Open Access Repository
www.ssoar.info

Policing the In/Exclusion of Social Marginality: The Preventive Regulation of Public Space in Urban Switzerland

Piñeiro, Esteban; Pasche, Nathalie; Locher, Nora

Veröffentlichungsversion / Published Version
Zeitschriftenartikel / journal article

Empfohlene Zitierung / Suggested Citation:
Piñeiro, E., Pasche, N., & Locher, N. (2023). Policing the In/Exclusion of Social Marginality: The Preventive Regulation of Public Space in Urban Switzerland. *Social Inclusion*, *11*(3), 82-92. https://doi.org/10.17645/si.v11i3.6716

Nutzungsbedingungen:
Dieser Text wird unter einer CC BY Lizenz (Namensnennung) zur Verfügung gestellt. Nähere Auskünfte zu den CC-Lizenzen finden Sie hier:
https://creativecommons.org/licenses/by/4.0/deed.de

Terms of use:
This document is made available under a CC BY Licence (Attribution). For more Information see:
https://creativecommons.org/licenses/by/4.0

gesis
Leibniz-Institut
für Sozialwissenschaften

Mitglied der
Leibniz-Gemeinschaft

Social Inclusion (ISSN: 2183–2803)
2023, Volume 11, Issue 3, Pages 82–92
https://doi.org/10.17645/si.v11i3.6716

Article

Policing the In/Exclusion of Social Marginality: The Preventive Regulation of Public Space in Urban Switzerland

Esteban Piñeiro *, Nathalie Pasche, and Nora Locher

School of Social Work, University of Applied Sciences and Arts Northwestern Switzerland, Switzerland

* Corresponding author (esteban.pineiro@fhnw.ch)

Submitted: 25 January 2023 | Accepted: 20 April 2023 | Published: 28 August 2023

Abstract
Urban spaces are always contested and, as such, permeated by processes of inclusion and exclusion. Since the 2000s, new types of governmental public order services have been established in Switzerland specialized in dealing with socially marginalized individuals, groups, or areas. Without having police powers, they proceed with socio-communicative methods typical in outreach social work. Based on our ethnographic research and drawing on Foucault-inspired governmentality studies we elucidate the socio-preventive risk management of two types of order services: While the welfare type aims to protect public spaces of attractive urban centers from social marginality, the neighborhood watch type is concerned with improving the coexistence of residents of marginalized housing developments. As the former wants to keep socio-spatial in/exclusion of social marginality in motion and prevent its fixation in certain places, the latter works towards the inclusive socio-spatial entrenchment of residents in segregated housing developments. Both dynamics—inclusion and exclusion—are closely intertwined and utilized for the governance of public spaces. The “inclusive city” should not be celebrated as a dull ideal and must be confronted with its own socio-spatial mechanisms of exclusion.

Keywords
governmentality; inclusive city; nudging; order service; policing; public space; social marginality; social work

Issue
This article is part of the issue “In/Exclusive Cities: Insights From a Social Work Perspective” edited by Karine Duplan (HETS Geneva, HES-SO / University of Geneva), Monica Battaglini (HETS Geneva, HES-SO), Milena Chimienti (HETS Geneva, HES-SO), and Marylène Lieber (University of Geneva).

© 2023 by the author(s); licensee Cogitatio Press (Lisbon, Portugal). This article is licensed under a Creative Commons Attribution 4.0 International License (CC BY).

1. Introduction

Contemporary Western European societies are characterized by persistently high mobility and diversity. In light of this, the concept of an “inclusive city” is gaining importance in international urban research (Anttiroiko & de Jong, 2021; Behrens et al., 2016) and, at its core, the inclusiveness of cities is being negotiated. How can access to urban infrastructure and attractive public spaces be improved for a diverse population? The requirement is by no means new. In 1968, Henri Lefèbvre introduced the expression *le droit à la ville*, a powerful concept of protest mobilization that Harvey (2008) was to follow in order to propagate a bundling of the globally distributed struggles of urban centers against neoliberal transformation. Ultimately, the city should become a place for everyone. Public space plays a central role in this since it is considered an important element of urban life: Simmel (1903/1995) once described it as a kind of inclusive space in which people who are strangers to each other meet and live together—physical proximity, with extensive social distance. Even today, in political and scientific discussions, squares, parks, and streets are conceived as public spaces where diverse people encounter each other, conceived as an antithesis to the private sphere and to public places such as hospitals or club rooms, which regulate access based on belonging. Private space is associated with the ideal of family, housing, and private property; following Goffman (1963), it is a backstage that offers an exclusive space for production and reproduction, personal retreat, and civil liberties. The public space, in turn, is more of a frontstage with great general accessibility, diverse self-regulated use, and diverse behavior, allowing for extensive social inclusion (Laberge & Roy, 2001; Siebel & Wehrheim, 2003). Public spaces bring together what exists separately elsewhere. They create a co-presence of diverse actors and different activities (trade, politics, leisure, mobility) that characterizes the specificity of the urban situation.

Both private and public spaces are highly normatively charged and can by no means be understood unilaterally as spaces of freedom. They are subject to negotiation and constraint (Laberge & Roy, 2001). Public space has never fulfilled the normative ideal of inclusion (Belina, 2011). Urban spaces are characterized by different and conflicting socio-spatial interests and are therefore always contested as such, sometimes riddled with contradictory practices and processes of inclusion and exclusion (Diebäcker, 2022; Kemper & Reutlinger, 2015). Thus, public space is always also exclusive space as well (Siebel & Wehrheim, 2003). This is particularly evident when dealing with social undesirables to whom disruptive, anti-social, or even criminal behavior like drinking in public, graffiti-making, littering, making noise, inconsiderate or disorderly conduct, aggressive begging, etc., is attributed. Such regulatory matters are nowadays considered to be a normal social reality that (like crime) cannot be eradicated once and for all (Garland, 2001; Ziegler, 2019). At the same time, the idealization of public space sharpens the perception of such phenomena of disorder and incivilities (Eick, 2003), as negative potential or risk inherent in public space (Groenemeyer, 2001). In its broadly conceived accessibility, it is always open to the possibility of inappropriate or problematic use. Incivilities can affect the inclusive quality of public spaces, become spatially entrenched, and thus constitute a more persistent burden or disturbance, making public use difficult. Public space is therefore not characterized exclusively by its accessibility, inclusivity, and self-regulated use. Rather, the use of public space seems to have certain behavioral requirements and must meet social expectations, which is why it requires some control and protection. Public space, therefore, does not have a precarious relationship with state regulations and social control, which appear simultaneously as a threat to and a prerequisite of public space. It rather emerges as a product of such mechanisms (Siebel & Wehrheim, 2003; Wurtzbacher, 2008).

