

Introduction:

Policing the Crisis – Policing in Crisis

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URBAN SPACE HAS LONG BEEN A HIGHLY CONTESTED

terrain despite the myths of accessible public space for *all*, the Greek agora being one example. Today, over 50% of the world's population lives in urban environs. In Latin America, the figure exceeds 75% and in Brazil it is already 83% (Fernandes, 2007: 202). Under neoliberal conditions, gentrification, segregation, social exclusion, poverty, and (political) conflicts have grown. Also increasing are contestations over access rights, transparency in decision-making, democratic participation, and utopias or dystopias—in sum, the multiple demands for “the right to the city” (Lefebvre, 2003). In tandem, forces are deployed with the aim of protecting the class order, generally meaning the police but, at times, the military. Unlike Britain in the 1960s, when state policing of “folk devils and moral panics” focused on Mods and Rockers (Cohen, 2002), or in the mid-1970s when “policing the crisis” meant racist state policing centered on “the black urban mugger” (Hall et al., 1978), today the state police constitute no longer the only but still the most important part of a larger ensemble of forces called “the police extended family” (Johnston, 2003). Whereas the state at all levels—local, regional, national, and subnational—remains the key area for challenging social exclusion and inequalities, it has become less visible in the last three decades or so. It was neither “hollowed out” nor is it vanishing, however, despite being utterly altered in its internal composition and its spheres and forms of operation. The neoliberal restructuring of policing is just one striking example.

The Policing Assemblage

Most recently, Jean-Paul Brodeur (2010) outlined in detail what he perceives as “the policing web.” Contributing to that web in the public realm are state and municipal police departments—“our enemies in blue” (Williams, 2004): specialized policing agencies (such as the FBI), specialized administrative policing agencies (such as the German *Zollbehörde*, Customs), military policing agencies (such as the Italian *Carabinieri*), military police (such as the German *Feldjäger*), parapolicing entities (such as civil servants investigating fraud in revenues, welfare, or health), external security services (such as the British MI6), border police (such as the German *Bundesgrenzschutz*, renamed to *Bundespolizei* in 2005), international police (such as Europol), international peace-keeping forces (such as those deployed by the United Nations), and hybrid forms of providing internal and external security.

In the private, or, more accurately, for-profit realm, there are multifunctional agencies that provide contract-based protection. Also known as rent-a-cops, they are “to some extent the private counterpart of the urban public police departments” (Brodeur, 2010: 28). Specialized

private security agencies also offer human and technological resources (in-house, or for external customers), and a private “knowledge industry” is emerging (such as the Pinkerton and Rand Corporation merged data banks on worldwide “terrorist” incidents for the U.S. government). Finally, private military companies—the 21st-century successors to medieval mercenaries (such as the Blackwater Corporation, renamed Xe and then Academi)—and private corporations providing security intelligence are noteworthy, as are hybrid forms with interfaces between internal and external security and/or between public and private security.

These diverse policing agencies all aim to provide a particular form of protection and order along with legitimate backing. Yet there are other “policing activities that are carried out without a legal framework or within an extremely loose set of rules” (Brodeur, 2010: 31). These include the self-policing of, for instance, the First Nations of Canada, which enjoy a special legal status, undercover policing with informants, doormen and bouncers in the nighttime economy, and in-house private security. With these forms, the states’ general trend is “to establish a broad legal framework that allows the industry to regulate itself, which is in no hurry to do so” (*Ibid.*: 32).

Beyond the state and for-profit agencies is found mainly delinquent enforcement policing undertaken by organizations such as the Mafia, the triads, and the yakuza. Additionally, being “brutally overpoliced at their periphery and underpoliced in their midst” (*Ibid.*: 34), the populations of *barrios*, *bidonvilles*, *favelas*, refugee camps, reservation, slums, and the like (Davis, 2006) sometimes adopt forms of self-organized policing, for better or worse (Fourchard, 2006). In addition to Brodeur’s list, there are growing numbers of nonprofit policing agencies, i.e., long-term unemployed recruited by nonprofit organizations working in the field of labor-market (re)integration, who are deployed for order maintenance in public spaces (Eick, 2003, 2011). Finally, a plethora of community policing and crime prevention initiatives exist in the form of partnerships, NGOs, QUANGOs (Quasi-Autonomous Non-Governmental Organizations), etc. Although the latter agencies generally lack repressive powers, it makes little sense, as Coleman et al. (2009: 13) remind us, “to analyze them in isolation from, or as existing independently of, the ‘repressive’ apparatuses of the state.” Instead, one should critically reflect upon, as this special issue attempts to do, their potential to “successfully” co-opt, cooperate, or compete with the state apparatus. Their purposes and interests overlap, albeit unintentionally at times.

