug users was presented as a problem in both. Furthermore, overtly punitive measures and coercive exclusion against these people were not seen as politically acceptable in either of the cases. However, in the open drug scene in Copenhagen there was a strong discourse about the drug users having a historical ‘right’ to be in the particular neighborhood, which was not present to the same extent in the open drug scene in Aarhus.

Conclusion: The study illustrates that, by using the concept of ‘problematization’, it is possible to reveal the assumptions about the proper use of the public space that underlies responses to the presence of marginalized drug users. Comparisons of such problematizations render us able to see how similar issues of marginalized drug users and the use of the public space can be problematized differently in different urban spaces and how this can legitimize specific governmental responses.

Keywords: problematizations; public space; marginalized drug users; open drug scenes

Introduction

Because of the sheer concentration of people living together in relatively small geographical spaces, cities face problems that the surrounding countryside does not. Furthermore, large cities have always

contained more social diversity than smaller ones, as they have historically been magnets for both permanent migrants as well as short-term travelers and remain so today (Valverde, 2012). Because of this, the need for some rules for behavior in the urban public space is rarely contested. However, people will often disagree about what, exactly, such rules should be. People hold widely different views on what constitutes a pleasant public area, which makes the notion of ‘order’ in public space far from natural, self-evident and immutable (De Backer, Melgaço, Varna & Menichelli, 2016). Consequently, the line between legitimate complaints about offensive behavior and intolerant ‘fussiness’ about the ordinary hustle and bustle of everyday city life is clearly a delicate one (Thacher, 2009).

A phenomenon that has been perceived as a serious problem of disorder in urban contexts is the rise of so-called ‘open drug scenes’. During the 1970s and 1980s marginalized and disadvantaged individuals began congregating in public urban spaces and engaging in the usage and trading of illicit drugs throughout Europe as well as the US, Canada and Australia. These scenes have varied in how they manifest themselves with different sizes, drugs used, geographic concentration and visibility (Bless, Korf & Freeman, 1995). The emergence of the human immunodeficiency virus (HIV) in the early 1980s in particular contributed to the problematization of these scenes, as it made the public and local governments aware of the possible health risks and social externalities associated with particularly injecting drug use (Kübler & Wälti, 2001).

However, congregations of socially marginalized drug users were arguably not only problematized in terms of the perceived health risks that they pose, but also due to the aesthetic cost they infringe on cities that increasingly organize their activities around consumption and economic growth (Mitchell & Staeheli, 2006). The concern with visible homelessness and street people can be linked to the wider transformation of cities from industrial to post-industrial sites of consumption. In these post-industrial spaces of consumption, local governments are actively engaged in attracting those who are considered to be assets for the city’s economy and their tax revenue (Kübler & Wälti, 2001). In order to entice such populations, local governments are actively engaged in beautifying and modernizing the inner city. This process has been widely known as ‘gentrification’; that is to say, the adaption of the urban environment to the needs and tastes of the white-collar, urban middle class. In this new urban context, socially marginalized individuals may be rejected, because their mere presence may be sufficient to cause feelings of insecurity, discomfort and anxiety, which might infringe on consumption and so-called ‘quality of life’ of middle-class citizens (Pennay & Room, 2012; Kübler & Wälti, 2001). Attracting those that are considered good customers and removing

those that are considered ‘bad for business’ has been argued to be an increasingly dominant logic of contemporary urban governance (Mitchell & Staeheli, 2006; Walby & Lippert, 2012). Increasingly, socially marginalized individuals are perceived as ‘staining’ the image of the well-functioning post-industrial city geared towards consumption and the display of wealth, and socially disadvantaged groups are thus increasingly perceived as being ‘out of place’ (Cresswell, 1996).

However, the policing and regulation of ‘street people’ is not a new phenomenon. Vagrancy laws that criminalized people who wandered from place to place without a home, employment or income, were first passed in 1349 in England and have since spread throughout the world (Chambliss, 1964). Across history vagrancy have been penalized by such diverse forms of punishment as imprisonment, fining, forced labor, branding and flogging (Rogers, 1991). During the 1970s, these laws were increasingly found to be inappropriate, because they were perceived as criminalizing the status of being poor and in many countries the laws were repealed (Laurenson & Collins, 2007). Following this, the status of being without home, employment or income were no longer criminalized in itself. However, the concern with regulating the behavior of ‘urban undesirables’ did not end with the vagrancy laws. Behaviors such as begging, sleeping in public, drinking in public and car window washing have since been prohibited in many places and even though these regulations purport to be neutral rules of behavior in the public space, they invariably target behaviors that are commonly associated with homeless people (Waldron, 1991). Urban scholars have exposed the socially unjust policies and practices that target homeless people, especially in the US, and have rendered visible the array of punitive practices that bear down on homeless people and on their use of public space (Davis, 2006/1990; Smith, 2005/1996; Mitchell, 2003; Beckett & Herbert, 2009).

While previous studies have done much to expose how inequality operates through space in the city and how homeless people are particularly exposed to these processes, it has been suggested that the response towards homeless and ‘street’ people might be more variegated and ambiguous than prior accounts have proposed. It has been argued that most influential studies of the regulation of homeless people have been carried out in the US, where the responses might be the most punitive, and broad claims about how homeless people are treated have been based on studies from New York City, San Francisco and Los Angeles (DeVerteuil, May & von Mahs 2009; DeVerteuil, 2014). However, accounts based on the US context might not fit as well with the political reality in other countries and how local governments and other actors deal with the problem of homelessness might vary far more across different urban contexts. This has led to a call for more detailed empirical studies on the regulation of homeless people in public space (May & Cloke, 2014), as well as case studies reporting

on the regulation of homelessness outside of the context of the US (Gowan, 2002; Mitchell, 2005; von Mahs, 2005). Similarly, a growing body of literature has identified more complex and contradictory responses, which are subsumed in accounts that only focus on overt punitiveness (Aalbers 2010; Cloke, May & Johnsen 2010; May & Cloke, 2014; DeVerteuil 2006, 2014; DeVerteuil et al, 2009; Laurenson & Collins 2007; Van Eijk 2010; Johnsen & Fitzpatrick, 2010; Murphy, 2009).

Kübler and Wälti (2001) have argued that, in most European cities, the responses from local governments have been more variegated and have oscillated between an ‘attractiveness policy’ and a ‘social policy’ in many places. Responses have been structured by the simultaneous goals of both attracting and creating a favorable environment for gentrifiers and urban developers, who might want to see the socially disadvantaged moved out of sight, as well as a social commitment towards homeless and marginalized individuals. As Kübler and Wälti (2001) argue, local governments in Europe cannot afford to lose political support from *either* the gentrifiers or the socially marginalized and those middle-class groups that claim solidarity with them and, consequently, it might not be politically feasible to coercively exclude socially disadvantaged groups from city centers. However, even though responses might be more variegated, punitive policies targeting homeless people certainly still exist in a European context, as several studies have documented (Atkinson, 2003; MacLeod, 2002; Belina, 2007). Furthermore, recent studies on the European context have also documented widespread opposition and controversy around the establishment of drug consumption rooms, where marginalized drug users can consume their drugs while being supervised by medical personnel (for the French context, see Jauffret-Roustide & Cailbault, 2018, for the UK context see Atkinson et al., 2019).

Against this backdrop, this article will compare two cases of the response to homeless and marginalized drug users in public space. The case studies concern two open drug scenes situated in the two major cities of Denmark, Aarhus (population: 300,000) and Copenhagen (population: 1,200,000). In order to account for the differences and similarities in response to homeless and marginalized drug users between the two cases, the different problematizations of their presence will be investigated. The cases were similar insofar as the presence of marginalized drug users was presented as a problem in both. In addition to this, in both of the cases it was not seen as politically feasible to simply coercively remove marginalized drug users from the public space, which constitutes a difference to some of the punitive strategies documented elsewhere, most notably in the US (Smith, 2005/1996; Beckett & Herbert, 2009). However, it was also possible to see differences in how the marginalized drug users were being portrayed by the media and key stakeholders in the two

cases and how the governmental response to their presence in the public space was shaped by these problematizations. In the open drug scene in Copenhagen there was a strong discourse about the drug users having a historical ‘right’ to be in the particular neighborhood they were staying in. While discourses about the ‘right’ of the socially marginalized in general to be in the city were present in Aarhus as well, discourses about their right to stay in the particular public square and neighborhood they were assembling in were not as prevalent.

The study illustrates that, by using the concept of ‘problematization’, it is possible to draw out assumptions about the proper use of public space that underlies responses to the presence of homeless and marginalized drug users. Comparisons of such problematizations make us able to see how similar issues of marginalized drug users and the use of public space can be discursively problematized differently and how this can legitimize specific governmental responses.

Study background

While drug policy in Denmark previously have been characterized by a reluctance to criminalize drug users, legislation introduced in 2004 put an end to the de-penalization of the possession of smaller amounts of drugs, which had been in place since 1969 (Houborg, 2010). Up until 2004, the default response for the possession of drugs which were intended for own consumption was confiscation and a warning. Furthermore, it was not a priority for the police to apprehend users of illicit drugs. In 2003 the Danish government presented a white paper with the title ‘The Fight against Drugs’, which signaled a radical change in Danish drug policy, where all possession of drugs was now to be punished with at least a fine. These changes were put into practice and policy in 2004. Later, in 2007 this new development towards zero tolerance for drug possession was underscored with the quadrupling of the minimum fine for the possession of drugs, which was raised from EUR 67 to EUR 269 (Houborg, 2010).