Ideally, according to Thacher (2014), public spaces regulate themselves via their users, as it were, with subtle glances and mild rebukes. Such informal efforts represent an important part of the maintenance of order in many public spaces. However, many modes of behavior perceived as socio-spatial disorders are institutionally regulated, often by public actors. These disturbances or incivilities are mostly not illegal per se but instead violate popular or neighborhood expectations of what constitutes appropriate or orderly behavior. The literature refers to the differentiation between police control towards marginalized populations and disruptive youth in public spaces (Beckett & Herbert, 2010; Diebäcker, 2022; Schaefer Morabito, 2014; for the specific case of Switzerland see Gasser, 2003; Litscher, 2017). Herbert et al. (2018) show that the police engage in specific policing when dealing with these marginalized target groups, using softer, more dialogic, harm-reduction-oriented approaches (cf. Innes, 2005 on “soft policing”; on the “care side of repression” see Piñeiro et al., 2021c). For the vast majority of minor offenses, interpersonal conflicts, and a range of disorderly conduct, the full authority of the police and criminal law does not seem particularly appropriate (Matthews, 1992; Skogan, 1990).

In the continental European context, non-police actors such as private security firms, NGOs, and state institutions are increasingly taking on soft policing functions (De Koning, 2017; Eick, 2003; Terpstra & Devroe, 2015). Together, they form an “extended policing family” (Crawford, 2014) and assume central functions in the maintenance of public safety and order. This extension and pluralization of non-police actors and practices has been increasingly evident since the mid-1990s and is considered the most important development in policing (De Koning, 2017). In Switzerland, since the 2000s, a new type of public order service has begun to establish itself in many larger municipalities and cities, focusing on the socio-communicative handling of social undesirables exhibiting disorderly or disruptive behavior in public spaces. Unlike the police, these public order services have no sovereign powers and thus cannot enforce socially acceptable behavior or public order by legal means such as prohibitions, formal coercion, or penalties. On patrol, they proceed with methods typically associated with low-threshold outreach social work. Accordingly, they locate themselves between social work and the police. On closer inspection, it becomes clear that their focus is not on ameliorating personal hardship, but ultimately on protecting the public space from violations of rules of use or social conflicts.

These organizations are integrated into public municipal administrations and can therefore take on very different orientations due to the federalist organization of the Swiss state (see Section 4). The concrete mandate varies in each case and depends strongly on the local context in which they are embedded. However, what they all have in common is that they monitor conspicuous social events in public spaces and the appropriateness of the use of public spaces. They carry out profiling of individuals or groups with social problems or public-spatial risk behavior that are among the diverse users of public spaces in order to be able to identify them early and thus address them preventively. These public order services come into play when the population, organizations, or municipalities raise problems regarding socio-spatial disturbances and bring them to the attention of outreach socio-preventive municipal order services (OSPOS). It often remains unclear how such disruptive or inadequate behavior is defined since it often involves a subjective sense of order and security that is negatively affected. Even though this form of spatial regulation precedes police intervention (cf. Thacher, 2014), the findings from our perennial organizational ethnographic research project (see Section 3) show that their practice can be conceptualized as a specific form of soft policing (Wehrheim, 2012; Wurtzbacher, 2008). It encompasses a bundle of monitoring activities as well as individual or group behavioral influencing that ultimately serve to maintain public order (thus the acronym OSPOS). Their social preventive practice specializes in the specific regulation of socio-spatial in/exclusion of socially marginalized individuals and groups. As we will see, following Michel Foucault-inspired governmentality studies, this is a specific way in which certain public spaces are governed by in/exclusion (see Section 2)

With the emergence of these public non-police services, further differentiation of state control in the public sphere has taken place, which has so far remained unexplored in the Swiss context. This article illuminates the novel non-police policing tactics of these OSPOS that strengthen cooperation and compliance of socio-spatial risk carriers for self-in/exclusion, for example, by means of "nudging." The article builds on findings from our organizational ethnographic research and is organized as follows: Section 2 undertakes a power-analytical framing of the policing practices of the services studied, thereby sharpening the perspective of the analysis of selected empirical material. After some explanatory notes on the research design in Section 3, we discuss two types of order services with their specific ways of dealing with socio-spatial marginality (Section 4): the welfare and the neighborhood types. Finally, we conclude that exclusionary mechanisms are constitutive of the "inclusive city" and argue that this should, therefore, be referred to as an "in/exclusive city." All empirical data, organizations, departments, persons, and places have been anonymized. The name/acronym OSPOS was also developed in order to prevent inferences about the organizations under study.

2. The Power of Non-Police Order Services

OSPOS operate through methods of surveillance and responsibilization (Krasmann, 2003; Rund, 2015). Undesirable conduct is directly addressed on-site to influence behavior to become more socially acceptable; at most, attempts are made to move individuals into "tolerance zones" (Prepeliczay & Schmidt-Semisch, 2021) or more appropriate spaces such as emergency shelters or drug consumption rooms, or else to escort them straight home. At its core, this is a pragmatic behavioral adjustment and a (temporal) spatial invisibilization of individuals conceived of as "disruptive." This is more about zoning than correcting; it is focused on concealing or displacing disturbing activities rather than eliminating them (Merry, 2001; Ziegler, 2019) and preventing undesirable consequences of risk subjects or a risk population (Groenemeyer, 2001) to whom negative tendencies are attributed. Rather than coercing users, suppressing actions, or punishing transgressions, OSPOS employ a socio-preventive strategy in regulating public spaces. This is not primarily designed to sanction individuals or to prohibit disfavored behavior but is characterized by a less hierarchical, proactive management of socio-spatial risks (Garland, 2001).

This inevitably brings the relationship between the individual and the state, between intervention, adaptation, and autonomy, into view. Accordingly, this article follows the research tradition of governmentality studies (Bröckling et al., 2011; Burchell et al., 1991; Foucault, 2007). The focus is on a particular form of power that, under the concept of governance, encompasses diverse tactics and techniques of planned influence on human action (Dean, 2007; Foucault, 1987) and is aimed at directing people and the population toward specific political goals (Butler, 2004). In our context, we encounter a libertarian-paternalistic mode of governance characterized by the reciprocity of security and freedom (Bröckling, 2018). Guiding this form of governance is the management of mobilities and the idea of self-regulated social spaces (Gertenbach, 2008; Opitz, 2007).