The Criminalization of the Urban Poor

The mallification of everyday life is so far advanced in neoliberal society that it almost seems unremarkable. Airports look increasingly like shopping malls, as do sports stadiums and other venues of mass entertainment. The commercialization of inner-city space, the sanitizing and privatizing of railway stations and transportation hubs, the creation of Business Improvement Districts (BIDs), the redefinition of public space and the reordering of what is to be perceived as *acceptable* behavior all go with the respective policing strategies and tactics backed by juridical means. To give a few examples from the recent past, Chicago, in the mid-1990s, saw the introduction of the Anti-Gang Loitering Ordinance (No. 92-4), which made it a crime “to remain in any one place with no

apparent purpose” on a “public way and any other location open to the public, whether publicly or privately owned” (cited in Levi, 2008: 188). During the three and one-half years before the Supreme Court ruled against the ordinance, “approximately forty-two thousand individuals were arrested, with yet another forty-three thousand orders to disperse” (*Ibid.*: 189). In another example, between 1997, when it was elected, and 2008, the British Labour government “created 3,605 new offences” (Brodeur, 2010: 24); in 1998, for instance, Anti-Social Behaviour Orders, or ASBOs, were introduced against the urban poor.

The blurring of the borders between criminal and non-criminal behavior resulted in sanctioning conduct such as “being sarcastic, feeding birds in a garden, or political protesting” (Flint, 2006: 6). Since 2003, Rotterdam has run a program called the “Intrusive Approach.” It sets up so-called *Stadsmariniers*, literally City Marines. These Dutch police units are allowed to search apartments without a court order. If a family refuses to collaborate with the police, social assistance can be cancelled. In case that does not change a family’s behavior, the family will be moved to another district (Tops, 2007). As Belina (2007: 324) has shown for Germany, area bans—denying “undesirables” such as alleged drug users, prostitutes, and the homeless access to particular parts of cities—have been introduced in 13 of the 16 federal states; however, “that three out of the 16 *Länder* have not introduced area bans into their respective Police Law does not necessarily mean that they are not practiced there.” In Austria, the federal state Steiermark, following the examples of Vienna and Salzburg, introduced universal begging bans against panhandling in early 2011 (Frank, 2011).

Fighting the poor and not poverty, and attacking the homeless and not homelessness are well-known practices. In the United States alone, the baseline number of people who are homeless over the course of a year is estimated to be approximately three million. This figure was projected to increase by 1.5 million over 2009 and 2010 because of the economic and financial crisis. Further, according to the most recent statistics available, over half of the homeless population does not receive food stamps (NLCHP-NCH, 2010: 7–9). According to some estimates, more than 311,000 tenants nationwide were evicted from homes in 2008 after lenders took over the properties (Spinner, 2008). As Mitchell and Heynen (2009: 626) noted in 2009, “at least 22 U.S. cities since 2003—and at least 15 just since 2006—have either passed new laws restricting free public food distribution or stepped-up enforcement of health and food safety laws to shut down existing distribution programs.” In 2009, the NLCHP-NCH (2010) surveyed 235 cities according to their “prohibited conduct chart” and found that between 23 and 49% prohibited the following: camping in particular public places in the city or citywide, sitting/lying in certain public places, loitering in particular public areas or citywide, begging in specific public places or citywide, as well as aggressive panhandling. Other state measures to control the homeless include automated surveillance and “innovations” in trespass laws (Mitchell and Heynen, 2009).⁽¹⁾

The counterpart to these developments at the fringes of cities are the mushrooming gated residential areas (gated communities), which are so symptomatic of intensified segregation (Blakely and Snyder, 1997; Glasze et al., 2005), and the chiefly European phenomenon of left-behind suburbs like the French *Banlieues* or the German *Plattenbauten*. The latter rely heavily on private police for what is perceived as security and order (Eick, 2006; Flöther, 2010), but the *Banlieues* are known for their

special Neighborhood Police Squads, the Unité Territoriale de Quartier, deployed by French President Nicolas Sarkozy (Jobard, 2008; Soullez and Bauer, 2011).