However, in parallel to these developments in the general drug policy, experimentation with different harm reduction measures has also been widespread throughout the previous decades. For instance, almost concurrent with the increased sanctions for drug possession in 2007, the Copenhagen Police Department had already began experimenting with new methods of ‘non-enforcement’ towards marginalized drug users in the open drug scene of Vesterbro by 2008 (Houborg, Frank & Bjerger, 2014). Contradictory policies such as these have led Laursen and Jepsen (2002) to characterize Danish drug policy as “an ambivalent balance between control and welfare” (p. 20). Furthermore, since 2012, drug consumption rooms have been established in most of the major cities in Denmark, which led to

a ‘de facto’ decriminalization for drug possession in and around these facilities for the target group. However, the extent of this decriminalization varied significantly between the different cities, whereas in Copenhagen drug possession was decriminalized for marginalized drug users in the entire inner part of the neighborhood of Vesterbro (Houborg, Frank & Bjerger, 2014), the decriminalization in other cities was only applicable to the immediate street in front of the drug consumption room (Personal communication with Funen Police and Eastern Jutland Police). These differences in practice reflect that it was up to the municipality and the local police to decide what the extent of the decriminalization should be. This furthermore illustrates how the way specific drug policies play out is often a highly localized matter (Wodak, 2006). Even if the general, national policy is based on criminalization, this criminalization can be enforced to varying degrees in different local contexts and general policies directed at homeless and marginalized drug users might also vary considerably between cities.

Consequently, this article will compare how the presence of marginalized drug users in public space have been problematized differently in two different urban spaces situated in two different cities in Denmark. Comparing how drug policies and the problematization of drug users may vary between different local contexts can provide insight into how differing rationalities of governance and problematizations shape drug policy responses (Houborg, Bjerger & Frank, 2018; Houborg & Bjerger, 2011). Different assumptions about reality, morality and the proper objects of governance, gives way to differing drug policies.

Methods

This article draws on an investigation of two open drug scenes in the two major cities of Denmark; Aarhus and Copenhagen. The first study, in Aarhus, was an investigation of a public/private policing project, where the municipality and an association of private businesses co-financed a private security firm to patrol a public square, *Klostertorvet*, in the center of the city. This was a response to the perceived ‘disorderly’ behavior of a group of marginalized individuals who would often congregate at this square and engage in public drinking, drug use and other forms of socializing. Initially, the investigation of the case entailed following this new policy of installing private security guards at the public square as it unfolded in the media and in the publicly available transcripts and audio recordings of city council debates. Specifically, all publicly available audio files of city council debates relating to *Klostertorvet* were collected. The first relevant debate was on December 18, 2013 and the latest on May 10, 2017. In total six audio-recorded debates were identified which related to *Klostertorvet*.

These were listened to and relevant passages were transcribed. Newspaper articles relating to Klostertorvet were collected from all electronic and printed media from the period of January 1, 2013 to January 1, 2018 by using the search engine Infomedia. The search term “Klostertorvet + udsatte” was used, which yielded a total of 168 newspaper articles. The term “socialt udsatte” or “udsatte” (EN: ‘vulnerable’) was the most commonly used term to refer to the group of marginalized individuals assembling on the public square. After checking for duplicates and articles relating to other issues, 99 of these were related to Klostertorvet and marginalized drug users.

These documents provided valuable information about the problematization of the marginalized drug users and their presence in public space and were carefully read for the representations of the marginalized drug users, the problematizations of these marginalized drug users and the possible solutions to these problems. Additionally, through the media debates and policy documents, key stakeholders and main actors were identified. In particular, the identification of the network, consisting of representatives of different governmental and non-governmental organizations, that were to follow the policy of installing security guards on the square, provided information on key actors. Based on this identification, in-depth, tape-recorded interviews were conducted with the following interview participants: two social outreach workers and one lawyer employed by the municipality; two representatives from Christian charities for the homeless; one chairman for the local organization of homeless people; one director of a homeless shelter and drug consumption room; two senior police officers; two homeless people; one local business owner; and one supervisor from the private security firm that was tasked with the job of patrolling the square.

In addition to this, the policing of the public square by the private security guards was observed. Initially, this was from a distance (14 hours), while sitting at one of the benches at the square or at a local café. Later, permission to conduct observations together with one of the security guards while on patrol was given by contacting their supervisor. Observation with this security guard took place on seven occasions (56 hours). Observation of the drug scene together with the chairperson of the national organisation for homeless people was conducted on two occasions, resulting in some informal chats with participants in the scene as well as two in-depth interviews with two individuals that were homeless at the time (5 hours). In order to gain some background information on the training that private security guards receive in Denmark, classroom observation of the 20-day required course for security guards was conducted on two occasions (15 hours). The data collection lasted 6 months and took place from May to October 2017.

The second study, situated in Copenhagen, was an empirical investigation of how policing of an open drug scene had been organized since drug possession had been partly decriminalized in the area, following the introduction of several drug consumption rooms in 2012. A local police officer engaged in foot patrol policing of the open drug scene was observed on ten occasions (59 hours) and two in-depth, audio recorded interviews were conducted with this officer. Furthermore, the weekly reports that documented the workings of the local police on the drug scene from week to week were read and analyzed. Observation of a network meeting with local business owners was also conducted (1.5 hours) as well as observation with two municipally employed security guards (5 hours).

In addition to this, interviews with different stakeholders were conducted, including: the head of the local police, the head of a homeless shelter, the manager of a soup kitchen and health clinic, the supervisor of the largest drug consumption room, a social outreach worker, two supervisors of municipal security guards operating in the neighborhood, a representative from a high school in the neighborhood, two representatives from a legal aid organisation specializing in the legal needs of marginalized drug users as well as four different local business owners in the area. The interview participants were not chosen at random. The interviewees, who worked at the various facilities that offered services to the marginalized drug users, were identified through my observations together with the local police officer. The interviewed business owners were identified through an open letter to the Mayor that was co-signed by representatives from a group of businesses, who were dissatisfied with the current state of affairs in and around the relatively new drug consumption room, H17, which had been placed in the neighborhood. In that regard, the interview persons were those business owners who had taken the largest interest in the issue of the drug consumption room and had been most active in the public debate concerning the open drug scene.

In order to assess the wider public debate surrounding the establishment of the new DCR, H17, newspaper articles were collected from all electronic and printed media from the period of January 1, 2016 to January 1, 2019 by using the search engine Infomedia. The search term “H17” was chosen in order to find articles which specifically engaged in this debate. This yielded a total of 176 newspaper articles. After checking for duplicates and articles relating to other issues, 93 articles relating to the functioning and establishment of the DCR, H17, were identified. In addition to this, one debate in the city council on October 12, 2017 related to the specific issue raised by business owners in an open letter to the mayor. The video recording of this was watched and relevant passages were transcribed and analyzed. The data collection lasted 8 months and took place from February to September 2018.

Media reports and recorded city council debates were most important in analyzing the project of installing private security guards in Aarhus. This might relate to the fact that this policy was just being established simultaneously with my observations and consequently the issue was debated both in the media and in the city council. In other words, there was a ‘controversy’, as Latour (2005) calls it, surrounding the marginalized drug users and the private security guards that could be studied, rather than an already established ‘fact’. This made it possible to study the process of problematization in these various documents. In the case of Copenhagen, there was some ‘controversy’ surrounding the establishment of the most recent drug consumption room, which resulted in the aforementioned open letter to the mayor of Copenhagen and some debates in the local media. However, the change in policing practices and the establishment of the drug consumption rooms had taken place years before my observations and consequently the ‘controversy’ and debate surrounding these issues had settled down. Furthermore, contrary to the prolonged debates in the city council in Aarhus, the open letter to the mayor only resulted in a brief discussion in the Copenhagen city council. Consequently, in order to study the problematizations and discourses in this research setting further, interviews with different stakeholders in the open drug scene proved a valuable resource.

While the specific policing practices of the policing agents in these two cases have been considered in other publications, this article will more thoroughly consider the political context of the cases and investigate the respective *problematization* of the open drug scenes and the marginalized drug users inhabiting them in the two cases, in order to compare the responses to the open drug scenes and reveal similarities and differences between these responses. Even though both cases are situated in a small welfare state like Denmark, the problematizations about the presence of marginalized drug users differed in the two cases. This was related to specific narratives about the history of the two neighborhoods the cases concerned and whether the marginalized drug users were seen as having a ‘right’ to that neighborhood.

Studying problematizations of the public space

In analyzing the cases, the article uses the notion of ‘problematization’ as it has been developed by Foucault and various post-Foucauldian scholars. This entails an inquiry into “how and why certain things (behavior, phenomena, processes) become a problem” (Foucault, 1983, p. 66). As Rose and Miller (1992) have noted, “government is a problematising activity” (p. 181). Throughout history, different authorities have measured “the real against the ideal and found it wanting” (Rose & Miller, 1992, p. 181) and by that created a ‘problem’ that they could attempt to alleviate. By studying how

problems emerge *as* problems, the presumed natural state of these as problematic is called into question. This makes it possible to investigate the assumptions that underlie specific problematizations.

This article specifically draws on Carol Bacchi's "What's the Problem Represented to be" (WPR) approach (Bacchi, 2009). The WPR approach is an analytic strategy that questions the conventional view that policies are reactions to problems independent of the policy process waiting to be "addressed" and "solved" (Bacchi & Goodwin, 2016, chap. 2). In this sense, the WPR approach offers an alternative analytic to the "evidence-based" policy movement where problems are taken for granted and the goal is to solve them. Rather, attention is called to how problems *become* problems. Studying such problematizations is a way of "making politics visible" and illustrates that certain ways of thinking reflect specific institutional and/or cultural contexts rather than being immutable and self-evident (Bacchi, 2012). This denaturalizes specific ways of perceiving issues and alerts us to the fact that things can always be otherwise.