Concerning public space, it is about the promotion and control of trouble-free use. Unlike the radical demarcation or banishment of authoritarian sovereign power or the perfected network of multiple institutions of confinement of disciplinary power, OSPOS manage public space as a more or less self-regulated context, as a productive space of circulation (Foucault, 2007; Krasmann & Opitz, 2007). Operationally, they rarely pursue the strict normalization or disciplining of people who use the public space. Instead, OSPOS specialize in an ongoing adjustment of spatial inclusion and exclusion practices to support trouble-free social self-regulation of public spaces. In/exclusion presents a topological quality, insofar as governmental mechanisms of the social order refer to the spatial difference between an inside and outside (Gertenbach, 2008; Merry, 2001). OSPOS edit opportunities for access and residency in designated zones and influence the spatial distribution of conspicuous bodies or risky behavior, doing so on a continuum of inclusion and exclusion dynamics and practices (Opitz, 2007). In terms of power analysis, the socio-spatial inclusion and exclusion of individuals or collectives turn out to be both an object of governance (insofar as it emerges as a problem of governance) and a governmental technology for regulating public spaces. This *governance through inclusion and exclusion* ultimately focuses on securing public spaces of circulation against disruption or risk, but without compromising the social momentum of public spaces (Foucault, 2007; Gertenbach, 2008; Merry, 2001). Accordingly, OSPOS have a great deal of room for maneuvering to be able to intervene according to the situation. Their activities are characterized by great openness and flexibility. In the majority of OSPOS, action processes or guidelines are only minimally formalized.

With OSPOS, the regulatory state presents itself as open and willing to negotiate (cf. Piñeiro et al., 2021a). OSPOS motivate individuals and stimulate their capacity to conduct themselves cooperatively (Rund, 2015)—a mode of governance that can aptly be summarized as the "conduct of conduct," according to Foucault (1987). OSPOS would like to strengthen the monitoring of oneself, as a continuous reflexive control, of "oneself by oneself'' (Celle, 2012). The addressees are to become co-producers of public order as far as possible, to engage in self-policing (Schlepper et al., 2011) by appropriately in/excluding themselves from the public space: The "conduct of conduct" can be understood more concretely as in/exclusion of self-in/exclusion.

As organizations of the public administration, OSPOS operate with an ensemble of soft power policing techniques through which regulatory claims and behavioral controls can be achieved in a less repressive way. They proceed with tactical calculations of friendly inducement and moral pressure to bring behaviors into line with specific governmental goals (Krasmann, 2003; Lutz, 2009). This approach operates as "design choice architecture" (Thaler & Sunstein, 2008, p. 10) and is aimed at gently influencing the behavior and intentions of addressees and can be more precisely captured by the concept of a "nudge": Although choice options are modeled and decisions are guided in a certain direction, individuals can still exercise their freedom. Their attention is directed to certain aspects, so to speak, and options for action are shown with their respective consequences.

The gentle libertarian paternalism of nudging aims to protect (short-sighted) citizens—the *homo myopicus*—from themselves and their misjudgments, without forcing or punishing them. Subjective motives or biographical experiences of the addressees play a role only insofar as they promote or counteract desirable or harmful behavior (Bröckling, 2018).

Such soft power techniques of governing intentions and behavior extend the governability of people (Celle, 2012; Dean, 2007). At the same time, this policing of nudging and (self-)in/exclusion, of activation and moral regulation of behavior is not reducible to the law (Foucault, 2007). While police actions need legitimization in legal terms and are therefore bound to the principle of legality, OSPOS proceed on a societal level where degrees of proceduralism and juridification are lowered and work is done on the basis of individual negotiation, convincing, and amicable settlement. Social skills and diplomatic aptitude are required here (Scheffer et al., 2017). OSPOS engage in socially preventive risk management that takes on the form of an administrative, quasi-extralegal power (Butler, 2004). By virtue of its status as law, it is not binding but is characterized by a high degree of social pliability with occasional appeals to authority (Scheffer et al., 2017). If the police remain committed to juridically legitimated means in the repressive use of their law-power (Foucault, 1978), OSPOS operate quasi below the threshold of the sovereign powers of a formal intervention authority (Piñeiro et al., 2021b). They suggest possibilities of good or correct behavior and weigh probabilities in order to guide behavior in a certain direction, for which softer, sometimes dialogical forms of moral regulation of behavior are suitable (Krasmann, 2003). OSPOS present themselves as friendly, helpful, and close to life, which is intended to strengthen the compliance of the addressed. This form of governance of public spaces is managed more flexibly, proceeds tactically and pragmatically, and is less bound to pre-established norms. It operates in a less formalized manner and manages a reality that is always already the effect of technologies of surveillance and intervention directed to individuals (Krasmann & Opitz, 2007). As we have shown elsewhere, this socio-spatial governance of OSPOS is also capable of expanding and strengthening sovereign exclusionary formations, such as coercive legal measures in the Swiss National Foreigners Act or police expulsion—which is why we speak here, for example, of "soft power banishment" (see Piñeiro et al., 2021b). This article focuses on the specific practices and processes of the OSPOS governance through in/exclusion in public space, which is why we cannot go into detail about the dynamic interplay of hard and soft power policing.

3. Research Design

This article draws on data from the SNSF-funded research project In Between Social Work and the Security Police: Ethnographic Perspectives on Multiple Institutional Logics in Regulatory Social Work (https://data.snf.ch/grants/grant/178898). Ethnographies are characterized by an open, object-appropriate, and field-specific approach and by methodological pluralism. Accordingly, various research methods such as participant observation, ethnographic interviews, expert interviews, and document analyses were used. A total of 16 expert interviews were conducted with leaders of OSPOS we identified throughout Switzerland and the publicly accessible web pages of all OSPOS on the internet were analyzed. The research focused on three comprehensive case studies, each of which allowed us to conduct in-depth ethnographic research on one organization. Participant observation was central to the in-depth study of the three case studies. In all three organizations, we mainly accompanied OSPOS employees on patrol in public spaces. OSPOS staff instructed us to wear the same partial uniform as they did, as had happened previously with other visitors such as journalists or staff from other public departments. These uniforms were colored, short-sleeved vests worn over clothing, each with the official logo of the city and the organization printed on it clearly. During our field visits, we were able to accompany different staff members, whom we got to know better throughout the long shifts, in different patrol constellations. While observing their work, we participated in what was happening in the field but did not take on any tasks, instead assuming a peripheral, distanced position. Further, we participated in the organization's internal meetings, such as team and leadership meetings. We participated in a total of 21 work shifts during the day (e.g., from 12:00 to 18:00) or in the evening (e.g., from 18:00 to 02:00). We were able to observe a wide range of activities (mobile patrol, back-office work, network meetings, etc.). In total, we wrote over 400 pages of observation protocols.

