

Local security in Germany

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1. Institutional frame

The constitutional tradition in Germany and the regulations after World War II are the main factors for organizing police in Germany.

(West) Germany was politically rebuild in a bottom up process from a local government level to the federal states (Länder) and finally the federation in 1949. The state Hestia for example was founded in December 1946 almost three years before the federal republic. In the years after 1945 there were allowed only local police forces to break up the Nazi police system. In the process of denazification, demilitarization and democratization the police should be concentrated to their core of law enforcement, criminal prosecution and averting of danger.

In the federal constitution (Grundgesetz) you will find only little about police and police organization. The federal level of policing is restricted to a Federal Criminal Police Office (Bundeskriminalamt) dealing with collecting data, being a central office in communicating with other countries and restricted to terrorism and organized crime. The Federal Police (Bundespolizei) originally was a boarder police and after the reunification of Germany in 1990 looking for new fields of activity. Today you will find the Federal Police not only at boarders but also in airports and railway stations. The Federal police also is supporting federal state police forces e.g. in riot policing. That's all in policing at the federal level.

The backbone of German police consists of the 16 federal state polices (table 1). That is reflecting German federalism, which has two main sectors, strictly defended by federal state politicians and civil servants: Education, science and culture on the one hand and police on the other. Therefore in Germany



(besides federal police laws) there exist 16 different police laws with (little) differences and difficulties of coordination. Federalism is also the main reason for differences in education and training police, in police philosophy and almost every other matter dealing with law enforcement.

Table 1 shows, that in Germany there are about 220.000 policemen working for a state police. Together with about 4.500 persons in the Federal Criminal Police Office and 31.000 policemen in the Federal Police in Germany all police forces in a strict sense sum up to about 255.000.

Tabel 1:Inhabitants, police and criminality in Germany 2006/2007

| | population (thousands) | police forces | inhabitants per police officer | criminality | detection rate |
|---------------------|---------------------------|------------------------|--------------------------------------|-------------------|-------------------|
| | 2006 | 2005-2007 ^a | | 2006 ^b | 2006 (%) |
| Baden-Württemberg | 10.744 | 26.699 | 1:402 | 5.694 | 59,9 |
| Bayern (Bavaria) | 12.493 | 32.966 | 1:379 | 5.338 | 64,9 |
| Berlin | 3.405 | 21.065 | 1:162 | 14.576 | 50,2 |
| Brandenburg | 2.549 | 8.287 | 1:308 | 8.889 | 58,6 |
| Bremen | 665 | 3.190 | 1:208 | 14.477 | 43,7 |
| Hamburg | 1.754 | 7.586 | 1:231 | 13.513 | 47,0 |
| Hessen (Hessia) | 6.078 | 14.810 | 1:410 | 6.925 | 55,1 |
| Mecklenburg-Vorp. | 1.696 | 5.916 | 1:287 | 8.900 | 60,4 |
| Niedersachsen | 7.985 | 17.800 | 1:449 | 7.605 | 55,5 |
| Nordrhein-Westfalen | 18.036 | 39.555 | 1:456 | 8.294 | 49,9 |
| Rheinland-Pfalz | 4.053 | 9.103 | 1:445 | 7.116 | 62,6 |
| Saarland | 1.045 | 2.861 | 1:365 | 7.076 | 54,6 |
| Sachsen (Saxony) | 4.254 | 10.774 | 1:395 | 7.250 | 59,7 |
| Sachsen-Anhalt | 2.446 | 7.804 | 1:313 | 8.875 | 58,4 |
| Schleswig-Holstein | 2.834 | 6.644 | 1:427 | 8.560 | 47,1 |
| Thüringen | 2.315 | 6.416 | 1:361 | 6.366 | 64,1 |
| Germany | 82.352 | 221.476 | 1:372 | 7.635 | 55,4 |

^a without education

^b per 100.000 inhabitants



Source: Hermann Groß/Bernhard Frevel/Carsten Dams (Hrsg.), Handbuch der Polizeien Deutschlands, Wiesbaden 2008.
Polizeiliche Kriminalstatistik (PKS) 2006
Own data and calculation

2. Local security

Concerning constitutional law (all of the federal states have their own constitution) the local level is part of the state level. That consequently produces different types (and changes) in local government and administration based on different laws. As mentioned before in West Germany local police forces in cities combined with a federal state police were until the 1970s the institutional solution for policing. The last local police (that one of Munich) was transferred 1975 in the Bavarian State police. That was a process of decommunalisation of police. The next two or three decades the world of policing was quite simple in Germany.

But let's have a look into presence. We find a complex and rather confusing situation in local security. Many actors are working within this policy. Of course you will find the "old" police, but also you will find other public services and private firms also responsible for security. Imagine only, that in Germany as many people as policemen (255.000) are employed by private security firms, transporting money, guarding soccer games or private (and public) property.