A starting point, according to Bacchi (2009), is to recognize how policies and problem representations are elaborated and embedded in *discourse*. The term 'discourse' means different things in different analytical traditions. In this article, the term refers to the systems of meaning, which set limits on what it is possible to think and say in any given social situation. Obviously, policies and problem representations are expressed in language, but discourse is more than just language alone. Discourse also includes the "assumptions, values, presuppositions and accompanying signs" (Bacchi, 2009, p. 7), which make up these systems of meaning. The point of studying policies *as* discourse then, is to interrogate the binaries, key concepts and categories that operate within a policy or problem representation. Referring to these policies *as* discourse thus means putting their truth status into question. In order to reflect on the problematizations and discourses on marginalized drug users, it is investigated how certain things are rendered 'sayable' and how these have been considered truthful or legitimate things to say in the two research settings (Bacchi & Bonham, 2016, p. 116). In other words, the underlying logics and assumptions that what is being said are based upon are investigated.

To guide WPR analyses Bacchi and Goodwin (2016) have suggested seven analytical questions: (1) *What is the problem represented to be in a specific policy?* (2) *What deep-seated presuppositions or assumptions underlie this representation of the problem?* (3) *How has this representation of the problem come about?* (4) *What is left unproblematic in the problem representation?* (5) *What effects (discursive, subjectification, lived) are produced by the representation of the problem?* (6) *How and*

where has this representation of the problem been produced, disseminated, and defended? How has it been and/or how can it be disrupted and replaced? (7) *Apply the questions to your own problem representations.* Bacchi & Goodwin (2016) argues that “not every questions needs to be asked every time one engages with the critical thinking the approach offer” and that “it is possible to draw selectively upon the forms of questioning and analysis” (p. 24). Consequently, this analysis will particularly address question one, two, three and five. These questions concern the assumptions underlying specific problematizations, how these specific problematizations were developed and formed, and the effects of these problematizations.

The WPR approach has been presented as a form of post-structural policy analysis and thus it has primarily been used in the field of public policy. However, by emphasizing the roots in governmentality studies, Bacchi and Goodwin (2016, p. 41-44) have argued that the approach can be fruitfully utilized in investigating the full range of governmental actors beyond the state and conventional policy actors, including experts and professionals and the forms of knowledge they produce. Furthermore, Bacchi (2018) has argued that the WPR approach is particularly useful in investigating problems related to drugs and alcohol as these are often taken for granted as social ills to be removed.

Governmental problematizations ‘make up’ different subjects, objects and places (Bacchi & Goodwin, 2016, chap. 5-7). In other words, different assumptions about people, objects and places are embedded in different problematizations. In this article, we are particularly interested in the ‘making up’ of public places and the ‘making up’ of those subjects that inhabit them. Bacchi and Goodwin (2016) argue that geographical places play a significant role in how governing is realized and that these places are most often treated by policy makers as fixed and non-contested, even though a ‘place’ is a political creation. Places are usually treated as the mere context *for* policies, rather than as categories that are “produced, reproduced and transformed *by* policies” (Bacchi & Goodwin, 2016, p. 96, emphasis in original). One such category is the category of ‘public space’. According to Bacchi and Goodwin (2016) a public space is increasingly constituted as a place of public order and “useful” (p. 104) activity, which belongs to an imagined homogenous community, while those deemed to be different are spatially excluded.

Cresswell (1996) has specifically analyzed how behavior and specific individuals in the public space have been problematized. According to Cresswell (1996), a useful strategy for investigating the relation between place and behavior is to look at behaviors that are judged as being inappropriate and

as ‘out of place’ in particular places. The labelling of actions as inappropriate in any given place reveals the underlying “normative geography” of that place. Transgressive acts will prompt reactions, which in turn can reveal “that which was previously considered natural and common sense” (Cresswell, 1996, p. 10). When the normative geography is challenged by transgressive acts, it becomes evident and articulated and stated as “the right way” in the media and elsewhere. In other words, conflict over the proper use of public spaces produces normative geographies, which express what is ‘in place’ and what is ‘out of place’. These events provide a rich source of evidence for studying the discourses about specific public spaces that constitutes our thinking about them (Bacchi, 2009). According to Cresswell (1996), expectations about behavior and the judgment of things as being either ‘in place’ or as ‘out of place’ are important in the “construction, maintenance, and evolution of *ideological* values” (p. 4, emphasis added). Although while the study of problematizations entails putting into question accepted ‘truths’, in the Foucauldian framework utilized in this article, this does not necessarily entail the unmasking of ideological manipulation. Rather, the study of problematizations can simply aid us in understanding the thinking that constitutes our “current condition” and how this is constituted (Bacchi, 2012).

First we will consider the problematization of marginalized drug users on a public square in the city center of Aarhus and then we will consider the problematization of marginalized drug users in the neighborhood of Vesterbro in Copenhagen. Comparing problematizations provides a “particularly powerful intervention” (Bacchi & Goodwin, 2016, p. 22), which makes it possible to denaturalize taken for granted ‘problems’, by identifying how the production of these might relate to specific cultural, social and political contexts.

Being ‘in place’ or ‘out of place’ in the city center of Aarhus?

Congregations of individuals in public that engage in drug use and other forms of socializing had been problematized in Aarhus since at least the 1960s, when young teenagers gathered in the Town Hall Park and experimented with various psychoactive drugs as part of the ‘youth revolt’ (Dahl, 2008). After the youth revolt had settled down, the individuals who frequented these so-called ‘open drug scenes’ changed and increasingly consisted of a group of socially ‘marginal’ and ‘vulnerable’ people (Dahl, 2008). The police and municipal authorities in Aarhus responded in various ways to the emergence of different open drug scenes in various places in the city. During the 1990s, the injection of heroin in public became rarer, while the consumption of large amounts of alcohol increased, especially in combination with the use of methadone, due to a growth in the prevalence of

methadone substitution treatment for individuals addicted to heroin (Dahl, 2008; Houborg, 2006; 2012). Perhaps as a consequence of the increasing prevalence of heavy drinking, the municipality introduced a ban on alcohol consumption outside of licensed bars in the shopping street in the city as well as the adjacent public squares (Dahl, 2008).

At the time of this study, the public square called *Klostertorvet* had become the largest open drug scene in the city and a central meeting place for marginalized drug users in Aarhus. This was a public square located in a central area of Aarhus that connected with the main shopping street in a mixed residential and shopping area. In the summer of 2016, local business owners complained that a group of individuals consisting of drug users, heavy drinkers and homeless people were causing a disturbance on the public town square, effectively infringing on their opportunities to run a business in the area. According to a local newspaper, for the business owners “violence, threatening behavior and disorder” were an everyday experience, which according to them made customers stay away from the area and their establishments (Århus Stiftstidende, 2016, July 6). Consequently, one of the business owners criticized the local government in the local newspaper for how they were handling the situation:

The municipality have to give up their misunderstood philanthropy and clean up in order for these problems to be solved. I think the local government fails us immensely. They just want ‘dialogue’, but you can’t talk to 90 percent of these people. They are violent and addicted. One thing is the violence amongst themselves, but when passing citizens ask them to turn it down, the violence turns on them. I’ve seen a lot of punches being thrown (Århus Stiftstidende, 2016, July 6)

The problem, according to this spokesman for the business owners, was twofold. First, a group of individuals were causing havoc on the square and ruining the possibility to run a legitimate business for anyone and, second, the municipality did not do anything about this. The municipality was defined as being engaged in a ‘misunderstood philanthropy’ instead of ‘solving the problem’. The solution to this is also proposed, which is to ‘clean up’ the streets. Furthermore, these individuals were defined as violent and addicted to drugs and they were spoken about as a cohesive group, because the violence that took place *within* the group were seen as different from the violence directed at ‘citizens passing by’. The head of the local homeless shelter and drug consumption room at the time, however, did not recognize this picture. He stated in another newspaper article a couple of days later, that:

It has been bad earlier, but it is presented much worse now than it actually is. I cannot recognize the picture that the business owners present (Ekstra Bladet, 2016, July 8)

In addition, the head of social affairs in the city council, a member of the Socialist People's Party, argued against the definition of the problem by the business owners. As he stated in a written response to the local newspaper:

I do not doubt that the business owners would prefer that the socially marginalized individuals were removed from Klostertorvet. But I refuse to participate in the yearly persecution [of the marginalized individuals]. Aarhus is more than 'café latte' and the marginalized people have the same rights as everyone else ... my appeal is that we do not overstate the problem. However, I fully recognize that some people [at the square] are not behaving appropriately (Århus Stiftstidende, 2016, July 7)

When the head of social affairs states that he refuses to participate in the yearly 'persecution' of the marginalized individuals, he refers to the fact that the behavior of these individuals on the public square had now been a recurring debate each summer for some years. The term 'café latte' has become common in Danish political discourse and refers to the consumption patterns of the upper-middle class, who are affluent enough to spend money on specialty coffee drinks. By stating that Aarhus is more than just a 'café latte' the head of social affairs challenges the discourse and problem representation by the business and café owners on the public square. In other words, he is engaging in 'making up' the public square as a place that should not only be for consumption and middle-class lifestyles, but should also be inclusive of the socially marginalized in the city. That is to say, he positioned the marginalized individuals as being 'in place' on the public square. Lastly, the head of social affairs accepted that the behavior of some of the marginalized individuals at the public square *was* a problem, however he questioned how significant a problem this was.

However, the representation of the presence of the marginalized drug users as a significant problem was largely taken up and accepted by the local media. In an editorial from one of the local newspapers, the editor stated that:

When the head of social affairs says that this is about 'café latte', he reveals how far he is from recognizing the seriousness of this situation ... That the situation at the public square is desperate should be clear to everyone ... EVERYONE who uses the square regularly finds the situation alarming (Århus Stiftstidende, 2016, July 9, capitalized in original)

Perhaps as a consequence of the extended media coverage, the issue was ultimately taken up in the city council by two right-wing parties that put forward a motion entitled ‘Safety on the public squares of the city’ [DA: *Tryghed på byens torve*]. About the public square and the presence of the marginalized drug users there, one of the proposers argued that:

The city center ... should be safe and accessible to all those citizens who want to take part and enjoy it in a responsible and sensible manner. It should not be a hangout for criminal and violent drug addicts (City council member, The Conservative Peoples’ Party, September 14, 2016)

The Conservative council member defines the individuals congregating on the square as ‘criminal’, ‘violent’ and ‘drug addicts’ in the same way as the business owner. The individuals found on the square are ‘made up’ as particular kinds of subjects (Bacchi & Goodwin, 2016, chap. 5). Rather than their marginality or homelessness it is their supposed engagement in crime, violence and drug addiction that is foregrounded by this city council member. This also makes it easier to position the marginalized individuals as being ‘out of place’ in the public square. A production of such a subject position arguably makes some policy interventions more relevant than others. If the individuals on the square are ‘made up’ as ‘criminals’ then punitive and exclusionary measures seem more appropriate, rather than if they were ‘made up’ as ‘homeless’, which would make social policies seem more appropriate.