We conducted numerous ethnographic interviews with employees in different positions and functions in the field and collected internal documents on dress codes, work procedures, meeting minutes, etc. The selection of the three cases followed the principles of theoretical sampling (Strauss & Corbin, 1990): They were not defined in advance but were selected successively, alternating between data collection, the development of theoretical categories, and further data collection. We organized the analysis of the empirical data according to grounded theory.

Based on the results of the three case studies and the findings from the interviews and homepages of the other 12 OSPOS, three types were abstracted (Kelle & Kluge, 2010). The three contrasting case studies were each used as a prototype within the type formation. These prototypes resemble a type, but they are not identical to it, i.e., they serve as a detailed example for the type abstracted, but include further OSPOS studied as well. In the following section, we base the introductory presentation of the respective OSPOS type (welfare, neighborhood order service) on different OSPOS (on which the type is founded) and subsequently discuss selected situations from our ethnographic material on the corresponding case study.

Empirical situations from two case studies specializing in policing social marginality will be presented. Due to the thematic scope of the article, the third type (municipal law order service) will not be discussed. In the case of the OSPOS that were assigned to this type, social marginality in public space was not a relevant problem to be dealt with. The selected observation sequences are exemplary in nature and lend themselves to a power analytic discussion of socio-spatial in/exclusion dynamics.

4. Empirical Findings

4.1. Welfare Order Service: Socio-Spatial In/Exclusion of Social Marginality in Motion

The welfare order service is the most widespread type in larger Swiss cities. These agencies see themselves as "outreach social work" (organizations that were examined were assigned numbers; quotations or observation protocols are each assigned a specific numbered OSPOS). They focus on individuals or groups who are perceived as socially marginalized—target groups that affect a broad use of public space, when their behavior is considered unpleasant, disorderly, or intrusive. Welfare order services do not primarily aim to remedy a personal social predicament. Rather, they counteract the spatial perpetuation of social problems by influencing the circulation of marginalized people so that they do not settle in certain spots or they shift to tolerated zones or social institutions designated for them. They present themselves as caring and helpful. These OSPOS organizations seek contact with individuals or groups and try to establish a relationship with them in order to address undesirable behavior through dialogue, to win over the addressees for "collaboration" (head of division at OSPOS/5).

The prototype of the welfare order service (OSPOS/1 case study) had been "exclusively on the road for marginalized people and drug addicts" (team leader Leo at OSPOS/1) when it was founded. The former head of this service recalls in an interview how a resident "suffered extremely" because drugs were "actually" being consumed inside her house entrance. A "relatively weird [drug] scene" had formed in this neighborhood. In his narrative, it is not the drug users who appear as the socially disadvantaged, vulnerable groups, but the residents. According to this narrative, the addicts burden the neighborhood with their presence and affect the quality of living. OSPOS/1 also specializes in problematic target groups such as homeless, psychologically conspicuous or neglected people, as well as disruptive groups of young people—especially if they become entrenched in certain places. In the "high-gloss city" (staff at OSPOS/1), they are to be kept on the move or made less visible. This is illustrated by the following observation of a team of two who were on patrol during the day:

> The intervention was triggered by a social worker from the drug consumption room of the state (DCR) because a client was sitting in front of a closed store. At this point, he has been "denied access" to the DCR, meaning not allowed to enter the facility for a defined period of time because he is considered aggressive. In addition, he was carrying a golf club. Claudia and Andreas (OSPOS employees) walk over to the client, who is known to them. He immediately greets them with: "I'm not in the mood for a chat." Claudia takes the lead in the conversation and tries to convince the client with different arguments to go somewhere else. The client demands "good reasons" why he is not allowed to sit [t]here. Claudia brings in different reasons, none of [which] convinces him. She mentions the golf club, [how] it could scare passers-by, and that the [DCR] wants to prevent larger gatherings of people (addicts) around the facility. The client contradicts her again and insists that he is not committing a crime and that he is just sitting [t]here drinking iced tea. Claudia and Andreas try different approaches. They offer to get his colleague, who is currently in the DCR, whom [the client] said he's waiting for, or recommend that he goes to the park. The client also rejects these suggestions. Claudia looks at Andreas and mumbles: "What can

> we do?" But they do not let up. Finally, the client stands up abruptly, gets on his bike, and rides away.

Claudia and Andreas actively approach the "client," although he initially refuses to talk. They want to convince him to leave the place. His presence poses a problem for the socio-medical facility: He has been "denied access" and now the neighborhood should not be additionally burdened by this. The mere presence of the "client" is perceived as a potential threat by OSPOS staff, even though he is just sitting there, is not doing illegal drugs, and does not exhibit aggressive behavior. With its preventive risk management, staff not only intervene at an early stage (before the situation escalates, i.e., before the intervention of police); it also uses informal moral pressure to move the "client" on. Claudia and Andreas remain friendly and approachable and try to coax the client into giving up his position without threatening him with the law or concrete sanctions. Strictly speaking, they convinced the "client" to exclude himself from this public zone. In this way, OSPOS encourage a double exclusion: a client's exclusion from the low-threshold facility (their "tolerance zone") preventing potential negative consequences, and a client's self-exclusion from the neighborhood, which they actively promote. This puts a great deal of social pressure on the "client."