But let us start in Frankfurt, a city with about 670.000 inhabitants and many people working there in bank business or at the international airport. As I mentioned before you will find federal police only at the airport and the central railway station. In the rest of the town the federal state police (Police Hestia) is confronted with all kinds of criminality. About 3.400 policemen are working in the uniformed and criminal police. These police forces are paid from the federal state Hestia. A special police, called guard police (Wachpolizei) is also paid and organized by



the federal state. They are not in the status group of civil servants but employees, are restricted in their competences and have a short training of four month (compared to the three year academic studies of the state police). These 150 people do standard policing like security services for official buildings like consulates or jewish buildings (but only, when dangers are estimated low, when high risks are perceived, the federal state police is in duty), transporting prisoners or working in the police records department e.g. taking fingerprints; they release the highly qualified federal state police. They look alike the state police, are also weaponed and drive the same cars as federal state police.

Now let's change the level of analysis and go the local administration of Frankfurt. As part of the public regulatory authority (Ordnungsamt) two units are working, some years ago renamed into town police (Stadtpolizei). They prosecute and punish infringements and administrative offences in traffic (especially parking tickets) and a broad variety of things like hygiene regulations in bars, illegal waste in the streets, dangerous dogs or taxi regulations. They also can easily be confused with federal state police wearing weapons and driving cars that look alike the cars from "true" police forces, although limited in their competences. The federal state Hestia and Frankfurt administration have made a treaty to coordinate local security between the two organizations. Sometimes you can watch a mixed police patrol of town police and federal state police.

A voluntary police (Freiwilliger Polizeidienst) was established in Hestia in the year 2001. About 60 citizens in a honorary appointment are trained by the federal state police and allowed to work for 25 hours per months but paid 7,50 € per hour by the city of Frankfurt. Members of the voluntary police answer questions of citizens, are walking in areas, where police is not necessary but expected by citizens (e.g. graveyards) or do simple traffic regulation.

Have also in mind that many private security firms offer services for public transport, for industry and commerce, but also for private persons.

3. Five dimensions of local security

Actually I am working in a research project in which we analyze policing presence (*Polizierende Präsenz*) at the local level. We are analyzing iconography, semantics, topography and organization of local security. In other words, how and why look actors in policing presence as they do, which terms are given to them, where do they work in public, semi-public and private areas, how is cooperation (and conflict) organized and overall what does it mean for the state monopoly of violence, a core element of modern societies.

3.1 *Iconography*

The fact that actors in local security, which are not “real” police want to look alike reflects as well the trust in the institution police as needs of citizens. Local administration wants to join the prestige of police and people always want more police in the streets. Citizens can be satisfied easily with uniformed personnel without knowing exactly the competence of the man or woman in uniform. The federal state is saving money, enlarging visibility of some kind of police, strengthening subjective security and fighting fear of criminality. The last reason will become as more important as demographic change will result in more elderly people. As we know from criminology as a paradox there is a clash between criminality and the perception of people concerning the risk to become a victim depending on their age. Elderly men and especially women fear themselves at home and in public but seldom become victims.

The color of police in Germany in all federal states beginning from 1976 was green-beige. But with an origin in Hamburg since 2002 (implemented first in this town and federal state in 2005 and partly paid by private organizations!) there is a

change to blue. Nowadays blue is with the exception of Saarland and Bavaria (there you can look at the old-fashioned green uniforms and cars) the color of the police forces. But blue in one federal state is not blue in the other one (federalism!). You can see uniforms in dark blue that look like black uniforms in U.S. and light blue ones like in Hesse. But all the other actors in security also have a trend to blue colors.

3.2. *Semantics*

Police (Polizei) is a very attractive term for other actors in the field of security. Up to now it is allowed only for public institutions but as demonstrated for Frankfurt also local administration and citizens want to be called as police. The same argument as for iconography also can be used for semantics. "Police" sounds good in the ears of citizens and the institutions themselves even when it is a composite term as guard police or city police.

Amplification of the term "police" in German language can be tied to former times, today it seems to be a strategic instrument of policing. In the 17th century "polizey" meant almost everything a state and public administration was engaged including economics. Nowadays it is spreading all over public institutions.

3.3. *Topography*

The boundaries between policing public and private areas are overlapping. Especially semi-public areas as local public transport are a field for private security firms. For local and regional politics and administration combined with New Public Management it is attractive to produce public security with the help of private security firms. One example: Security during soccer games now has to be guaranteed by football clubs, police forces are only responsible for fans (and hooligans) getting to and from the stadium.

By legal definition and more and more by contracts different actors define the areas of their activities. Politics and



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administration get more and more dependent from private actors in public security and have to make arrangements. In citizen's perspective it's not clear, which organization is responsible for a specific area.

3.4 Organization

Modern German security politics at the local level is organized in networks and partnerships, a result of many players in the field of security. The federal state police is forced to cooperate with other institutions inside and outside of public authorities. Pressure groups and citizens' initiatives stand for a broader and more detailed commitment within a civil society. Citizens expect more and better policing.

3.5 The state monopoly of violence

What do these developments mean for the state monopoly of violence? Is it in danger, losing legitimacy or is it strengthened in a new way by redefining its limits? The answer seems to be not totally clear because the process in Germany as in other states has not come to an end.

Local security policy has to manage permanently increasing demands of citizens. Fiscal restraints are looking for cheaper solutions. Although criminality rates are decreasing since more than a decade in Germany most people are convinced (mainly through mass media) that it's not true. Feelings and perceptions of security are the rising challenge for public security.