In addition to this, the city council member defines the town square as a place for ‘responsible’ and ‘sensible’ interaction. In doing this, the city council member was in a process of ‘making up’ the public square as a specific kind of place (Bacchi & Goodwin, 2016, chap. 7). In contrast to the head of social affairs, who argued that Aarhus and the city center should be ‘more than café latté’, i.e. that it should not only be for middle-class consumption, this city council member argues that the city center should be for ‘sensible’ and ‘responsible’ behavior. In arguing that the square should be a place for such behavior, he simultaneously conveys the notion that square should *not* be a place for *irresponsible* and *insensible* behavior, which is the behavior ascribed to the group of marginalized drug users. Consequently, the square is argued to not be an appropriate place for these individuals to assemble. As the same city council member expressed in a later city council meeting:

Our point of departure is the very large group of ordinary citizens, business owners and residents in these areas, who suffer great damage by the behavior of a small group ... Our opinion is that some people have to be there, and some people are allowed to be there ... And those people that

are allowed to be there, have to adjust themselves to the terms which are acceptable to other people (City council member, Conservative Peoples' Party, May 10, 2017)

In this excerpt, the city council member makes a clear distinction between the two “people categories” that use the public square (Bacchi & Goodwin, 2016, p. 71). A division is made between the ordinary citizens and the small group of street people hanging out on the square. The behavior of this small group of street people is argued to ‘damage’ the larger group of ordinary citizens. Again, this small group of marginalized individuals is positioned as ‘out of place’, as not having a right to be on the public square unless, that is, they adjust themselves to those that are ‘in place’ in the public square, i.e. the ‘ordinary citizens’. According to this representative, the public square should be a place where ‘ordinary’ citizens could spend their time and where businesses could thrive and cater to these citizens, without the interference of a small group of socially marginalized individuals. By referring to the ‘ordinary’ citizens the council member furthermore naturalizes the territorial claim of the middle class over the public square. The socially marginal individuals could be allowed to be there, but it had to be on terms that the ‘ordinary’ people found acceptable.

In a later city council meeting, the head of social affairs maintained that the city should be inclusive of the marginalized individuals, but simultaneously started to describe the situation on the public square as a significant problem:

Aarhus should be a city for everyone, including the socially marginal people ... but the situation on Klostertorvet should not be ignored. There are many situations that undermine the feeling of safety of the residents and sometimes these situations also produce some very troublesome conditions for those who run a business there ... In the early summer of this year it escalated to something absolutely unacceptable (Head of social affairs, Socialist Peoples' Party, September 14, 2016)

The head of social affairs is here ‘making up’ the town square as a place that should be open to use for everyone. However, at the same time he states that there had been many ‘situations’ that were problematic and undermined the safety of both residents and business owners. The main definition of the behavior of the individuals congregating on the square *as* problematic is thus accepted by him as well. This reflects a change on the head of social affairs’ stance on the problem, since earlier he had appealed to refrain from ‘overstating the problem’. In other words, the extent to which the marginalized drug users were ‘in place’ on the public square is increasingly put into question. This is

also reflected by a comment by one of the city council members, who had proposed the motion of new strategies for dealing with the ‘problem’ of marginalized individuals on the public squares:

Let me start by saying that we feel that our proposal has been accommodated ... Gone is the talk about persecuting [the marginalized individuals] and instead we can cooperate (City council member, Venstre – The Liberal Party, May 10, 2017)

The city council member here refers to the remark that the head of social affairs made the year before about the city being more than just ‘café latte’ and that he refused to partake in the yearly ‘persecution’ of the socially marginalized individuals. This proclamation by the city council member points to how the head of social affairs changed his discourse about the public square and the marginalized individuals found there. Rather than challenging the ‘problem representation’ of the situation as a significant issue, he now seemed to have accepted the representation of the problem as significant.

One of the business owners at the square similarly recounts how the head of social affairs had changed his discourse and approach. He explained how the head of social affairs first had been dismissive about doing anything about the issue, but later were convinced because of the pressure from the media and other political representatives in the city council:

The head of social affairs said that we had to accept that the public square not exclusively were a place for people from the suburbs who wanted to drink café latte. It was very provoking ... However, because of pressure through the newspaper and other politicians he had to eventually do something about it ... We [the business owners] put pressure on him through the local newspaper ... When they could not come up with a better solution, they ended up financing a large part of our proposal of installing private security guards (Business owner, Klostertorvet)

As the business owner explained, by putting pressure on the local government through the local newspaper, the municipality ended up financing a large part of a project of installing private security guards on the square. This was part of a proposal put forward by two right-wing representatives and consisted of a short-term plan and a long-term plan. The long-term plan was to make designated spaces, so-called ‘safe zones’ [DA: *hellesteder*], for the marginalized drug users in several places in the city in order to spread them out instead of having them congregate on the public square. The short-term plan was to install private security guards on the public square. The policy proposal about designated ‘safe zones’ was largely applauded and framed as being in the interests of the marginalized individuals by the head of social affairs:

They are concentrated on a very, very small place [the public square]. So the ambition is to create new safe zones ... which hopefully can make it more pleasant to be homeless, more pleasant to be socially marginal and make these people feel safer, but also make it more pleasant and safe to be a business owner, tourist or user of the city center (Head of social affairs, Socialist Peoples' Party, May 10, 2017)

The policy of creating these designated safe zones in other parts of the city in order to depopulate the public square was presented as an improvement and as favorable to homeless people in the city, who were thought to be suffering from congregating on the small public square. The other proposal of installing private security guards on the square was initially contested and questioned by several representatives from the left and they argued that it should be the police who handled issues of disorder and crime in public space. The head of social affairs stated that:

In my view it is the police who knows best when to intervene ... the division of labor between the municipality and the police is important (Head of social affairs, Socialist Peoples' Party, September 14, 2016)

Additionally, another representative argued that:

In case that someone does something criminal, then we have the police who we use in that regard, that is not a job for security guards (City council member, The Red-Green Alliance, September 14, 2016)

In other words, the two council members argued that if the issue was one of violence and crime, then the police would be the right governmental body to deal with it. In arguing this, the issue about jurisdictional divides between the municipality and the police were being raised (Valverde, 2011; 2014). The response to this was that the security guards were not supposed to be 'punitive', but rather they should enter into a "dialogue" with the individuals at the square and engage in "social care" with them (City council member, The Conservative Peoples' Party). In foregrounding the 'social' properties of how these security guards were supposed to operate, the representatives suggesting the proposal were redefining the problem as a social rather than a criminal one. In doing this, the city council members simultaneously also redefined the issue as one that did indeed fall under the jurisdiction of the municipality and not the police. Following this argumentation, the proposal was supported and largely accepted from all the representatives in the city council.

The security guards did not have any formal authority and consequently they should not arrest or expel anyone from the public square. Instead, the security guards were to engage in informal chats with the individuals at the square and try to manage things non-coercively and, if things got ‘out of hand’, they were supposed to call the police. The ambition of the project was that the presence of security guards and their socializing with the intoxicated individuals at the square could make these people gradually regulate themselves in a manner that was seen as more appropriate to their surroundings, without the security guards necessarily imposing constraints on their behavior coercively, but instead by appealing to them to behave differently (for a more comprehensive description of the policing and the soft power used by the private security guards, see Kammersgaard, 2019b).

To summarize this initial policy debate, it could be argued that at first there was some contestation about whether the marginalized drug users were ‘in place’ or ‘out of place’ on the public square. However, the right-wing city council members, as well as the local media and the business owners on the public square, seemed to have been successful in making the head of social affairs recognize the presence of the marginalized drug users *as* a significant problem and take action. However, of course not everyone accepted the notion that the marginalized drug users were ‘out of place’ on the public square. In addition to the resistance in the initial policy process from the head of the homeless shelter and drug consumption room at the time, as well as from head of social affairs and the other left-wing politicians in the city council, there was also some resistance during the actual implementation of the project.

From contestation to collaboration between stakeholders

In order to follow the implementation of these new policies for the homeless and marginalized individuals in the public spaces of the city, the municipality had organized a network of different stakeholders. This network was tellingly entitled ‘*The City for Everyone*’ network. The stated purpose of this network was to “participate in developing solutions to concrete problems on Klostertorvet and the public spaces of the city” (Aarhus Municipality, 2018). The different stakeholders in the network included representatives from: the municipality, a NGO running a homeless shelter and DCR close to Klostertorvet, a NGO charity which sometimes organized events for the homeless on Klostertorvet, the local branch for the national organization for homeless people in Denmark, the security firm organizing the security guards, the local police, a representative of the business owners in the area and the Aarhus business association.

By the time the security guards had operated on the square for six weeks, the head of the local branch of the national organization for homeless people had already received an estimated 20 complaints from different individuals who had been coercively excluded from the square and who experienced this as very illegitimate and unfair. These complaints were later presented to the other members of the network in order to convince them that the security guards were not “behaving appropriately” (Interview head of homeless organization). Following this, steps were taken by the security firm to alleviate the problematic practices of some of the security guards.