While in the first example the "client" has to be convinced to exclude himself, the next two observed situations demonstrate *successful* self-inclusion/exclusion. Their distinct compliance points to the fruitful work of the organization:

> Damir and Nicolas (OSPOS employees) are checking two public toilets around 8:30 p.m. In one of them, there is a syringe, traces of blood can be seen on the floor and on the side of the wall. Damir disposes of the syringe in the corresponding box provided. He then locks the toilet so that it is no longer accessible until it is cleaned. Meanwhile, someone else joins us, I (researcher) perceive him to be an addict. He tells me quite proudly that he has already caught someone who had left his syringe lying around, he had pointed it out to him. I affirm to him [that it's] good that he did that. He laughingly replies: "Right?" And touches my arm looking for recognition….As we continue walking, we meet a female addict. Damir and Nicolas know her and greet her by her first name. She is walking barefoot. There are bumps all over her body. Nicolas asks her: "Did you consume drugs inside the toilet?" He adopts a reproachful attitude, which contrasts somewhat with his sensitive voice. Now she looks up briefly and says "no," she consumed them elsewhere. "Really?" probes Nicolas. She denies it again. Damir asks how her wound is healing. She shows him a long scar on the side of her face and answers that she is better. Nicolas points to another scar on her arm and advises her to show it to a doctor, it is infected. She still wants to go to the DCR now and asks whether we are also going there (in the OSPOS car). Because if so, we could give her a ride. Both [OSPOS employees] say no, but that she should hurry before the DCR closes. We say goodbye and walk on.

Both situations show how addicts align their behavior with prevailing ideas of order: The first addict wants to be praised for his conforming behavior. His sense of responsibility goes so far that he exhorts other addicts to keep order. In this way, he himself assumes the role of the OSPOS. Then the female addict emphasizes her responsible behavior by saying that she will now visit a DCR. Both cases actively reproduce the norm that illegal drugs are to be consumed in designated places. The public toilet represents an informal in-between space: Although not explicitly designated for this purpose, it is tolerated as a place of drug consumption if basic rules are followed—which is not the case with the one bloodstained toilet, which is why it is locked. Both the toilet and the DCR serve to reduce drug use in public spaces. Both addressees state that they have the necessary insight and self-responsibility and that they are acting according to the norms in this respect—that they are managing their socio-spatial self-inclusion/exclusion competently. Unlike the first "client," these two are enforcing consumption rules and desired behaviors by themselves, explicitly and immediately. They can mobilize themselves in the recognized spaces. This in/exclusion through self-management seems to be the result of a long-lasting moral responsibilization and activation work of the OSPOS. The latter case with the female addict illustrates the importance of a caring attitude and personal relationship building in this regard—soft policing techniques designed to improve compliance.

4.2. Neighborhood Order Service: Fixing Socio-Spatial In/Exclusion in Marginalized Housing Developments

This type of service operates in the public environment of housing developments in urban agglomeration municipalities with a high proportion of socially vulnerable or marginalized individuals. Politically and in the media, these residential areas are declared "sensitive zones" (OSPOS/13) or "problem neighborhoods" (OSPOS/12). The close architectural arrangement of large housing blocks (e.g., noise echoing in squares/courtyards), and the associated high population density are considered particularly problematic, leading to an accentuation of conflicts in housing development zones (noise- and graffiti-making, littering). Sometimes crime locations are also identified, where petty and violent crimes committed by housing development residents accumulate. Increasing "subjective safety" (OSPOS/16) as well as "peacemaking" (OSPOS/16) and resolving "neighborhood conflicts" (OSPOS/13) are considered key goals: "We are there for everything concerning neighbor problems: uncivil behavior, damage to property, moral decline, brawls" (staff at OSPOS/10). In contrast to the welfare order service, which specializes in more intensive micro-social handling of marginalized individuals or disruptive groups in attractive inner-city zones, this type of "social guard in the neighborhood" (OSPOS/10) focuses on a meso-social level: It deals with tense coexistence and the lack of social cohesion in socially marginalized housing developments, which are perceived as precarious, decoupled spaces of social exclusion. What is managed here is not the self-in/exclusion of profiled marginalized individuals, but the self-in/exclusion of potentially all residents of a highly segregated zone. Policing there is ultimately based on the supra-individual regulation of the resident population as a whole, in order to prevent a sense of insecurity and a potential escalation of social conflicts in time. The visible physical presence of staff has a preventive, de-escalating effect: It signals to potential troublemakers, that the public environment is being monitored and at the same time helps calm the unsettled residents. This will be illustrated by three empirical examples that we observed in case study OSPOS/12:

In this first situation, the researcher is out shortly after 7:30 p.m. with Adrian and Vera (OSPOS employees) in housing area 3. This is considered to be particularly socially stressed due to young adult residents whose stay and behavior is particularly problematized by the OSPOS staff:

> The area is known for "drug dealing." I ask what their mission is here. They are carrying out their "normal tasks": "We walk through the settlement." "If there are groups," they would "only greet them," depending on their mood. Adrian adds: If they are "open to dialogue," then they would chat with them. But even if they react negatively, "if they make noise," or if there is a lot of littering, they would still intervene, but as briefly as possible. Vera confirms this. I keep taking notes. Vera says it would be good now if I would stop taking notes while we visit the groups.

The staff perceives this group to be making this public housing space seem threatening, unsafe for other residents, and hardly accessible. Despite petty criminal activity, the young adults are neither evicted nor controlled by the police. The staff marks their presence through brief greetings—the space is monitored and behavior is registered. If necessary (noise, littering), intervention is brief and restrained. Policing confirms the self-inclusion of the young adults: The OSPOS staff thus inform them that they are tolerated here, as long as they adhere to basic rules of conduct. The group obviously cannot be evicted from the public housing environment—after all, they are residents who live here. The marginalized housing offers informally formed "tolerance zones" that permit the self-inclusion of these problematized residents, leading them to self-exclude from other public places—a socio-spatial arrangement favored by the soft policing of the OSPOS staff. This group is not supposed to be mobilized and to circulate in public space. Rather, it is supposed to settle in certain places, thus limiting socio-spatial risks and making them more calculable.

The employees of OSPOS/12 are aware that their policing and uniform are noticed by the resident population. They use their visibility as a preventive presence aimed at cushioning potentially emerging coexistence tensions at an early stage. In the next observation sequence, around 7:00 p.m., the OSPOS patrol crosses a busy courtyard where many children are jumping around and riding scooters:

> Alexandra (OSPOS employee) greets the children joyfully and asks casually how they are doing. They answer briefly with "good." Further ahead, a few women (whom Alexandra later calls "mothers") are sitting on a small wall. Alexandra greets them, they greet her back in a polite but distanced manner. Later Alexandra explains to me that there were always complaints from neighbors next door because of the children. Now the children play less close to the street, which is fine because it is less noisy. They now stay in the courtyard, which is a good thing. Alexandra adds that it is important that a few mothers have seen us now, so they notice that OSPOS staff monitor the square regularly. "The blue" (of the uniform) has a strong effect, it is "a stimulus." Alexandra felt a brief tension when the mothers caught sight of her. She thinks this has a positive effect: It forces them to control the behavior of their children. Her presence, the brief passing by, is also an "appeal to order." The complaining neighborhood also sees that OSPOS staff is present, which helps to calm the waters.