All of these have become important parts of the “revanchist city” (Neil Smith), which is so heavily policed by rent-a-cops, state police, and, more recently, by quasi-police recruited from the long-term unemployed under the auspices of nonprofits. Here as elsewhere, urban elites view these new state and private policing strategies and tactics as “promising” solutions that are underpinned by criminological ideologies and practices such as “broken windows,” “zero tolerance,” “crime hotspot mapping,” and various spatial measures of policing that are increasingly fixed in law. Such measures not only harm the weakest and worst-off parts of society, but also shift the (social) meaning of public space more generally. Moreover, one outcome of this complex set of processes is the intensified segmentation of the city as a whole and a further segmentation of the citizenship along economic, social, cultural, and ethnoracial lines.

The Right to the City

Over the last three decades or so, the valorization of urban space has been the prevalent accumulation strategy of international capital. Paving the way for the production of urban space merely for its exchange value was the state (Harvey, 1978). The current financial and economic crisis (unfortunately, it is not a crisis of neoliberalism, let alone capitalism), which is based not least on a real estate crisis, fuels poverty, social segregation, exclusion, and racism. Also fueling the *demand* and *aspiration* for the right to the city, “the demand ... comes from the directly oppressed, the aspiration comes from the alienated” (Marcuse, 2009: 191). As Purcell (2003: 583) reminds us, the “idea that inhabitants have a right to control their everyday life extends beyond the city and can be applied to inhabitants in all geographical contexts.”

David Harvey (2008: 37–38) emphasizes that greater democratic control over the production and utilization of the surplus is needed and, since “the urban process is a major channel of surplus use, establishing democratic management over its urban deployment constitutes the right to the city.” Increasingly, however, we see the right to the city falling into the hands of private or quasi-private interests, turning, for example, “Manhattan into one vast gated community for the rich.” Nevertheless, as Harvey makes clear, the opportunities are multiple because ... crises repeatedly erupt around urbanization both locally and globally, and because the metropolis is now the point of massive collision—dare we call it class struggle?—over the accumulation by dispossession visited upon the least well-off and the developmental drive that seeks to colonize space for the affluent (*Ibid.*: 39).

While looking at the state, private, and quasi-private policing forces that sustain class domination for the affluent and the urban elites, we do so in light of the necessity that the “directly oppressed” and the “alienated” are to take back control of their cities—and much more.

Preview of this Volume

Contributions to this special issue focus on various aspects of urban policing in crisis. The first section covers recent developments in the “governance” of urban spaces. Articles analyze neoliberal ideologies,

programs, and projects that restrict the right to the city from “undesirables.” *Bernd Belina’s* piece investigates the history and ideologies involved in the notion of public space. At the core of the “public space” ideology, he argues, is the idea of free access for everybody. Like the idealist notion of the “public sphere” it builds upon, “public space” is and has always been used to regulate the “where” of certain groups and populations in the city. In recent years (decades in the United States), cities have witnessed a new way of concretizing what is to be understood as “free access.” Evicting “unpleasant” and thus “scary” people is regarded as a precondition for the “free access” of decent folks. Criminological ideologies and practices such as “broken windows,” “zero tolerance,” “crime hotspot mapping,” and various spatial measures of policing, which have been increasingly fixed in law, make this shift in the understanding of “public space” plausible, legitimate, and necessary—and also *real* through the social production of urban spaces. At the same time, the spatialization of “crime” de-socializes crime and policing discourses. Belina thus argues that rather than *governing crime through space*, what is needed is struggle over the meaning of “public space.”