After the change in the approach of the security guards, their presence on the public square was, however, largely accepted by the different NGOs representing and supporting the marginalized drug users on the square. In an e-mail from the head of the local branch of the national homeless organization it stated that the situation was now better there:

New security guards have been hired and they have a more pedagogical approach. Those I have talked with say that they are being treated better and the security guards speak appropriately to them and ask how they are doing and so on. We are very pleased with that because it has reduced some of the commotion at Klostertorvet (E-mail correspondence, head of homeless organization)

This experience was also echoed by another head of an NGO, who highlighted how the cooperation between the different parties in the network was working out positively and how the security guards had made the public square more peaceful:

[The security guards] have made it quieter ... They can see situations that are escalating and can deescalate them quickly ... I think the dialogue between the different parties has been really good ... Some have said “they [the marginalized drug users] just need to be removed”, but most are open for finding a good solution for them as well. Everyone, including the guests at the cafés, people waiting for the bus and the homeless need to have a place to be in the city. But I think the dialogue concerning this is really good (Head of a local Christian charity)

The head of the organization that ran the homeless shelter and DCR was also positive about the presence of the security guards. In September 2016, the organization had employed a new head of operations. When interviewed about the presence and operations of the private security guards, he expressed that:

They [the security guards] have changed their approach towards being more relational and dialogue-based ... We [in the network] have to communicate that this ... [the security guards]

should be to the benefit of everyone. It should be to the benefit of the homeless and the marginalized who absolutely have a right to be in the city center. But they have to behave in an appropriate manner, in order for the ordinary citizens of the city to be able to stay there as well. It has to be safe and pleasant (Interview with head of homeless shelter and drug consumption room)

In this interview excerpt, the head of the homeless shelter and drug consumption room defines the presence of the security guards as being to the benefit of both the marginalized drug users as well as the ‘ordinary’ citizens in the city center. The security guards could aid in deescalating conflicts and take action and call the police in case one of the users assaulted another. However, while the head of the homeless shelter and drug consumption room stressed that the security guards should be to the benefit of the marginalized drug users and that these had a ‘right’ to be in the city center, he simultaneously argued that they had to behave in an ‘appropriate’ manner in order for the city center to be a ‘safe’ and ‘pleasant’ place.

In conclusion, it could be argued that some stakeholders were engaged in ‘making up’ the city center in Aarhus as a space for middle-class consumption, as well as ‘responsible’ and ‘sensible’ activity, which the marginalized drug users allegedly undermined. However, simultaneously, a prevalent discourse about the ‘right’ of the marginalized drug users to be part of the public spaces in the city was present. This was evident from expressions from the head of social affairs, who argued that the city should “be for everyone, including the socially marginalized” and the name of the network, *‘The City for Everyone’*, which followed the implementation of the new policies directed at the socially marginalized and homeless in the city.

However, initial attempts by the head of social affairs to challenge the representation of the presence of the marginalized drug users as a significant problem were unsuccessful. He later accepted the ‘problem representation’, as presented by the business owners, the right-wing city council members and the local media, to a greater extent and launched the two strategies for dealing with this ‘problem’. The first strategy was to disperse some drug users from the public square, by attracting them to so-called ‘safe zones’, where they would pose less of a nuisance to business owners and other citizens, while the second strategy was to manage the behavior of those individuals who still decided to stay on the public square, by introducing private security guards there. Some representatives from the left wing in the city council and from the different NGOs supporting the marginalized drug users were initially critical about the ‘problem representation’, as well as the

policy of introducing private security guards to the square. However, later remarks by them indicated a greater acceptance of the policy, a satisfaction with being involved in the network following the policy and an appreciation that the presence of the security guards might actually have benefitted their target group in some ways.

Having considered the problematization of marginalized drug users in the city center of Aarhus, we will now turn to the problematization of marginalized drug users in the neighborhood of Vesterbro in Copenhagen.

Introducing a new drug consumption room in the Meatpacking District, Copenhagen

The main open drug scene in Copenhagen is located in the neighborhood of Vesterbro just south of the Copenhagen Central Station. This drug scene emerged during the 1980s when homeless people and marginalized drug users relocated to the area as a consequence of increasing gentrification and urban renewal in other parts of the city (Frantzsen, 2003, 2005; Jepsen & Laursen, 1998; Houborg, Frank & Bjerger, 2014). The relocation of drug scenes from other parts of Copenhagen to Vesterbro in the 1980s resulted in widespread complaints from residents and local businesses in the neighborhood, which led the Copenhagen Police Department to develop a response to the public drug use and nuisance caused by injecting drug users in the area. This strategy was called Drug Strategy 90 [*DA: Narko Strategi 90*] (Frantzsen, 2003; Jepsen and Laursen, 1998). The strategy relied on intense drug law enforcement and patrolling of the neighborhood in order to charge anyone in possession of illicit drugs as well as an intensified investigation and prosecution of drug dealing performed by a special drug squad. The strategy towards the drug users was to ‘stress’ them in order to disperse and prevent them from congregating in central parts of the neighborhood (Houborg, Frank & Bjerger, 2014). Overall the policing of the open drug scene could be characterized as punitive and repressive throughout the 1980s, 1990s and most of the 2000s.

However, in 2012 legislation that allowed drug consumption facilities was passed in the Danish parliament. The target group for these facilities was people over 18 years who had a “strong addiction as a consequence of a long and persistent abuse of drugs” (Law on euphoriant substances §3b). In connection to the establishment of drug consumption facilities, it was stressed that the police should not “normally” charge for the possession of illicit drugs for personal use in the “immediate vicinity” of the drug consumption rooms if the person in question belonged to the target group of the facilities (Ministry of Health, 2012, June 13). The local police together with the municipality were to decide how ‘immediate vicinity’ should be interpreted for operational purposes in their specific context. In

Copenhagen a fairly broad definition was decided upon and most of the neighborhood of Inner Vesterbro was included in a so-called 'non-enforcement zone', where the possession of illicit drugs was effectively 'de facto' decriminalized for the target group of the drug consumption rooms (Houborg, Bjerger & Frank, 2014). However, a section of the police still investigated organized (drug-related) crime in the neighborhood, which meant that some drug law enforcement practices still persisted (see Kammersgaard, 2019a).

Following the establishment of the latest drug consumption room, which was considered the largest drug consumption room in the Nordic countries in the Meatpacking District of the neighborhood in 2016, a group of business owners complained about the situation to the mayor in an open letter. Despite the name of the district most of the meat industry had long moved out of the neighborhood and a range of small, creative businesses had instead emerged in the old industrial buildings. The letter was co-written by four individuals, all of whom were renting buildings from the municipality in the Meatpacking District and signed by 40 business owners in the neighborhood.

Dear mayor,

We are a network of renters and owners in the Meatpacking District, who, through the last couple of years, have experienced a marked increase in the amount of garbage and the prevalence of burglaries in our buildings as well as an increasingly unpleasant working environment for our employees ... We believe that this is a consequence of the opening of the drug consumption room H17 ... We all recognize that the drug users have a right to be here as well and we welcome the drug consumption room to our neighborhood ... But the municipality believed that the establishment of H17 would decrease the problems and that the municipality could stop their funding of the increased cleaning program, which is a line of reasoning that makes no sense to us ... However, we are convinced the Meatpacking District can become a safe place again with an increase in cleaning services and improved social assistance to the drug users (Open letter to the mayor)

In this letter, the business owners voice their concern to the mayor and the local government about the conditions in the neighborhood after the establishment of the DCR. The issues raised concern increased waste, burglaries into their buildings as well as a generally unpleasant and intimidating working environment. While it is recognized that the drug users had a right to be in the neighborhood, the conditions for running a business were argued to be unacceptable. However, the business owners in the Meatpacking District did not argue for the exclusion of the drug users from the area. Their

request was that the municipality should follow up the establishment of the DCR with the increased cleaning and removal of drug-related garbage, as well as an increase in the social services available to the drug users. In this way, the business owners were engaged in ‘making up’ their neighborhood as a place where co-existence between the marginalized drug users and the rest of the residents in the neighborhood could succeed. In other words, the marginalized drug users were positioned as being ‘in place’ in the neighborhood. However, the municipality would have to allocate sufficient resources to the project in order for this co-existence to work. The issue was also taken up in an editorial in a national newspaper, where the editor wrote:

An end to degrading conditions for drug users and used syringes in the streets. That was the hope when the municipality opened the drug consumption room H17 on Vesterbro in Copenhagen last year ... The co-existence of a trendy city life and the rough and shabby individuals using the facility projected an image of an inclusive and modern big city. A year later the reality is different. Rather than removing the problems, H17 has become a center for crime, misuse and violence to an extent that the business owners last week sent an open letter to the mayor to express their grievances ... the drug use is not only happening in the controlled setting of the drug consumption room and people are smoking heroin and selling cocaine just a few meters from the cafés in the Meatpacking District and right next to a local police station. The drug users are often foreigners and rejected asylum seekers. As the business owners generously acknowledge there should of course be room for everyone and drug users have been part of Vesterbro for decades. But neither the residents in the neighborhood or the sense of justice in our society can accept that rejected asylum seekers make the streets unsafe right in front of the police in the city center ... Then both the DCRs and the tolerance have failed (Politiken, 2017, September 30a)

In this editorial the media, like in the Aarhus case, emphasized the seriousness and significance of the situation. The editor argued that in introducing the new large DCR in the area, the municipality had attempted to ‘make up’ (Bacchi & Goodwin, 2016, chap. 7) the neighborhood as an inclusive place, where ‘rough’ and ‘shabby’ individuals could co-exist together with trendy city life. However, according to the editor, this project had failed, since the DCR had created issues of ‘crime’, ‘misuse’ and ‘violence’ to an extent that it made streets ‘unsafe’ and prevented the local business owners from properly operating their businesses.

Furthermore, the editor also points to the fact that those individuals who were assembling in front and around the DCR were increasingly made up of ‘rejected asylum seekers’. These individuals did not

have the same rights as the Danish homeless people and might not have been allowed into the homeless shelters. Consequently, they would set up tents and camps outside of the DCR and in the general area and by that possibly project an image of an even more disorderly and dangerous environment. However, in the brief debate in the city council, which followed the open letter from the business owners in the Meatpacking District, the mayor argued that this issue with rejected asylum seekers was one for the national government rather than the Copenhagen municipality, since controlling immigration is a matter of state regulation rather than municipal regulation.