In this example, OSPOS mark their physical presence. The presence of staff interrupts everyday life for a moment and draws attention to themselves. Alexandra refers to the intervention as "guarding" and "marking terrain." The mothers are reminded to pay attention to their children's behavior because they are being monitored too. The children are told to play in defined zones so that their noise is less likely to disturb other neighbors. The encounter is benevolent, friendly, and respectful. At the same time, both children and mothers demonstrate their responsible behavior, conformity to norms, and successful self-in/exclusion. This practice does not require social proximity or intense interaction; superficial contact is enough.

Depending on the situation, ad-hoc interventions occur, characterized by more intensive social interaction. In the following example, they serve to maintain relationships with known youth residents. They are frequently addressed by OSPOS staff because their behavior is blamed for social tensions:

> As we walk through housing area 1 at 10:00 p.m., a few teenagers call out to us. As they gradually join us, we greet each other with a fist bump. They seem

> to feel like talking to us. Obviously, they know the OSPOS. They note that I'm new (researcher) and want to know who I am. I explain that I'm doing research on OSPOS. They ask about another staff member. Fabio explains that she is on maternity leave. Animatedly, they questioned Hugo and Fabio (OSPOS employees) about their work, training, and salary. Hugo tried to say goodbye to the group several times and finally succeeds after 20 minutes. Later, Fabio tells me that this group kept the housing area on its toes for a while. They rioted, set fire to garbage bags, and demolished windows. They also once beat up a young resident. Some of them were in a "reformatory." The staff knows their life story, they come from "problem families." But they are actually "children," all of them have conflicts with adults. Nevertheless, they like to talk to the OSPOS employees. I ask Hugo and Fabio about their mission with the teenagers today. Fabio answers [that it is about] "maintaining the relationship" and Hugo adds: "It is also important that we are perceived as confidants."

This excerpt exemplifies how soft policing functions as relationship maintenance, which can be understood as a form of inclusion work in socially marginalized housing areas: As we observed in several other situations, young people often actively seek contact with OSPOS employees, which can be understood as an effect of long-lasting relationship work. They know the OSPOS staff. Hugo and Fabio meet them openly and at eye level. Here they take on the socio-pedagogical role of youth workers. They want to be perceived as approachable, adult confidants and not as formal authorities who treat them in a repressive manner (the youths' repeatedly run away from a passing police car during this encounter, only to return to the OSPOS staff immediately after the "cop alarm"). They see the youths as part of this sociostructurally stressed housing development, appropriating the public environment as residents. Fabio's narrative demonstrates that this is an at-risk group—highlighting the scope of relationship building: It proves to be a form of socio-pedagogical control, that registers sensitivities and annoyances, disturbances, and conflicts. However, the monitoring also determines that everything is just fine and communicates this continuously in a mode appropriate for the youths—the meeting is relaxed, they joke, and there is no cause for concern. In this way, OSPOS take on a regulating bridging function between youths and other neighbors (adults) who potentially feel disturbed by them: Both parties perceive the public space as being monitored and, if necessary, intervene if the social peace is threatened.

5. Conclusions

Our empirical findings show that the non-police policing of social marginality by OSPOS essentially consists of regulating the dynamics and processes of socio-spatial in/exclusion. OSPOS deal with spatialized forms of social marginality to primarily protect public space. From their perspective, a fair use of public spaces requires everyone to exercise self-restraint in their individual forms of use and behavior. OSPOS rationalize (potential) poor self-conduct and inadequate self-control as socio-spatial risks. These are addressed preventively by influencing the in/exclusion of social marginality and incentivizing or morally demanding appropriate behavioral adjustments.

The socio-preventive risk management of OSPOS applies as a "conduct of conduct" to a corresponding self-policing of its addressees, which takes place by means of monitoring and interventions with individuals, groups, and the residential population. This governance through in/exclusion leads to less repressive state policing and the more informal exercising of power by the public administration. Instead of prohibiting actions and punishing certain behaviors, OSPOS influence the socio-spatial circulation processes with offers of (superficial) relationships and cooperation. By means of soft communicative methods such as nudging, which differs from juridical law enforcement, prohibitions, or police expulsions, the balance between self and external control or between (self-)in/exclusion is continuously adjusted.

Soft power policing varies according to OSPOS type: While the welfare type seeks to protect valuable public spaces from social marginality, the neighborhood type seeks to allow all residents to participate in the public environment of marginalized housing developments. Whereas the welfare type focuses on mobilizing self-in/exclusion practices of marginalized individuals and groups in attractive urban centers, the neighborhood type specializes in the self-in/exclusion of the whole population of segregated housing areas. In doing so, the former OSPOS work to counteract socio-spatial fixation of problematized individuals and groups, whereas the latter works toward inclusive socio-spatial entrenchment of residents in their marginalized housing developments, respectively in selected "tolerance zones." With this OSPOS mode of libertarian-paternalistic regulation, the state gains far-reaching and uncomplicated access to lifeworld arrangements in public space. The policing is gentle and the behavioral control subtle, which makes it possible to use self-conduct productively for order maintenance.

Both dynamics—socio-spatial inclusion and exclusion—are closely intertwined. This interplay appears constitutive of urban public space. With regard to the "inclusive city," the question arises as to how it relates to socio-spatial processes of exclusion. How and where individuals, groups, or whole areas are included or excluded by certain governmental practices is an eminently political question related to the official regulation of social marginality, involving vulnerable people. If the "inclusive city" is not to be celebrated as a dull ideal, we must confront it with its own exclusionary mechanisms. Studying OSPOS, we learn how the boundaries of socio-spatial inclusion and exclusion of social marginality are negotiated and set. In the future, we should probably instead refer to an "in/exclusive city."

Acknowledgments

This work was supported by the Swiss National Science Foundation (grant number 178898).

Conflict of Interests

The authors declare no conflict of interests.