John Krinsky and *Maud Simonet’s* research on parks in New York underlines the “vulnerability” of urban public spaces. Their analysis of the privatization of parks (through park maintenance and development) links the role of parks in generating private value with the *work* of park maintenance and park management. Privatization of parks is often understood as compatible with their public benefits, but the conditions of work in park maintenance has received less scrutiny despite the thorough reorganization of park maintenance and operations along neoliberal lines. Thus, the authors see in park maintenance a combination of “the commodification of public goods and the rise of underpaid, precarious work” (Wacquant, 2009: 5). A distinguishing feature of the coherence of the neoliberal project is therefore its ability to impose incoherence on alternatives.

In her case studies on the policing of prostitution, *Jenny Künkel* examines another aspect of this incoherence as she shows how local prostitution regimes are reshaped differently in the process of urban neoliberalization. The research is based on media analysis and interviews with sex workers and regulatory stakeholders such as police, pimps, politicians, social workers, as well as resident and business owner associations. In the policing of inner-city neighborhoods, attempts of communities to upgrade their image must take into account self-regulatory mechanisms within the sex industry. Policing practices vary according to the form of prostitution and to the image of a neighborhood. Although some forms of prostitution (including tolerance of its private security management) are incorporated into gentrification strategies to promote tourism, the drug and street prostitution of Eastern Europeans has faced intensified control strategies accompanied by exclusionary discourses and practices.

Such exclusionary effects might be enforced, as *Marc Schuilenberg’s* case study from The Netherlands illustrates, through new forms of legal regulation. His article describes one of the most disturbing developments in private policing by shopkeepers in several Dutch cities. Employing a Foucauldian approach, he analyzes prevention efforts against alleged shoplifters, which the Dutch state has sought power to combat. He concentrates on the “Collective Shop Ban,” a measure introduced to make shopkeepers co-responsible for maintaining security. Investigating

the bans, he shows how the process of securitization unfolds in Dutch society and discusses the unique juridical and ethical effects of quasi-criminal law.

In the final piece of the first section, *Nik Theodore* examines the exclusionary effects of the current policing of migrants in the United States. His contribution focuses on the rescaling of immigration policymaking and its enforcement by closely examining Arizona, the “ground zero in the immigration debate” (McDowell and Wonders, 2010: 59; cf. Rotstein, 2008). In Arizona, the 2010 U.S. census found that 43.2% of Arizonans under 18 were Hispanic and that whites, at 41.6%, were for the first time in a minority in that age group (White, 2011). Theodore looks at the “attrition-through-enforcement doctrine” and considers the ways in which that strategy meshes with local policing tactics to produce modes of social control based on perverse logics of migrant criminalization and expulsion. This blatant attempt to disrupt everyday life for unauthorized immigrants is so profound and fundamental that they see no other option but to leave the United States. The second section of this special issue contains articles on the “doing of policing” to better understand the inclusionary and exclusionary effects within newly arising policing regimes and the (institutional) players involved. *John Manzo’s* article offers insights into the sphere of private security work. He utilizes an ethno-methodological analytic perspective to highlight the perspectives of private security officers and considers aspects of their reflections on their own legitimacy. Officers address their training and discuss how they perceive their work to be “police-like.” Both topics concern the omniscient complaints of critics of the privatization of social control—that security is inadequately regulated and formally unaccountable in comparison to public policing. Here we also gain the perspective of security officers on these matters.

As *Kendra Briken* shows, the self-perception of security guards is shaped by their status as wage laborers under the conditions of “actually existing neoliberalism.” In this perspective, the valorization of security work is analyzed at three levels. First, the framing patterns of security work are examined to uncover the economic, normative, and social changes in work generally and in security work specifically. After analyzing the processes of selling and managing security, Briken examines security personnel (re)actions to workfare strategies deployed by their superiors in the state and within management. She illustrates that with the interplay of the neoliberal employment regimes and neo-Taylorist management strategies, security work becomes highly precarious. At the same time, however, security guards are not simply the prolonged workbench of management and their respective customers. As any other employee, they are first and foremost workers. From this perspective, collective political action against the neoliberal control system remains an option.