In the same debate, a city council member from a right-wing party also emphasized how dire the situation was in the Meatpacking District:

The environment in the Meatpacking District keeps getting tougher and tougher, to the point where we cannot feel safe there anymore ... And I think the situation is alarming, because some of the people I consider the most tolerant, are now voicing their concern. These include local theaters and organizers of electronic music festivals, who all have an open mind and want to find solutions to these problems (City council member, Danish People's Party, October 12, 2017)

According to this city council member, the situation around the newly established DCR had to be very severe, since even those he termed as 'most tolerant' and 'open minded' had voiced their concern and demanded that the local government did something about the problem. Nobody in the city council contested this and there was widespread agreement that increased social assistance to drug users and an increase in cleaning services were needed in the neighborhood. There was some brief discussion about whether security measures should be introduced as well, as some of the representatives from the right wing in the city council had proposed that security guards could also be introduced. This was contested by a city council member from the left, who argued that none of the business owners had expressed a desire for this¹.

Furthermore, this rather brief debate in the city council was concluded with the mayor arguing that this should not become a politicized topic for the upcoming elections, since it would not be fair to "implicate some of the most marginalized citizens in the city in the election campaign" (Mayor, city

¹ Nevertheless, there were still some extra resources allocated to an already existing project where security guards employed by the municipality were patrolling in the Meatpacking District by night. However, interviews with the supervisors of these security guards and observations with them on one shift revealed that they did not interact that much with the drug users and that they did not engage in order-maintenance policing functions similar to those observed in Aarhus. Rather, they were mostly engaged in securing the gates and buildings in the district, in order to avoid burglaries.

council debate, October 12, 2017). The next time the case was on the agenda, on December 14, 2017, the additional services to social assistance, cleaning and security were passed without comment, which reflects that the issue was not as contested as it was in Aarhus.

However, some of the neighbors who were living very close to the DCR were also voicing their concerns in the media. In a newspaper article, several neighbors explained how they did not use to notice the open drug scene until the new DCR, H17, was established just across the street from their apartments. In the article, one neighbor who had been living in the same apartment for 19 years, is cited as saying that:

It is a dilemma. On the one hand, you want them to have a place to be and on the other, you would prefer that they were not so close to you (Politiken, 2017, September 30b)

Sometimes a sentiment like this has been described as ‘nimbyism’, based on the acronym N-I-M-B-Y (Not-In-My-Backyard). This concept is used to characterize opposition by residents to a proposed development in their area, which they might find desirable, as long as it is not placed near their homes. Sometimes such opposition against the siting of unwanted facilities is dismissed as being simply driven by selfishness, egoism or ignorance and local communities are seen as acting against the common interest. However, as Kübler (2005) has argued, contesting the placement of certain facilities can also mean contesting “an official version of the common interest” (p. 45). Nevertheless, according to Kübler (2005), it will often be business owners, restaurateurs and landlords who drive this opposition, since the image of a neighborhood is a crucial economic factor for these groups. Curiously, as argued earlier, the business owners in the Meatpacking District did *not* lobby directly against the siting of the drug consumption facility which was placed in their neighborhood.

Having a ‘right’ to the neighborhood in Vesterbro, Copenhagen

In order to investigate their discourses on the neighborhood and the marginalized drug users more thoroughly, the four individuals who had co-written the letter were contacted. Three of these were able and willing to be interviewed by me. These were a manager of a local theatre, the head of the office for a yearly street festival in Copenhagen, and a representative from a high school in the neighborhood. In addition to these interviews, I conducted interviews with the manager of a large restaurant and bar that had opened just next to the large DCR, H17, as well as an employee working at a smaller dining and coffee place with outside seating, also very close to H17.

These interviews confirmed that the business owners experienced various concrete nuisances, such as an unacceptable level of garbage and waste in front of their buildings, as well as an increase in break-ins into their buildings. Consequently, they wanted the municipality to increase cleaning services and social workers in the area, who also worked outside of the newly established DCR. As one business owner, who ran a business right next to drug scene stated:

I am happy to be here. Like everyone else. It is an inspiring environment to be part of as a business owner. We celebrate the diversity and we are aware that a part of the environment is the drug scene. But I have experienced a significant increase in the group of marginalized people since H17 opened ... at first, as a resident in this neighborhood, I experienced something very positive: there were fewer drug users in the staircases to our apartments ... I have found used syringes and other drug equipment in the staircase to my apartment and I have three children so I am happy that they have somewhere to go now [the DCR] ... But at the same time I think that the Meatpacking District is under a lot of pressure, especially in the summer it becomes very, very difficult ... When you open a DCR like H17, then you also have to employ social workers to take care of what happens outside of the facility ... It is like the municipality expected everyone to just stay inside the DCR ... But it attracts a lot of people, who are not inside the facility, but just hang out in front of it, including drug dealers (Business owner 1, Meatpacking District)

In this excerpt, the business owner, who was also a resident in the neighborhood, reflects on how the establishment of DCRs generally had the effect of decreasing drug waste in other places and concentrating it in these facilities. However, at the same time, this concentration also produced a great deal of waste and disorder *outside* of the DCRs, which was a problem since her business was very close to one of these DCRs. Consequently, this business owner was not against the presence of the drug users, but she did not think that the municipality had allocated sufficient resources to cleaning and social work *outside* of the newly established DCR. This was also echoed by the employee of another small business very close to the newly established DCR:

Well they are right over there, but we do not feel that it that much. It is not that often that the drug users come here ... It has been some time since we had a break in. We used to have a lot of those. It was easy to just break a window and take some stuff. But the last time we had a break in, they only took six sodas and a tray of raspberries ... But I don't think we have a whole lot of problems with them. One thing that annoys me is that they shit and piss everywhere ... Out of principle, when the municipality opens a facility like that, then you also have to have someone to clean up

outside. It's not very nice to search for used syringes outside of our place only wearing rubber gloves ... But usually they do an okay job of cleaning at the moment. If you come here in the morning they are cleaning the whole area with street sweepers (Employee of coffee and dining place, Meatpacking District)

Even though this employee had experienced several break-ins in the business, she still argued that they were not affected that much by being neighbors to the DCR. However, she still stressed the concrete problem of drug and human waste outside of the business. Nonetheless, she expressed satisfaction with the level of cleaning provided by the municipality.

Following the open letter written by the group of business owners in the Meatpacking District, the mayor of Copenhagen was cited for the following statement in a local newspaper:

One of the things that make Copenhagen unique is that we are a mixed city where people from widely different backgrounds can live side by side. I think it is commendable that the business owners in the Meatpacking District agree that socially marginal people also should be able to be in an attractive and central place such as the Meatpacking District. But, of course, it is about balance, in order to secure a good relationship between the business owners and the users of the drug consumption room. In Copenhagen we take on a big social responsibility and we should keep doing that (minby.dk, 2017, September 27)

As is evident from this excerpt, the mayor was also engaged in 'making up' Copenhagen as a specific kind of place (Bacchi & Goodwin, 2016, chap. 7). He was describing Copenhagen as a diverse city, which was capable of managing social diversity and taking 'social responsibility' for marginalized individuals. Furthermore, he acknowledges the complaints from the business owners in the Meatpacking District as legitimate and he applauds that the business owners did not lobby for the removal of the drug users or the drug consumption room, but that they recognized the rights of the marginalized drug users to be in the neighborhood.

In a later interview, one of the authors of the open letter to the mayor further explained why they had not lobbied for the removal of the drug consumption room and the marginalized drug users:

The drug addicts have been here for a thousand years ... You can push them away with security guards and the police, which does not help or you can try to integrate them in the rest of the society ... It is like: "You are allowed to be here, and we are allowed to be here" (Business owner 2, Meatpacking District)

Instead of lobbying for the removal of the drug users or for the relocation of the drug consumption room, the business owner emphasized how the marginalized drug users should be integrated into ‘the rest of society’ and how they should be allowed to be in the neighborhood. Another business owner also stressed how removing the drug users were seen as unrealistic and unfair:

The old residents at Vesterbro tell the newcomers to the Vesterbro neighborhood, that ‘the drug users were here before you, pal’ ... That’s how it is ... Vesterbro ... are proud of their social issues and proud of how they deal with them. It’s very strong. Incredible how it might have happened, but it is damn lucky that that’s the way it is (Business owner 3, Meatpacking District)

The presence of drug users in the neighborhood was taken as a matter of fact and to simply exclude these individuals was not seen as either a realistic or socially acceptable solution. As the business owners argue, ‘the drug users were here first’ and consequently they also had a right to be there. This notion of the presence of the drug users as a fact of staying in this neighborhood was also echoed by a representative from the local high school in the neighborhood. Regarding the students he expressed that:

They have to learn to live with it and that is part of learning about society. And they [the drug users] are not dangerous people. Of course we have had some situations ... But it is just some poor individuals ... And we tell the students, that there should be room for these people as well ... I think that when the students start here the first year they might be somewhat shocked or revolted about it. But when they leave after three years then I think they have a greater understanding of it (Representative from local high school, Vesterbro)

Similar to the business owners, this representative from a local high school stressed how there should be room for the drug users in the neighborhood and how this was something that they were teaching the students as well. This view was also reflected by one of the local police officers, who in an interview described the residents in the neighborhood as being widely tolerant of the drug users and their presence in the area.