References

Anttiroiko, A.-V., & de Jong, M. (2021). *The inclusive city: The theory and practice of creating shared urban prosperity*. Palgrave Macmillan.

Beckett, K., & Herbert, S. (2010). *Toward banishment: The transformation of urban social control.* Oxford University Press.

Behrens, M., Bukow, W.-D., Cudak, K., & Strünck, C. (Eds.). (2016). *Inclusive city: Überlegungen zum gegenwärtigen Verhältnis von Mobilität und Diversität in der Stadtgesellschaft* [Inclusive city: Reflections on the current relationship between mobility and diversity in urban society]. Springer.

Belina, B. (2011). Ending public space as we know it. *Social Justice*, *38*(1/2), 13–27.

Bröckling, U. (2018). *Gute Hirten führen sanft: Über Menschenregierungskünste* [Good shepherds lead gently: About the art of human governance]. Suhrkamp.

Bröckling, U., Krasmann, S., & Lemke, T. (2011). *Governmentality: Current issues and future challenges*. Routledge.

Burchell, G., Gordon, C., & Miller, P. (1991). *The Foucault effect: Studies in governmentality. With two lectures by and an interview with Michel Foucault.* University of Chicago Press.

Butler, J. (2004). *The politics of mourning and violence*. Verso.

Celle, É. (2012). *Gouverner les pauvres. Politiques sociales et administration du mérite* [Governing the poor: Social policies and the administration of merit]. Presses universitaires de Rennes.

Crawford, A. (2014). The police, policing and the future of the extended policing family. In J. Brown (Ed.), *The Future of Policing* (pp. 173–190). London.

De Koning, A. (2017). "Handled with care": Diffuse policing and the production of inequality in Amsterdam. *Ethnography*, *18*(4), 535–555.

Dean, M. (2007). *Governing societies.* Open University Press.

Diebäcker, M. (2022). Kontrolle [Control]. In F. Kessl & C. Reutlinger (Eds.), *Handbuch Sozialraum, Sozialraumforschung und Sozialraumarbeit* [Handbook social space, social space research and social space work] (pp. 169–179). Springer.

Eick, V. (2003). New strategies of policing the poor: Berlin's neo-liberal security system. *Policing and Society*, *13*(4), 365–379.

Foucault, M. (1978). *The history of sexuality. Volume I: An introduction.* Pantheon Books.

Foucault, M. (1987). Das Subjekt und die Macht [The subject and power]. In H. L. Dreyfus & P. Rabinow (Eds.), *Michel Foucault. Jenseits von Strukturalismus und Hermeneutik* [Michel Foucault. Beyond structuralism and hermeneutics] (pp. 243–261). Beltz.

Foucault, M. (2007). *Security, territory, population. Lectures at the Collège de France 1977–1978*. Palgrave Macmillan.

Garland, D. (2001). *The culture of control: Crime and social order in contemporary society*. University of Chicago Press.

Gasser, K. (2003). *Kriminalpolitik oder City-Pflege? Bedeutungsstrukturen polizeilicher Strategien im öffentlichen Raum der Stadt Bern* [Crime policy or city care? Meaning structures of police strategies in the public space of the city of Bern]. Stämpfli.

Gertenbach, L. (2008). Ein "Denken des Außen." Michel Foucault und die Soziologie der Exklusion [A "thinking of the outside." Michel Foucault and the sociology of exclusion]. *Soziale Systeme*, *14*(2), 308–328.

Goffman, E. (1963). *Behavior in public places. Notes on the social organization of gatherings*. Free Press.

Groenemeyer, A. (2001). Von der Sünde zum Risiko? Bilder abweichenden Verhaltens und die Politik sozialer Probleme am Ende des Rehabilitationsideals; Überlegungen zum Zusammenhang von gesellschaftlicher Modernisierung und der Konstruktion sozialer Probleme [From sin to risk? Images of deviant behavior and the politics of social problems at the end of the ideal of rehabilitation; reflections on the connection between social modernization and the construction of social problems]. *Soziale Probleme*, *12*(1/2), 146–182.

Harvey, D. (2008). The right to the city. *New Left Review*, *53*, 23–40.

Herbert, S., Beckett, K., & Stuart, F. (2018). Policing social marginality: Contrasting approaches. *Law & Social Inquiry*, *43*(4), 1491–1513.

Innes, M. (2005). Why "soft" policing is hard: On the curious development of reassurance policing, how it became neighbourhood policing and what this signifies about the politics of police reform. *Journal of Community & Applied Social Psychology*, *15*(3), 156–169.

Kelle, U., & Kluge, S. (2010). *Vom Einzelfall zum Typus. Fallvergleich und Fallkontrastierung in der qualitativen Sozialforschung* [From the individual case to the type. Case comparison and case contrasting in qualitative social research]. Springer.

Kemper, R., & Reutlinger, C. (Eds.). (2015). *Umkämpfter öffentlicher Raum. Herausforderungen für Planung und Jugendarbeit* [Contested public space. Challenges for planning and youth work]. Springer.

Krasmann, S. (2003). *Die Kriminalität der Gesellschaft. Zur Gouvernementalität der Gegenwart* [The criminality of society. On the governmentality of the present]. UVK.

Krasmann, S., & Opitz, S. (2007). Regierung und Exklusion. Zur Konzeption des Politischen im Feld der Gouvernementalität [Government and exclusion. On the conception of the political in the field of governmentality]. In S. Krasmann & M. Volkmer (Eds.), *Michel Foucaults "*Geschichte der Gouvernementalität*" in den Sozialwissenschaften* [Michel Foucault's "History of Governmentality" in the social sciences] (pp. 127–155). Bielefeld.

Laberge, D., & Roy, S. (2001). Pour être, il faut être quelque part. La domiciliation comme condition d'accès à l'espace public [To be, you have to be somewhere. Domiciliation as a condition for access to public space]. *Sociologie et sociétés*, *33*(2), 115–131.

Litscher, M. (2017). Wegweisung aus öffentlichen Stadträumen oder: Vom Umgang mit urbanen Vergnügungen und mit Risiken des Lebens [Expulsion from public urban spaces or: On dealing with urban pleasures and with the risks of life]. In J. Häfele, F. Sack, V. Eick, & H. Hillen (Eds.), *Sicherheit und Kriminalprävention in urbanen Räumen. Aktuelle Tendenzen und Entwicklungen* [Security and crime prevention in urban areas. Current trends and developments] (pp. 129–150). Springer.