Volker Eick investigates the interplay between private security and workfare measures. He analyzes Germany’s allegedly “new” security architecture and its respective “cornerstones”: a commercial element, private security officers, and the workfare parapolice of “activated,” long-term unemployed people. Together, both stakeholders form an extremely dangerous “critical infrastructure.” He argues that rent-a-cops and the workfare parapolice represent the lowest end of a highly profitable market. Wages and qualification levels are extremely low and legal justifications for their deployment are skating on thin ice. Moreover, this merging of two previously distinct spheres, labor-market (re)integration and internal security, is understood as profit enhancement and a

neoliberal response to the economic crisis. To camouflage cuts in public spending and the extension of the low-wage sector, a “need” has been created to address subjective feelings of insecurity. As a result, a neocommunitarian “caretakerization” of the urban populace is under way.

In his contribution, *Massimiliano Mulone* refers to another recent challenge to the understanding of the public-private divide: the growing number of police forces selling their services to private individuals and/or organizations, from renting off-duty police officers to offering training for the private security workforce. Indeed, the police, through the commercialization of their services, have become an active and important member of the security market. To analyze the consequences of such practices, the author focuses on the way in which commercialization processes are undertaken and on the effects of these techniques. Drawing upon a case study of the commercialization department of a North American municipal police organization as well as upon further international examples, he shows how the market-driven activities of the police are transforming the organization itself and how new forms of commercial policing emerge.

In a global perspective, *Ben Bowling* and *James Sheptycki* invite us into the realm of “Globopolis.” They describe the socially alienating effects of local and transnational policing: dividing populations and enforcing social exclusion. In addition, they contextualize these practices by reference to broader patterns of alienation. Their analysis of the security-control paradox (the more police and security there is, the more insecure people feel) then examines the observed psychosocial affects in and beyond urban environs.

Last but not least, *Loïc Wacquant*, in an interview with Karen J. Winkler and Volker Eick, clarifies that the state can seek to remedy undesirable conditions and behaviors in three ways. It can “socialize” them by tackling their roots in the collective organization of society, “medicalize” them by treating them as individual pathologies, or “penalize” them by ramping up law-enforcement agencies and directing them at problem populations. He also discusses his most recent and forthcoming books, as well as the relationship between class, race, and the state.

While preparing for this special issue, we came to know *Christoph Schäfer*, an artist and political activist based in Hamburg, Germany. Henri Lefebvre inspired his work on cities worldwide. He immediately agreed to provide us with a selection of his work taken from his current book, *The City Is Our Factory/Die Stadt ist unsere Fabrik* (Leipzig: Spector Books, 2010). The drawings and texts were produced between November 2008 and March 2010. Some of them were shown in April 2009 at lectures during the “Right to the City” conference in Hamburg. We wish to thank Christoph for allowing us to reproduce his work. Unfortunately, they are not the original color versions (for a fuller account, see www.christophschaefer.net/; or buy the book).

Most contributions to this special issue were initially written for a conference held in Berlin, Germany, in August 2010 (<http://tinyurl.com/ckk7ah4>). The conference was co-funded by the U.S. and Canadian embassies, the Rosa Luxemburg, Heinrich Böll, Helle Panke, and Holtfort Foundations, the Alumni Associations of the Freie Universität Berlin and the Goethe Universität, Frankfurt am Main. Without that support, the preconditions for publishing this special issue of *Social Justice* would not have been met. We very much appreciate their ongoing support.

The 2010 conference focused on North America and Europe. At first sight, specific varieties of policing appeared to be very heterogeneous. In our perspective, however, they are closely connected. They shape a formation that we propose to define as the “urban security work space,” which is new in quality and quantity. This concept is analyzed in this volume of *Social Justice* and elsewhere (see Eick, 2012; Eick and Briken, 2012). We are more than thankful to Gregory Shank and his co-editors for giving us the opportunity to publish some of the conference results in *Social Justice*.

NOTE

(1) Based on information gathered in about 224 cities that were included in the NLCHP-NCH’s 2007 and 2009 reports, there has been a seven percent increase in laws prohibiting “camping” in particular public places; an eleven percent increase in laws prohibiting loitering in particular public places; a six percent increase in laws prohibiting begging in particular public places, and a five percent increase in laws prohibiting aggressive panhandling (NLCHP-NCH, 2009: 10–11).

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