In my experience the residents are very, very tolerant. You can say that a Vesterbro citizen is one that wants to improve Vesterbro and make it into a place where there is room for everyone. There is great social insight (Police officer)

While the drug users were recognized as having a right to be in the city, their presence could still cause some very concrete problems, such as dangerous drug waste and human excrement in front of

the business owners' buildings, which they saw as the responsibility of the municipality to allocate sufficient resources to handle. The key to solving those concrete problems was not then seen to be excluding the drug users from the neighborhood, but rather to make sure that their circumstances were better, which, in turn, would lead to a more peaceful and less violent and aggressive drug scene. The police officer argued something similar in the interview:

The more we help the drug users, the more peace we will have in the streets. In that way it is a win-win situation for everyone ... some of the business owners in Vesterbro are affected by the drug scene and that might be the reason that we [the police] are given some resources to deal with it, as opposed to other parts of the city which are more isolated ... Where there are not as many residents and business owners ... Out of sight, out of mind (Police officer)

This police officer and the local police force were engaged in what could be termed 'harm reduction policing' by reducing the harm and victimization that marginalized drug users in the neighborhood experienced (see Kammersgaard, 2019a). In this excerpt the officer describes how helping the marginalized drug users might ultimately also provide a more peaceful environment and neighborhood for the business owners and the residents. This is the same line of reasoning that the business owners subscribed to when they complained to the local government that the shelters, drug treatment and cleaning should receive more resources, rather than that the drug users should be removed by force. Furthermore, the officer describes how the business owners had been a factor in securing resources to help the marginalized drug users in the neighborhood, rather than a factor that tried to push the drug users out of the neighborhood. He argued that the local police in this particular neighborhood had the opportunity to prioritize engaging with the drug scene and the socially marginalized people there, because business owners and middle-class residents were demanding it.

In conclusion, business owners as well as the mayor of Copenhagen were engaged in discursively 'making' the Meatpacking District a place for social inclusion where the marginalized drug users had a 'right' to be (Bacchi & Goodwin, 2016, chap. 7). In other words, the marginalized drug users were discursively positioned as being 'in place' and as an integral part of the history of the neighborhood. However, at the same time the business owners argued that the establishment of the drug consumption room, H17, meant that a considerable number of marginalized drug users were assembling in the Meatpacking District. This produced some concrete problems for the business owners, such as an increase in drug and human waste around their buildings, as well as a general environment that felt unsafe. However, the business owners did not lobby for the removal of the

marginalized drug users from the neighborhood. Rather they lobbied for increased cleaning as well as social and harm reduction services targeted at the marginalized drug users.

Yet, it is important to note that not all business owners or residents might have been equally ‘tolerant’ of the marginalized drug users in the neighborhood. Other research methods, such as a survey, would be needed in order to answer how widespread these ‘tolerant’ sentiments generally were among residents and business owners (see Houborg & Holdt, 2018). However, even though some residents and business owners might have held less tolerant views of the marginalized drug users, these sentiments did not figure prominently in the public debate. In the open letter to the mayor, which the group of business owners from the Meatpacking District wrote, they positioned themselves as tolerant and accepting of the presence of the marginalized drug users. This does not necessarily mean that these people were more or less tolerant or accepting than anyone else, but rather it reveals that the ‘normative geography’ and narrative of this particular neighborhood did not seem to allow discourses about excluding the marginalized drug users from the area. In other words, to propose that the marginalized drug users were simply excluded from the neighborhood was not ‘sayable’ in this specific context, meaning that such a proposal would most likely not be accepted as politically and ethically legitimate by other stakeholders.

Discussion

In this article, two case studies of the problematization of marginalized drug users in public space have been presented. The cases were similar insofar as the presence of marginalized drug users was presented as a problem in both. Furthermore, in both of the cases overtly punitive measures and coercive exclusion against these people were not rendered politically acceptable. This constitutes a different political environment than the one that has been documented in the US context, such as in Smith’s (2005/1996) influential account of ‘revanchism’ which constituted ‘revengeful and reactionary’ (Smith, 2005/1996, p. xix) measures against homeless and other socially marginalized people. It is also different from the practices of ‘banishment’ documented by Beckett and Herbert (2009), who found proactive and permanent exclusion of homeless people from city centers in order to secure property values and public safety to be a widespread strategy in several American cities.

Rather, in these two cases the placement and behavior of homeless and socially marginalized individuals were sought to be managed through less coercive methods, including measures that supposedly should help these individuals while at the same time contribute to more orderly and peaceful public spaces. This might point to a significant regional difference between the US and the

European context and the findings support the argument by Kübler and Wälti (2001) that it is generally not feasible for local governments in Europe to advocate for the coercive exclusion of socially disadvantaged groups from city centers. In a global context then, the two cases might display more similarities than differences.

However, while there were many similarities between the two cases, there were also some differences. The two cases studies illustrate a slightly different 'normative geography' in the two research sites (Cresswell, 1996). Specifically, that some things were rendered more 'sayable' in one context compared to the other (Bacchi & Bonham, 2016, p. 116). In Aarhus there was initially some contestation about whether the marginalized drug users were 'in place' or 'out of place' in the particular public square that they would often assemble on in the city. While the head of social affairs attempted to mobilize a discourse about the marginalized drug users having a right to stay in this public square, this discourse was strongly contested by other city council members, the local media and the local business owners, and the head of social affairs was positioned as someone who was not acknowledging the magnitude of the problem. Consequently, later statements by the head of social affairs indicated a shift in discourse and an acceptance of the situation *as* a significant problem. However, of course not everyone accepted the notion that the marginalized drug users were 'out of place' on the public square and there was resistance towards such a representation from different stakeholders, including the NGOs representing and supporting the marginalized drug users in the city. Nevertheless, the outcome of these debates resulted in policies that aimed at dispersing the drug users away from the public square, by attracting them to so-called 'safe zones', where they would pose less of a nuisance to business owners and other citizens, as well as policies that aimed at changing the behavior of those individuals who still decided to stay on the public square, by introducing private security guards to patrol this space.

In Copenhagen there was a strong discourse about the 'right' of the marginalized drug users to stay in the neighborhood, which was not contested to any great extent. There were some NIMBY-type statements by neighbors in the local media, who argued that they would prefer that the drug users and the newly established DCR were relocated further away from their apartments. Furthermore, a group of business owners argued that the location of this new DCR in their neighborhood had caused an increase in waste in the area and caused an intimidating working environment for their employees. However, these business owners did not lobby for the relocation of the marginalized drug users and this DCR. This might have been a consequence of a general discourse, where the marginalized drug users were portrayed as an integral part of the history of the neighborhood and thus as having a 'right'

to stay in this particular neighborhood. Consequently, to lobby for moving the drug users and the DCR out of the area was not seen as viable option. Instead the business owners argued that the local government had to allocate more resources to cleaning the area as well as more resources towards managing housing issues, drug treatment and harm reduction initiatives. In this way, the business owners reasoned that ample resources for developing social policies for the drug users would simultaneously make the drug scene less violent and aggressive and, in turn, make the general public space more pleasant and suitable for operating their businesses. In this reasoning, the classic opposition between ‘social policy’ and ‘attractiveness policy’, was somewhat dissolved, since engaging in ‘social policy’ was thought of as also benefitting the business owners and residents and as producing an attractive urban space for everyone (Kübler & Wälti, 2001).

Such reasoning seem contrary to how discourses about the presence of marginalized drug users have played out in other neighborhoods in both the US and Europe (Jauffret-Roustide & Cailbault, 2018; Atkinson et al., 2019). A study by Davidson and Howe (2014) documented the widespread opposition from residents towards the relocation of a needle exchange service in a neighborhood of San Francisco, even though this particular neighborhood had a long history of an active injecting drug use scene. In that regard, the findings in this study on Vesterbro, Copenhagen may illustrate a neighborhood where the usual NIMBY (Not-In-My-Back-Yard) arguments were not seen as legitimate and valid as in most other studied contexts.

However, it should be noted that these discourses were only investigated regarding specific issues at a specific time in two specific neighborhoods. Consequently, the findings of this article should not be interpreted to apply to any of the cities in general. Furthermore, even though one type of discourse may have been dominant in the public debate in each of the two cases, this does not of course mean that competing discourses were not present and that some residents, business owners or local politicians in either of the cases might have held widely different opinions than those that have been presented in this account. Further studies could investigate to what extent NIMBY attitudes were present in general and attempt to unpack what it is that drives exclusionary and inclusionary attitudes towards marginalized drug users in public spaces.

Nevertheless, the case studies illustrate that how homeless and marginalized individuals in public space are problematized can have widespread implications for how they are dealt with in practice. Simultaneously, the cases illustrate how problematizations and governmental responses to the presence of marginalized drug users in public space are highly locally determined, reflecting the fact

that all drug policy, ultimately, is locally shaped and defined (Wodak, 2006). The problematization of the marginalized drug users was closely tied to narratives and stories about what the particular neighborhoods or urban spaces was and should be like, what Cresswell (1996) would call the ‘normative geographies’ of those particular urban spaces. By studying these ‘normative geographies’ and the problematizations that give rise to them, the presumed natural state of these narratives about our cities and neighborhoods is called into question (Bacchi, 2009). This makes it possible to investigate the underlying, unexamined moral assumptions that motivate specific problematizations and responses to the use of our public spaces and can help us to reconsider these

Furthermore, the two cases reveal how business owners can play a fundamental role in shaping the responses of local governments towards homeless and marginalized drug users. In the first city, Aarhus, the business owners at the public square were pressuring the local government to provide solutions to what they saw as a situation that infringed on their ability to run a business. Likewise, the business owners in Vesterbro, Copenhagen, were lobbying for the local government to take action regarding the marginalized drug users present in the neighborhood. However, in the case of Vesterbro this call for action took the form of demands for increases in harm reduction and social policy activities. In this way, this article illustrates how business owners can play a substantial role in the policy-making regarding marginalized drug users and push the policy in either a ‘attractiveness policy’ direction, based on exclusionary measures, or in a ‘social policy’ direction, based on more inclusionary measures (Kübler & Wälti, 2001).