Lutz, T. (2009). Soziale Arbeit und die Kultur der Kontrolle. Spuren und Trampelpfade des gesellschaftlichen Strukturwandels in den Hilfen zur Erziehung in Hamburg [*Social work and the culture of control. Traces and paths of social structural change in educational assistance in Hamburg*]. *Kriminologisches Journal*, *41*(4), 243–260.

Matthews, R. (1992). *Replacing "broken windows": Crime, incivilities and urban change*. Roger Matthews. http://rogermatthews.net/images/papers/replacing_broken_windows.pdf

Merry, S. E. (2001). Spatial governmentality and the new urban social order: Controlling gender violence through law. *American Anthropologist*, *103*(1), 16–29.

Opitz, S. (2007). Eine Topologie des Außen—Foucault als Theoretiker der Inklusion/Exklusion [A topology of the outside—Foucault as a theorist of inclusion/exclusion]. In R. Anhorn, F. Bettinger, & J. Stehr (Eds.), *Foucaults Machtanalytik und Soziale Arbeit. Eine kritische Einführung und Bestandsaufnahme* [Foucault's power analysis and social work. A critical introduction and stocktaking] (pp. 41–57). Springer.

Piñeiro, E., Koch, M., & Pasche, N. (2021a). *Un/doing Ethnicity im öffentlichen Dienst. Ethnografien zum ethnischen Differenzieren am Beispiel von Jugendamt und Polizei* [Un/doing ethnicity in public service. Ethnographies on ethnic differentiation using the example of the youth welfare office and the police force]. Seismo.

Piñeiro, E., Locher, N., & Pasche, N. (2021b). The art of soft power banishment. New insights into the Swiss deportation regime*. Ethnic and Racial Studies*, *45*(16), 28–48.

Piñeiro, E., Locher, N., & Pasche, N. (2021c). Die "Care-Seite" der Repression: Konjunkturen eines akzeptanzorientierten Policing von Drogenkonsum in öffentlichen Räumen [The "care side" of repression: Conjunctures in acceptance-oriented policing of drug use in public spaces]. *Suchtmagazin*, *47*(3/4), 27–30.

Prepeliczay, S., & Schmidt-Semisch, H. (2021). Tolerance zones: A pragmatic approach to respond to problems related to open alcohol and drug scenes in Bremen/Germany. *Drugs and Alcohol Today*, *21*(3), 223–234.

Rund, M. (2015). *Regierung des Raumes, Regierung des Sozialen. Zur Gouvernementalität postfordistischer Sozialraumpolitiken* [Government of space, government of the social. On the governmentality of postfordist social space policies]. Göttingen University Press.

Schaefer Morabito, M. (2014). Policing vulnerable populations. In M. D. Reising & R. J. Kane (Eds.), *Oxford handbook of police and policing* (pp. 197–213). Oxford University Press.

Scheffer, T., Howe, C., Kiefer, E., Negnal, D., & Porsché, Y. (2017). *Polizeilicher Kommunitarismus. Eine Praxisforschung urbaner Kriminalprävention* [Police communitarianism. A practice research of urban crime prevention]. Campus.

Schlepper, C., Peter, S., & Lüdemann, C. (2011). Self-Policing als Substitut formeller sozialer Kontrolle? [Self-policing as a substitute for formal social control?]. *Kriminologisches Journal*, *43*(2), 82–98.

Siebel, W., & Wehrheim, J. (2003). Öffentlichkeit und Privatheit in der überwachten Stadt [The public and the private in the surveilled city]. *The Planning Review*, *39*(153), 4–12.

Simmel, G. (1995). Die Großstädte und das Geistesleben [The metropolis and the life of spirit]. In G. Simmel (Ed.), *Gesamtausgabe* [Complete edition] (pp. 116–131). Suhrkamp. (Original work published 1903)

Skogan, W. G. (1990). *Disorder and decline*. Free Press.

Strauss, A. L., & Corbin, J. (1990). *Basics of qualitative research. Grounded theory procedures and techniques.* SAGE.

Terpstra, J., & Devroe, E. (Eds.). (2015). Plural policing [Special issue]. *European Journal of Policing Studies*, *2*(3).

Thacher, D. (2014). Order maintenance policing. In M. Reising & R. J. Kane (Eds.), *Oxford handbook of police and policing* (pp. 122–147). Oxford University Press.

Thaler, R., & Sunstein, C. (2008). *Nudge: Improving decisions about health, wealth, and happiness.* Yale University Press.

Wehrheim, J. (2012). *Die überwachte Stadt. Sicherheit, Segregation und Ausgrenzung* [The surveilled city. Security, segregation and exclusion]. Barbara Budrich.

Wurtzbacher, J. (2008). *Urbane Sicherheit und Partizipation. Stellenwert und Funktion bürgerschaftlicher Beteiligung an kommunaler Kriminalprävention* [Urban security and participation. Importance and function of civic participation in municipal crime prevention]. Springer.

Ziegler, H. (2019). Prävention als sozialraumbezogenes Handlungsfeld [Prevention as a field of action related to social space]. In F. Kessl & C. Reutlinger (Eds.), *Handbuch Sozialraum, Sozialraumforschung und Sozialraumarbeit* [Handbook of social space, social space research and social space work] (pp. 659–673). Springer.

About the Authors

Esteban Piñeiro is a professor at the University of Applied Sciences and Arts Northwestern Switzerland (FHNW), School of Social Work. He holds a PhD in sociology. His research interests are focused on practices of the intervening state, particularly in the context of social work, and the intersection of social work and police work. He is currently conducting research on policing emotionally disturbed persons and on un/doing ethnicity in public administration.

Nathalie Pasche is a researcher at the University of Applied Sciences and Arts Northwestern Switzerland (FHNW), School of Social Work. In 2013, she completed her master's degree in social work and social policy at the University of Fribourg. She is currently writing her dissertation on narratives of diversity in Swiss police corps. Her research interests include (de)construction of social differences and organizational research in the field of social work and police.

Nora Locher is a researcher at the University of Applied Sciences and Arts Northwestern Switzerland (FHNW), School of Social Work. She's engaged in projects about the intersection of social work and police work regarding the "governing of the undesirables" and about the structural influences of homelessness. She's trained in cultural anthropology, sociology, and social work and her research interests include the un/doing of social differentiation and a sensitive dealing within, as well as the theoretic field of new materialism.