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Site 1: Vesterbro, Copenhagen

Data collection period

8 months, February to September 2018

Observation

Police officer on patrol: 10 occasions, 59 hours

Municipal security guards: 1 occasion, 5 hours

Network meeting, business owners: 1 hour

Total: 65 hours of observation

Interviews

Municipality: 1 supervisor of drug consumption room, 2 supervisors of municipal security guards (double interview)

NGOs: 2 representatives from a legal aid organization specializing in the legal needs of marginalized drug users, 1 social outreach worker, 1 manager of soup kitchen and health clinic for drug users, 1 head of homeless shelter

Police: 2 interviews with local patrolling officer (re-interview), 1 interview with head of local police

Other: 3 business owners, 1 employee of a coffee and dining place, 1 representative from high school located in the open drug scene

Total: 14 interviews with 15 interview participants

Length of interviews:

Shortest: 30 minutes, longest: 90 minutes.

Most interviews in 45 to 60 minutes range

Publicly available documents

Open letter to the mayor from business owners in the open drug scene, 19/09/2017

1 video file of debate in city council concerning the open drug scene following letter from business owners, 12/10/2017

93 newspaper articles relating to the functioning and establishment of the drug consumption room H17, 01/01/2016 – 01/01/2019, (obtained through search engine Infomedia)

Weekly reports documenting the work of the local police, 01/01/2018 – 01/09/2018 (granted permission to read and take notes while on fieldwork with police)

Site 2: Klostersorvet, Aarhus

Data collection period

6 months, May to October 2017

Observation

Observation of open drug scene: 8 occasions, 19 hours

Security guard on patrol: 7 occasions, 56 hours

Classroom observation: 2 occasions, 15 hours

Total: 90 hours of observation

Interviews

Municipality: 1 legal consultant, 2 social outreach workers (double interview), 1 supervisor of drug consumption room

NGOs: 3 interviews with representatives from different NGOs for homeless people

Security firm: 1 supervisor

Police: 1 leader of special patrol + 1 deputy police inspector (double interview)

Homeless/socially marginalized: 2 homeless persons

Other: 1 local business owner

Total: 11 interviews with 13 interview participants

Length of interviews:

Shortest: 20 minutes, longest: 90 minutes.

Most interviews in 45 to 60 minutes range

Documents

6 city council debates relating to Klostersorvet, 01/01/2014 – 10/05/2017, (transcribed from publicly available audio files)

99 newspaper articles relating to Klostersorvet, 01/01/2013 – 01/01/2018, (obtained through search engine Infomedia)

General questions and history

- Becoming a police officer
 - When?
 - Why?
 - Always this area? Why?
- What is the main purpose of your work?
 - What are the criteria for success?
 - What motivates you to keep on doing this work?

Police practice

- What is important for doing a good job on Vesterbro?
- I have seen that you prioritize going around the area and talking with different people. Why?
- If you are called to a harm reduction facility or shelter, what is your general procedure?
 - Why do you do it like that?
- You have told me that you prefer doing foot patrol alone – why is that?
- What does the decriminalization of drug possession entail for your work?
- Did you stop arrested people for possession even before the change in legislation?
- What would it entail for your work if you were arresting people for possession?

The residents and business owners

- What is the objective in your policing regarding the residents and business owners?
- How do the residents and business owners react to the open drug scene?
- How do you handle it, if someone is complaining about the behavior of the drug users?
- Do you think that the residents and business owners are unreasonable sometimes? How so?
- What do you do when you find someone injecting on the streets?
- How much do you focus on the nuisance that drug users can cause to others?
 - How do you handle that?

Focus persons

- In the weekly police reports I have read about ‘focus persons’, can you explain to me what that is?
- How do you become a focus person?
- Sometimes you write that you will ‘follow their behavior’ – what does that mean?
- Is it the same ‘type’ that becomes a focus person?
- Do you persist being a focus person if you have been registered as such?
- How do you handle it if someone has been aggressive or violent? What kinds of sanctions do you use?
- If someone is banned from entering the shelter or somewhere else, how does that work?
- Do they seek out other places? Where?
- How do you feel about using your police powers in such situations?

Organization

- Do you think that you work differently than other police officers?
- Do you think that you perceive things differently than other police officers?
- Do you think that you have another perception of ‘criminals’ than other police officers?
- Do you feel that your kind of work is being prioritized by the police organization?
- Do you feel that your kind of work is being appreciated by the police organization?

Social work and NGOs

- How are you cooperating with NGOs and social workers at Vesterbro?
- What is your role in that regard?
- Do you have anything in common with the social workers?
- Do you have more in common with the social workers than the ordinary police officer?

- You were awarded a price by an organization that is associated with social work – what did you think about that?
- Have you received the same recognition by the police?

Status at the drug scene

- What is the status at the drug scene? What has happened since the last time we met?
- Is there any new challenges?
- Do you have time available to do your foot patrolling?

Residents and drug users

- You can roughly say that there are two groups at Vesterbro: the residents and the marginalized drug users.
 - What is your task towards the residents and the business owners?
 - What is your job towards the marginalized drug users?

Achieving your goals

- What are the criteria of success for your work? When do you know that you have done a good job?
- How much do you expect to change?
- Do you think the police can solve this problem?

About ‘the Blue Bus’ (motorized patrolling)

- I have only observed when you are engaged in foot patrol policing by yourself – could you describe how you are doing police work while you are part of the motorized patrol group?

Harm reduction

- I have heard you describe your work as ‘harm reduction’ before – what do you mean by that?
- What types of harm are you seeking to reduce?
- Where did you first hear of the concept ‘harm reduction’?

Different ethnic groups on the drug scene

- How do you handle the increase in drug users who do not speak Danish?
- Does it make your work more difficult?
- How do they react to your presence? Differently than others? Are they more skeptical?

Good and bad drug dealers

Last time you mentioned that you categorize drug dealers as either ‘good’ or ‘bad’.

- Could you elaborate a bit on that distinction?
- What do you do about the ‘bad’ drug dealers?
- Who was the latest ‘bad’ drug dealer and how did you handle him/her?
- Why was he/she bad?
- How did you obtain the information about his/her behavior (other drug users, registers etc.)?
- What did you concretely do in that situation?
- Is there a general pattern in who is ‘bad’ – are they gang related?
- Last time we were patrolling we met a drug dealer just outside here – was he a ‘bad’ drug dealer

Briefing

- About me
- About the PhD project

Introductory questions about interview person

- What is your role with the security firm?
- How long have you been doing this?
- Do you supervise other security guards than those on Klostertorvet?

About the security firm

- Can you briefly introduce the security firm?
- What customers do you have?
- What are your typical tasks?
- What type of authority do your employees typically have?
- What is important when you carry out a job?

About the job at Klostertorvet

- What is the job on Klostertorvet?
- What types of behavior are the guards supposed to react on?
- How are the guards supposed to react? (physical force, verbal order, call police)
- How have the guards been instructed?
- Who is your customer? (business owners or municipality)
- Do you have direct contact with the municipality?
- Are you part of the network that follows the implementation of different initiatives for the homeless?
- Is this job different from other jobs that the security firm usually handles?
- Is there something about this job that has been especially challenging?
- Does it make a difference that it is in a public space?
- Is this job more 'socially oriented' than other jobs?
- Do you think the security firm can handle a job like this?
- Are your employees trained to handle a job like this?

Briefing

- About me
- About the PhD project
- Permission to record the interview

Introductory questions about the business

- Could you start out with telling a bit about yourself and your business?
- How long have you had the business in this area?

The business network in the Meat Packing District

- Is everyone part of the network?
- What subject do you discuss in the network?
- How is it working out? Do people agree on most matters?

Disorder in the neighborhood

- How do you experience running a business next to the new drug consumption room and the open drug scene?
- What types of problems does this produce?
- Are these problems handled well?
 - What have been done about the problems?
 - What do you think should be done?
 - Who should be responsible? The municipality, the police, the NGOs?

Open letter to the mayor

- Last year you wrote and signed an open letter to the mayor – can you explain why and what it was you were trying to achieve by doing this?
- How was the reaction the letter – what happened afterwards?
- What is the status now, nearly a year after? Did you get what you were asking for?

New initiatives on the drug scene

As far as I could read, there has been allocated some extra resources to cleaning, help to housing, an extra social outreach worker and some security guards who are patrolling during the night.

- Do you experience that this has made a difference? How?
- What else would you like to happen?
- What about the Vesterbro-coordinator? I read that he has been replaced with someone with a slightly different function – how is that working out?

Economy

- You write in the open letter to the mayor, that you (the business owners) are paying for the extra cleaning required, because of the open drug scene – is that still the case?
- What about the other new initiatives – are you paying part of it or is it the municipality that pays?

Police

- What is your experience with the police? Should it not be their responsibility that there is order and peace and that you should be able to run a business here?
- Or do you think the responsibility lies with the municipality? Why?

Briefing

- About me
- About the PhD project
- Permission to record the interview

About the business and relation to Klostertorvet

- Would you briefly describe what it is your organization works for?
 - What is the specific function of this local branch?
- The reason that I am here today, is because I am interested in the things that are happening at Klostertorvet at the moment. Consequently, I would like to hear your general thoughts on that situation?
- Have your organization participated in the policy process surrounding this issue? How?
 - What was important for you in that policy process?

Safe zones for homeless people

- The municipality has decided to establish safe zones for homeless and socially marginalized people in order to move them away from Klostertorvet.
 - What do you think about that?
 - What do you think the municipality should be aware of when establishing such safe zones?

Security guards

- Was your organization involved in the decision to install private security guards on Klostertorvet?
- What do you think about the work that they do?
 - What do they do concretely when policing?
 - Should they do something else instead?

Perspective of the homeless people

Since your organization works for and with homeless people, maybe you have an idea of how they are perceiving the situation.

- In your impression, what do the homeless people think of the security guards?
 - What have they said to you concretely?
 - Do you think that they see the guards as being there to protect them?

Debriefing

- Is there anything you would like to add?
- Is there anyone you think I should talk to?